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**REGULAR SESSION
SEVENTY-THIRD
GENERAL ASSEMBLY**

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

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Des Moines**

SEVENTY-THIRD GENERAL ASSEMBLY

1990 Regular Session

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AND IOWA COURT OF APPEALS JUDGES

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SEVENTY-THIRD GENERAL ASSEMBLY
1989 REGULAR SESSION**

LEONARD L. BOSWELL

Address Davis City
Age 56
Occupation Farmer/Small Businessman
Senatorial District 46—Decatur, Adair, Adams, Cass, Clarke, Ringgold, Taylor, Union
Former Legislative Service 71, 72, 72X, 72XX, 73 (1st)

CHARLES H. BRUNER

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Senatorial District 37—Story
Former Legislative Service 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73 (1st)

C. JOSEPH COLEMAN

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Age 66
Occupation Farmer, Businessman
Senatorial District 7—Webster, Hamilton
Former Legislative Service 57, 58, 59, 60, 60X, 61, 62, 63, 64, 65, 66, 67X, 68, 69, 69X, 69XX, 70, 71,
72, 72X, 72XX, 73 (1st)

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Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73 (1st)

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Address Cedar Falls
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Senatorial District 12—Black Hawk
Former Legislative Service 71, 72, 72X, 72XX, 73 (1st)

PAT DELUHERY

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Age 58
Occupation Weekly Newspaper Publisher
Senatorial District 35—Marion, Jasper, Polk, Warren
Former Legislative Service 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73 (1st)

MEMBERS OF THE SENATE—73rd GENERAL ASSEMBLY
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DONALD V. DOYLE

AddressSioux City
Age 64
OccupationLawyer
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, 72X, 72XX,
73 (1st)

RICHARD F. DRAKE

AddressMuscatine
Age 62
OccupationGeneral 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, 72X, 72XX, 73 (1st)

EUGENE S. FRAISE

AddressFort Madison
Age 57
OccupationFarmer/Legislator
Senatorial District 31—Lee, Des Moines, Van Buren
Former Legislative Service 71 (2nd), 72, 72X, 72XX, 73 (1st)

LINN FUHRMAN

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Age 45
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Senatorial District 5—Buena Vista, Calhoun, Pocahontas, Sac, Webster
Former Legislative Service 72, 72X, 72XX, 73 (1st)

JULIA GENTLEMAN

AddressDes Moines
Age 58
OccupationHousewife
Senatorial District 41—Polk
Former Legislative Service 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73 (1st)

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AddressOttumwa
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OccupationRetired—Deere & Co.
Senatorial District 33—Wapello, Appanoose, Davis
Former Legislative Service 67 (2nd), 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73 (1st)

NORMAN J. GOODWIN

AddressDeWitt
Age 77
OccupationRetired County Extension Director
Senatorial District 19—Clinton, Cedar
Former Legislative Service 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73 (1st)

**MEMBERS OF THE SENATE—73rd GENERAL ASSEMBLY
1989 REGULAR SESSION—Continued**

MICHAEL E. GRONSTAL

Address Council Bluffs
 Age 39
 Senatorial District 50—Pottawattamie
 Former Legislative Service 70, 71, 72, 72X, 72XX, 73 (1st)

MARK R. HAGERLA

Address West Burlington
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 Occupation Grocer
 Senatorial District 30—Des Moines, Henry
 Former Legislative Service 73 (1st)

BEVERLY A. HANNON

Address Anamosa
 Age 57
 Occupation Homemaker/Student
 Senatorial District 22—Jones, Cedar, Linn
 Former Legislative Service 71, 72, 72X, 72XX, 73 (1st)

H. KAY HEDGE

Address Fremont
 Age 61
 Occupation Farmer
 Senatorial District 32—Mahaska, Jefferson, Keokuk, Wapello
 Former Legislative Service 73 (1st)

JACK W. HESTER

Address Honey Creek
 Age 60
 Occupation Farmer
 Senatorial District 49—Pottawattamie, Cass, Harrison, Shelby
 Former Legislative Service 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73 (1st)

WALLY E. HORN

Address Cedar Rapids
 Age 56
 Occupation Teacher
 Senatorial District 25—Linn
 Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73 (1st)

CALVIN O. HULTMAN

Address Red Oak
 Age 48
 Occupation Businessman/Real Estate
 Senatorial District 47—Montgomery, Fremont, Mills, Page, Pottawattamie
 Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73 (1st)

MEMBERS OF THE SENATE—73rd GENERAL ASSEMBLY
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EMIL J. HUSAK

Address Toledo
Age 59
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, 72X, 72XX, 73 (1st)

BILL HUTCHINS

Address Audubon
Age 58
Occupation Businessman
Senatorial District 48—Audubon, Carroll, Crawford, Shelby
Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73 (1st)

JOHN W. JENSEN

Address Plainfield
Age 63
Occupation Farmer
Senatorial District 11—Bremer, Black Hawk, Butler, Grundy
Former Legislative Service 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73 (1st)

JOHN P. KIBBIE

Address Emmetsburg
Age 60
Occupation Farmer
Senatorial District 6—Palo Alto, Clay, Dickinson, Emmet
Former Legislative Service 59, 60, 60X, 61, 62, 73 (1st)

GEORGE R. KINLEY

Address Des Moines
Age 52
Occupation Owner-Golf Sales and Sporting Goods
Senatorial District 40—Polk
Former Legislative Service 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73 (1st)

JIM LIND

Address Waterloo
Age 34
Occupation Service Station Owner/Operator
Senatorial District 13—Black Hawk
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JEAN LLOYD-JONES

Address Iowa City
Age 60
Occupation Legislator
Senatorial District 23—Johnson
Former Legislative Service 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73 (1st)

MEMBERS OF THE SENATE—73rd GENERAL ASSEMBLY
1989 REGULAR SESSION—Continued

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Address Des Moines
Age 40
Occupation Attorney
Senatorial District 43—Polk
Former Legislative Service 70, 71, 72, 72X, 72XX, 73 (1st)

ALVIN V. MILLER

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Occupation Insurance Agency
Senatorial District 10—Cerro Gordo, Winnebago, Worth
Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73 (1st)

LARRY MURPHY

Address Oelwein
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Occupation Business Sales, Writing, Adjunct Professor
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Former Legislative Service 71, 72, 72X, 72XX, 73 (1st)

JACK NYSTROM

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Age 56
Occupation Legislator
Senatorial District 44—Boone, Carroll, Greene, Story
Former Legislative Service 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73 (1st)

WILLIAM D. PALMER

Address Des Moines
Age 54
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, 72X, 72XX, 73 (1st)

PAUL D. PATE

Address Marion
Age 31
Occupation President-PM Systems Corp.
Senatorial District 24—Linn, Buchanan, Delaware
Former Legislative Service 73 (1st)

JOHN A. PETERSON

Address Albia
Age 55
Senatorial District 34—Monroe, Clark, Lucas, Warren, Wayne
Former Legislation Service 71 (2nd), 72, 72X, 72XX, 73 (1st)

MEMBERS OF THE SENATE—73rd GENERAL ASSEMBLY xi
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Address Algona
 Age 71
 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, 72X, 72XX, 73 (1st)

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 Occupation Farmer
 Senatorial District 6—~~Sioux~~, Plymouth, Woodbury
 Former Legislative Service 70, 71, 72, 72X, 72XX, 73 (1st)

JACK RIFE

Address Moscow
 Age 4
 Occupation Farmer
 Senatorial District 29—~~Muscatine~~, Scott
 Former Legislative Service 70, 71, 72, 72X, 72XX, 73 (1st)

JAMES R. RIORDAN

Address Waukeg
 Age 40
 Occupation Nursery/Garden Center Owner
 Senatorial District 45—~~Dallas~~, Adair, Guthrie, Madison
 Former Legislative Service 71 (2nd), 72, 72X, 72XX, 73 (1st)

RICHARD V. RUNNING

Address Cedar Rapids
 Age 43
 Occupation Statistical Quality Control Trainer
 Senatorial District 26—Linn
 Former Legislative Service 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73 (1st)

KENNETH D. SCOTT

Address Clear Lake
 Age 59
 Occupation Realtor, Farmer, Auctioneer
 Senatorial District 15—~~Cerro Gordo~~, Chickasaw, Floyd, Howard, Mitchell
 Former Legislative Service 64, 65, 66, 72, 72X, 72XX, 73 (1st)

JOHN SOORHOLTZ

Address Melbourne
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 Senatorial District 36—~~Marshall~~, Jasper
 Former Legislative Service 70 (2nd), 71, 72, 72X, 72XX, 73 (1st)

**MEMBERS OF THE SENATE—73rd GENERAL ASSEMBLY
1989 REGULAR SESSION—Continued**

AL STURGEON

Address Sioux City
 Age 33
 Occupation Legislator
 Senatorial District 1—Woodbury
 Former Legislative Service 69, 70, 71, 72, 72X, 72XX, 73 (1st)

ELAINE SZYMONIAK

Address Des Moines
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 Occupation Retired-Vocational Rehabilitation
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 Former Legislative Service 73 (1st)

RAY TAYLOR

Address Steamboat Rock
 Age 66
 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, 72X, 72XX, 73 (1st)

DALE L. TIEDEN

Address Elkader
 Age 67
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 Senatorial District 16—Clayton, Allamakee, Winneshiek
 Former Legislative Service 61, 62, 63, 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73 (1st)

MAGGIE TINSMAN

Address Bettendorf
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 Occupation Legislator
 Senatorial District 20—Scott
 Former Legislative Service 73 (1st)

RICHARD VANDE HOEF

Address Harris
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 Occupation Farmer
 Senatorial District 4—Osceola, Cherokee, Clay, Lyon, O'Brien, Sioux
 Former Legislative Service 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73 (1st)

RICHARD VARN

Address Solon
 Age 31
 Occupation Lawyer, Exec. Dir., Construction Assoc.
 Senatorial District 54—Johnson, Iowa, Poweshiek
 Former Legislative Service 70, 71, 72, 72X, 72XX, 73 (1st)

MEMBERS OF THE SENATE—73rd GENERAL ASSEMBLY
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JOE J. WELSH

Address Dubuque
Age 34
Occupation Businessman—Private Investigator
Senatorial District 17—Dubuque, Jackson, Jones
Former Legislative Service 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73 (1st)

JOURNAL OF THE SENATE

FIRST CALENDAR DAY
FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, January 8, 1990

Pursuant to chapter two (2), sections two point one (2.1) and two point three (2.3), Code of Iowa, the 1990 Regular Session of the Seventy-third General Assembly convened at 10:01 a.m., and the Senate was called to order by Lieutenant Governor Jo Ann Zimmerman.

Prayer was offered by the Reverend Beth Dobyms, pastor of the First Christian Church, Perry, Iowa.

OPENING REMARKS BY LIEUTENANT GOVERNOR

Lieutenant Governor Zimmerman addressed the Senate as follows:

"A Report Card on Iowa"

Senators, staff, and guests, let me welcome you back to the second session of the Seventy-Third General Assembly. It is my pleasure to especially welcome Senator Mike Connolly to this body to fill the seat vacated by Senator Carr.

Today I am making history by addressing this body as the last Lieutenant Governor to serve as President of the Senate. On January 15th, 1858 at 2:00 pm, Oran Faville became the first Lieutenant Governor to preside over the Senate. As he pounded the gavel it started the history of the forty-one Lieutenant Governors who have graced your presence. I am honored to stand before you the first woman to serve in this capacity. I am sure that our last year of working together will be a rewarding and successful one.

As we begin a new decade I think that it is important to look at our past and predict the future. This past decade has shown us some ups and downs. How does our state make the grade? I am going to look at some of the most important areas.

I would grade Iowa's **ECONOMY** as improving with mixed signs. Anyone with one foot on a block of ice and the other foot on a bed of fire, is on the average doing O.K. On the positive side, growth of income tax revenues has been greater than predicted following the 1987 tax reform. Also more people are working than

in 1980. But on the negative side, Medicaid payments are higher than predicted. We lost 80,000 people out of the State in the 1980's and this drain appears to have stopped. The number of bankruptcies increased suddenly the last quarter of 1989 and the number of calls to the Rural Concern Hotline doubled.

The decrease in births since 1965 has reduced the number of people now seeking jobs, and shortages are appearing in every state. Of course we have a better outlook on unemployment. Our challenge will be in holding our young people here, by providing an economy and education system to meet the technology of the workforce.

Small towns will vanish without help. Our expansion in jobs has been in mostly urban areas. We desperately lack a rural development policy or plan. Surrounding agriculture based states did not sustain the population loss that Iowa experienced.

Let's admit that other states have ideas that can work for us. The Wisconsin Legislature enabled the development of **cooperative based businesses**. These businesses provide work in rural areas. They fill a niche. Arkansas assumed the charter of a bank going out of business. This became its **venture capital base**. That state determined that the greatest number of new or expanding businesses needed loans in the \$5000 to \$50,000 range. Small businesses were funded and helped to stabilize the population loss of rural areas. Of course, we all recognize the change in North Carolina as diversified from a tobacco economy to include the establishment of a **research base**. We can use these ideas in transitioning Iowa into the twenty-first century.

Here is an opportunity for an Iowa first. We should be the first state to enable the establishment of **pension banks**. Pensions were designed as a benefit to attract and hold workers in one company and this will change. Portable pensions can be designed to attract workers to this state and maintain a workforce.

It is imperative that we move quickly to **remove discrimination** of women, handicapped people, and minorities. We must be honest and sincere in dealing with the "Hate Crimes" legislation. We must be innovative in establishing **day care**, both for adults and children, and centers for urban and rural families. The state which moves forward in building a good environment for working and living will hold its own population and attract others, while other states will be dealing with worker shortages.

We have a good mark on the **ENVIRONMENT**. The Iowa success stories can be attributed to these chambers. Model legislation such as the Ground Water and the Leaking Underground Storage Tank Bill have shown the state's commitment to a clean and safe environment.

The job is far from over. All Iowans need to make a commitment to the environment. We need to decide once and for all that we are going to do all we can to avoid leaving future generations with our left-overs.

Recycling is the key component. Each of us must now bear the responsibility of separating our garbage and reducing the amount of material sent to our landfills.

The State and cities must work together to build **solid waste recovery plants**. Much of our waste can be burned for energy as has been proven by the French Island plant in LaCrosse, Wisconsin. Ames has had a solid waste recovery plant since 1975 and I believe we should proceed in this direction.

I drove down a Des Moines street this past week and noted all the Christmas trees being sent to the landfill. These trees can be chopped and used to provide energy or be used to mulch plantings in our city and state parks. The commitment to the environment has to come from within all of us.

We are on track in focusing on the product of our **EDUCATION** - the student. We have made the leap from funding buildings to funding students.

Education should continue to be both a right and a privilege for the citizens of our State. For years, Iowa has been known for its educational excellence. But today that first place status is being threatened, as every other state understands the importance of an educated workforce. Key to all of this is the importance of community colleges.

Demographics are already showing us that the "traditional" picture of a college student has changed. People of all ages focus on the importance of **life-long education**. Community colleges are the bridge between vocational education training and college, but our State, our communities have yet to realize this.

It is imperative that we stress the importance of community colleges, by **reducing tuition, increasing salaries, raising educational standards, and encouraging diversity in teaching methods**, especially non-traditional students.

The level of coordination between community colleges and our state universities should also increase. A prime opportunity is in the area of research. Community college should be the key to designing machines and jobs from the results of university research. The high schools can then incorporate the new knowledge about jobs and machines and work more closely with community colleges.

There is a void in the implementation of **CORRECTIONS**. Currently, the rate of recidivism for standard institutionalization and community corrections is extremely high in our State. The numbers of chronically unemployed persons and substance abusers further compounds this very volatile situation.

Building additional, permanent, prison beds will place us in the same situation we had with expanding and building schools in the 1960's. You remember, we closed a lot of those schools as the baby boomer generation moved on to jobs and developing their own families. Now we hear a cry for more prison beds. When the baby boomer generation is ready to retire, we will find we have too many prison beds.

Let us look for **reasonable alternatives**. One of these is an "**offender rehabilitation program**". Such programs intersect the process at the sentencing point. This program offers the convicted felon an opportunity to learn job skills, removing the felon from the environment in which he or she developed criminal

behavior. One such innovative program has shown a 60% success rate in preventing recidivism or return to prison.

Offender rehabilitation programs may be refined for each community, so that enforcement becomes a collective, cooperative effort. They can be tailor-made to assist each offender in successful transitions off the state and into the workforce. Until we see that ineffective methods that used to work are no longer the answer to solving crime, we will continue to witness the erosion of our quality of life in our communities.

As a nurse, I understand the difference between addiction to alcohol and drugs, and criminal behavior. **We must not treat the addiction and criminal behavior as one entity.** We must be prepared to treat addicts and follow that treatment after the felon re-enters the community.

We have a poor report card on **HEALTH CARE**. Too many individuals and families are one step away from homelessness and abject poverty. The number of Iowans who have health insurance or are under insured continues to grow. Even those persons who have relied on federal or state health benefits have found programs cut. The very young, and elderly are at extreme risk.

Prenatal care saves money, six dollars for every one dollar spent. We must assure our youngest residents the best start in life. We must maintain the gains we have made.

We must **fund the health education** we have mandated for our schools. I have proposed to the Iowa School Board Association that at least two rural schools in Iowa file for a federal designation as **Rural Health Clinics**. Such a designation would provide a basic health care availability for both children and older people in those communities. The health care personnel would also be a resource in teaching health education. Everyone wins! Our older Iowans are an asset to this state.

I recommend we assist in the development of communities which will emphasize the provision of resources to **help our older Iowans stay healthy**. Our elders should not be sidelined but instead made an integral, healthy, part of our communities. Projects like these are working in Missouri and Indiana.

We must maintain a woman's right to make decisions about her own health. As a nurse, I witnessed the death of women who self aborted. We must main the availability of the abortion procedure. We must increase our commitment to family planning and health education. Open adoption procedures have worked to encourage adoptions in California, and they can work in Iowa too!

An **uncompensated health care fund** for counties should be established. This should be an extension of our "state papers" program to provide health care at the local level.

Employee health insurance costs the state approximately \$100 million each year. I believe we should move to a **self-insured employee health program**.

Iowa faced many challenges in the 1980's, but the 1990's will bring many opportunities to improve our report card.

In closing, once again I pledge to you fairness as I serve you as President of the Senate. Let us work for the good of all Iowans. In his opening address to the Senate 132 years ago, Oran Faville said, "I trust that, animated by a common spirit of devotion to the public good, we may meet the reasonable expectations of our constituents." Thank you.

OPENING REMARKS BY THE MAJORITY LEADER

Senator Hutchins addressed the Senate as follows:

Madam President, Senators, Staff, and Friends: Welcome to you all.

I look forward to our work together this year.

And a special welcome to our newest member, Senator Mike Connolly.

I suspect after this mornings' seat selection that you and I won't be neighbors here on the Senate floor any longer, Mike, but I know that you'll find your new neighbors here in the Senate friendly no matter where in the Chamber you finally land.

This morning, I want to give you a quick overview of some of what has happened since we last met, and some thoughts on what we face this year--a sort of 'state of the Senate'.

1989 was, on balance, a good year for our state and for this Senate.

The 1989 session was productive, with action completed on many vital and important issues.

The 1989 legislative interim likewise was productive, with study committees working to come up with timely recommendations on a broad array of subjects from day care to higher education; from lottery spending to energy efficiency; and from Drug abuse prevention to parks and recreation.

Real oversight of operations in several executive agencies of state government was accomplished through both interim committees and December budget subcommittee meetings.

And, bipartisan efforts on long-range projects such as renovation of our historic Chambers; planning for redistricting in 1991; and updating our own technological capabilities were undertaken. The stage is now set for a short and productive session in 1990.

Legislative procedural changes designed to shorten the session will make us all work harder during the time we are here; but will pay off if we are able to complete our work early this year.

We have solid recommendations from our various interim committees ready for consideration, and a good head start on the budget process, so I am confident that even though we have much to do, we CAN accomplish what needs to be done in about 90 days.

And what issues have the Senate Majority identified for special effort in these 90 days? We need to work especially hard this year on: Environmental protection, energy efficiency, recycling & waste reduction, and soil conservation initiatives; Improvements in Iowa's criminal justice system and public safety; Comprehensive prevention, treatment, and enforcement efforts to combat drug abuse; Measures to keep quality post-high school education accessible to all qualified students; Providing necessary support for Iowans in need--particularly our oldest and youngest citizens; Enhancing successful efforts to strengthen Iowa's economy--statewide. No matter which approach we as individuals would prefer to use in any of these areas, I think we can all agree that, as a body, it is our responsibility to make progress on each this year.

If we do so, as I believe we can, all of us will be able to spend a relaxed Easter weekend--at home with our families--looking back with pride on a short but successful, legislative session.

Thank you.

REMARKS BY THE MINORITY LEADER

Senator Hultman addressed the Senate as follows:

Madam President, Fellow Senators, Staff, Family and Friends:

I would like to take this opportunity to welcome you all back. Also, I want to welcome our newest member to the Iowa Senate, Senator Mike Connolly. I look forward to working with all of you throughout what appears to me will be a very challenging legislative session.

Looking back over the legislative accomplishments and disappointments of the 80's and looking ahead to the issues of the 90's helped our caucus determine priorities for this session. But we can't do it alone. We need to work together, republicans/democrats, rural/urban, conservatives/liberals to do what is best for all Iowans. We have to remember what pulled Iowa through the troubled 80's -- cooperation. Not, one-upmanship, not pride of authorship; but a determined bi-partisan legislative body.

Our caucus priorities address short and long-term issues facing us. We are committed to continuing to work for economic growth, keeping our environment safe and clean, providing affordable higher education opportunities, enacting

meaningful campaign finance reforms, toughening penalties for drug offenders, providing property tax relief and preserving income bracket indexing. I would like to take a few moments to explain how we hope to accomplish these goals.

First continuing to work for economic growth. Iowa's minimum wage law is currently costing the state \$344,000 and taking 10 FTE's to enforce. Conformity to the federal law would save valuable dollars and at the same time alleviate a great deal of confusion and expense for Iowa's small businesses.

Small businesses are the backbone for many communities. Their importance to providing a stable, sound economy is immeasurable. That is why we believe that a small business advocate should be established within state government. Also, to facilitate the formation of local seed capital pools, which make early-stage investments in Iowa businesses and help create new jobs, we propose offering income tax credits.

Second, keeping our environment safe and clean. Recycling is an important part of this commitment and setting an example for others is what we recommending. We will be introducing legislation requiring the general assembly to purchase and procure recycled products and to recycle products used in the operation of the legislature.

Container packaging is a major contributor to our landfills quickly approaching capacity. We recommend that a package review board be established to review the environmental impact of any container.

Preserving the ozone layer for future generations is a must. We would recommend a task force on ozone depletion be established to study the real or potential effects on ozone depletion and global warming on the state of Iowa and to make recommendations that would reduce Iowa's overall contribution of "greenhouse gases" to the atmosphere.

Third, providing affordable higher education tuition, particularly at Iowa's community colleges, which rank near the top, nationally, on average tuition and fees. These colleges, which I commonly refer to as the "working person's college" provide excellent educational opportunities for a wide variety of people. Also, we will be monitoring the newly formed regent's advisory committee on articulation, which is currently in the process of developing articulation guidelines and policies for our higher education institutions.

Fourth, enacting meaningful campaign finance reforms. Our legislative proposal will incorporate recommendations made by the governor's blue ribbon task force and the legislative interim committee.

Fifth, toughening penalties for drug offenders. At the drug summit, joint leadership and the governor agreed to many legislative initiatives designed to strengthen Iowa's attack on drug offenders in the areas of education/prevention, enforcement, and treatment/rehabilitation. It is imperative that we put these "agreed to" proposals on the fast track through this legislative session, so as to send out a signal that we mean business. Our caucus viewed these "agreed to"

initiatives as a starting point toward a major commitment to crack down on drugs. But as I stated in the drug summit, more can and needs to be done. We propose mandatory minimum sentencing for drug offenses, prohibiting appeal bond for convicted drug felons, lowering the OMOVUI blood alcohol level to .08, hard suspension of driver's license for OMOVUI, expanding adult corrections treatment programs at Mt. Pleasant, Newton, Clarinda, and Luster Heights and implementing new programs at Mitchellville and Rockwell City,

The overcrowding at our prisons is of grave concern. This is a basic issue of safety. The bottom line is that we have to provide additional bed space.

Finally, following through with our commitment to provide more property tax relief in a fair and equitable manner. And, maintaining an adequate balance, so as to preserve income bracket indexing.

We have an ambitious agenda and a shorter amount of time to accomplish it together.

Thank you.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Hannon for the day and Senator Bruner for the day and January 9, 1990, on request of Senator Hutchins.

ANNOUNCEMENT OF VACANCY

President Zimmerman announced that she had received notification from the office of Governor Branstad of the following vacancy in the Senate subsequent to adjournment of the 1989 session:

District 18 - Bob Carr, resignation effective July 1, 1989.

COMMITTEE ON CREDENTIALS

Senator Hutchins moved that a committee of five be appointed as a committee on Credentials to examine and report on the election in Senate District 18.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Lloyd-Jones, Chair; Mann, Dieleman, Jensen and Fuhrman.

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

The Senate resumed session, President Zimmerman presiding.

REPORT OF THE COMMITTEE ON CREDENTIALS

MADAM PRESIDENT: We, your committee on credentials, respectfully report that we find the person named in the attached copy of the certification of the Secretary of State duly elected to and entitled to a seat in the Senate for the 1990 Session of the Seventy-third General Assembly.

JEAN LLOYD-JONES, Chair
TOM MANN, JR.
WILLIAM W. DIELEMAN
JOHN J. JENSEN
LINN FUHRMAN

CERTIFICATION-STATE OF IOWA
OFFICE OF THE SECRETARY OF STATE

To the Honorable, Secretary of the Senate:

I, ELAINE BAXTER, Secretary of the State of Iowa, custodian of the files and records pertaining to the elections in the state, do hereby certify that the State Canvassing Board has declared that at a special election held on September 26, 1989, Mike Connolly was elected to fill a vacancy in the office of State Senator of the eighteenth District, for the residue of the term, ending on the second day of January, 1991.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Secretary of State at the Capitol in Des Moines this 9th Day of October, 1989.

(SEAL)

ELAINE BAXTER, Secretary of State

Senator Lloyd-Jones moved the adoption of the Report of the Committee on Credentials.

The motion prevailed by a voice vote.

President Zimmerman announced that the Senator from District 18, Mike Connolly, was administered the oath of office on October 9, 1989, by Lieutenant Governor Zimmerman and witnessed by Senators Hutchins, Lloyd-Jones, Husak and Horn.

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.

COMMITTEE TO NOTIFY THE GOVERNOR

Senator Hutchins moved that a committee of five 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; Riordan, Scott, Rensink and Vande Hoef.

COMMITTEE TO NOTIFY THE HOUSE

Senator Hutchins moved that a committee of five 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 Murphy, Chair; Szymoniak, Miller, Hester and Hedge.

SUPPLEMENTAL REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

Senator Hutchins asked and received unanimous consent to take up 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 appointment as officers and employees of the Senate for the Seventy-third General Assembly

Administrative

Recording ClerkK'Ann Morris

Journal

Recording ClerkKathleen Curoe

Legal Counsel

Assistant to the Legal Counsel Kirsten Daddow

Minority Caucus

Caucus Staff Director Robert Haus
Research Analyst Curt Stamp

Sergeant-At-Arms

Doorkeeper Bernadine Follett
Doorkeeper Daryl Nims

Services

Bill Clerk Glen Beck

Secretaries to Senators

Committee Secretary Mary Callas
Committee Secretary Dan Davis
Committee Secretary Sally Gallagher
Secretary John Gilliland
Secretary Vernell Hall
Secretary Carla Hassel
Committee Secretary Elsie Haun
Committee Secretary Katherine Jellison
Committee Secretary Lori Jones
Committee Secretary Carole Peterson
Secretary Jo Ann West
Committee Secretary Anne Zuccaro

BILL HUTCHINS, Chair

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

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

REPORT OF COMMITTEE TO NOTIFY THE GOVERNOR

Senator 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.

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 1990 Session of the Seventy-third General Assembly:

Eric Annis, Dysart
Linda Burbridge, Logan
Mindy Davis, Waterloo
Kathy Disterhaupt, Glenwood
Shannon Ehlers, Soldier
Anita Gerholdt, New Hartford
Renee Klink, Elkader
Jason Kobes, Belmont
Ed Love, Redfield
Molly McNeill, Algona
Natalie Paris, Fort Madison
Craig Purscell, Runnells
Eric Schulz, Miles
Julie Seeley, Mystic
Chris Squier, Norwalk
Gayle Westra, Rock Valley
Paula Winke, Fort Madison

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.

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

The Senate resumed session, President Zimmerman presiding.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 101, by committee on Rules and

Administration, a resolution to amend Senate Rule 59, relating to confirmation of appointments, by allowing for a single introduction and a single vote on a nominee who is both appointed to fill a vacancy and reappointed for a full term.

Read first time under **Rule 28** and placed on calendar.

Senate Concurrent Resolution 101, by committee on Rules and Administration, a concurrent resolution to amend Joint Rule 20 by advancing the deadline dates for the 1990 Session of the Seventy-third General Assembly.

Read first time under **Rule 28** and placed on calendar.

Senate Concurrent Resolution 102, by committee on Rules and Administration, a concurrent resolution to amend Joint Rule 11, relating to the Code Editor's Correction Bills by extending the applicability of the rule to amendments by the other house.

Read first time under **Rule 28** and placed on calendar.

COMMITTEE REPORTS

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 101, a resolution to amend Senate Rule 59, relating to confirmation of appointments, by allowing for a single introduction and a single vote on a nominee who is both appointed to fill a vacancy and reappointed for a full term.

Recommendation: APPROVED COMMITTEE RESOLUTION.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 101, a concurrent resolution to amend Joint Rule 20 by advancing the deadline dates for the 1990 Session of the Seventy-third General Assembly.

Recommendation: APPROVED COMMITTEE RESOLUTION.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 102, a concurrent resolution to amend Joint Rule 11, relating to the Code Editor's Correction Bills by extending the applicability of the rule to amendments by the other house.

Recommendation: APPROVED COMMITTEE RESOLUTION.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

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

Senate Concurrent Resolution 101

On motion of Senator Hutchins, Senate Concurrent Resolution 101, a concurrent resolution to amend Joint Rule 20 by advancing the deadline dates for the 1990 Session of the Seventy-third General Assembly, was taken up for consideration.

Senator Hutchins moved the adoption of Senate Concurrent Resolution 101.

A non record roll call was requested.

The ayes were 32, nays 1.

The resolution having received a constitutional majority was declared to have been adopted.

Senator Hutchins asked and received unanimous consent to immediately message **Senate Concurrent Resolution 101** to the House.

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

Senate Resolution 101

On motion of Senator Hultman, Senate Resolution 101, a resolution to amend Senate Rule 59, relating to confirmation of appointments, by allowing for a single introduction and a single vote on a nominee who is both appointed to fill a vacancy and reappointed for a full term, was taken up for consideration.

Senator Hultman moved the adoption of Senate Resolution 101.

A non record roll call was requested.

The ayes were 36, nays 10.

The resolution having received a constitutional majority was declared to have been adopted.

COMMITTEE ON MILEAGE

Senator Hutchins moved that the committee on Mileage for the Seventy-third General Assembly examine and file a supplemental report of any mileage changes and the mileage for Senator Connolly in District 18.

The motion prevailed by a voice vote.

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 8, 1990, adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 101, a concurrent resolution for an act calling for the joint convention of the two houses of the 1990 session of the Seventy-third General Assembly be held on Tuesday, January 9, 1990.

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

ADOPTION OF RESOLUTION

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

House Concurrent Resolution 101

On motion of Senator Hutchins, House Concurrent Resolution 101, a concurrent resolution for an act calling for the joint convention of the two houses of the 1990 session of the Seventy-third General Assembly be held on Tuesday, January 9, 1990, was taken up for consideration.

Senator Hutchins moved the adoption of House Concurrent Resolution 101, 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.

REPORT OF COMMITTEE TO NOTIFY THE HOUSE

Senator Murphy 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.

SELECTION OF SEATS

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

Senator Hutchins moved that the holdover Senators be granted the privilege of selecting new seats in order of continuous seniority from unassigned seats; that any Senator having a handicap be allowed to select from the unassigned seats; and that the former member of the House of Representatives be assigned to the remaining seat.

The motion prevailed by a voice vote.

Senator Hutchins asked and received unanimous consent to select seats for Senators Bruner, Hannon and Sturgeon in their absence.

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

<u>NAME</u>	<u>SEAT NO.</u>
Boswell of Decatur	19
Bruner of Story	29
Coleman of Webster	13
Connelly of Dubuque	2
Corning of Black Hawk	24
Deluhery of Scott	47
Dieleman of Marion	21
Doyle of Woodbury	15
Drake of Muscatine	40
Fraise of Lee	11
Fuhrman of Buena Vista	34
Gentleman of Polk	44
Gettings of Wapello	5
Goodwin of Clinton	42
Gronstal of Pottawattamie	9
Hagerla of Des Moines	14
Hannon of Jones	1
Hedge of Mahaska	32
Hester of Pottawattamie	6
Horn of Linn	45
Hultman of Montgomery	46
Husak of Tama	7
Hutchins of Audubon	49
Jensen of Bremer	28
Kibbie of Palo Alto	3
Kinley of Polk	43
Lind of Black Hawk	10
Lloyd-Jones of Johnson	23
Mann of Polk	31
Miller of Cerro Gordo	39
Murphy of Fayette	25
Nystrom of Boone	38
Palmer of Polk	41
Pate of Linn	12
Peterson of Monroe	16
Priebe of Kossuth	37
Rensink of Sioux	4
Rife of Muscatine	8
Riordan of Dallas	33
Running of Linn	17

Scott of Cerro Gordo.....	35
Soorholtz of Marshall.....	36
Sturgeon of Woodbury.....	20
Szymoniak of Polk.....	18
Taylor of Hardin.....	50
Tieden of Clayton.....	48
Tinsman of Scott.....	26
Vande Hoef of Osceola.....	30
Varn of Johnson.....	27
Welsh of Dubuque.....	22

INTRODUCTION OF BILLS

Senate File 2001, by Gronstal, a bill for an act requiring the commissioner of insurance to compile and disseminate insurance rate information for various competitive lines of insurance.

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

Senate File 2002, by Dieleman, a bill for an act relating to payments for child support during the appeal of a child support order or decree.

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

Senate File 2003, by Szymoniak, a bill for an act permitting a refund of unexpired motor vehicle registration fees to persons who sell their motor vehicles and who will no longer be driving.

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

Senate File 2004, by Taylor, a bill for an act relating to certain property and debt losses and the computation of net income for state taxation purposes and providing an applicability date.

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

Senate File 2005, by Jensen, a bill for an act to permit the use of open enrollment by students who move during a school year and request permission to enroll in the students' former district of residence.

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

Senate File 2006, by Szymoniak, a bill for an act relating to elections by revising provisions governing voting booth requirements.

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

Senate File 2007, by Fuhrman, Vande Hoef and Hultman, a bill for an act relating to exemptions from the state minimum wage law.

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

Senate File 2008, by Riordan, a bill for an act relating to spillage from a vehicle being driven or moved on a highway and providing a penalty.

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

Senate File 2009, by Hannon, a bill for an act relating to motor vehicle proof of financial responsibility by extending the required period for proof of financial responsibility after expiration of a license suspension.

Senate File 2010, by Fraise, a bill for an act relating to disposal of solid waste on agricultural land and making penalties applicable.

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

Senate File 2011, by Hannon, a bill for an act providing for a minimum number of toilets for women and men in public buildings and private buildings intended for use by the general public.

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

Senate File 2012, by Running, a bill for an act restoring the eligibility for pension benefits to certain spouses under the retirement systems for city police officers and fire fighters.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:27 a.m., until 4:00 p.m.

APPENDIX

ANNOUNCEMENT OF COMMITTEE APPOINTMENTS

The Majority and Minority Leaders announced the following appointments to the standing committees of the Senate for the 1990 Regular Session:

*Vice Chair

**Ranking Member

AGRICULTURE—15 Members

Priebe, Chair	Coleman	Hester	Rensink
Riordan*	Fraise	Husak	Scott
Soorholtz**	Fuhrman	Miller	Vande Hoef
Boswell	Hedge	Palmer	

APPROPRIATIONS—21 Members

Welsh, Chair	Gettings	Lloyd-Jones	Running
Boswell*	Goodwin	Pate	Sturgeon
Tieden**	Gronstal	Peterson	Tinsman
Bruner	Husak	Rensink	Varn
Corning	Jensen	Riordan	
Fraise	Lind		

BUSINESS AND LABOR RELATIONS—10 Members

Peterson, Chair	Gettings	Palmer	Taylor
Sturgeon*	Hultman	Running	Vande Hoef
Fuhrman**	Mann		

COMMERCE—15 Members

Palmer, Chair	Hannon	Nystrom	Running
Deluhery*	Kinley	Pate	Tieden
Jensen**	Lind	Priebe	Welsh
Gronstal	Mann	Rife	

EDUCATION—17 Members

Murphy, Chair	Corning	Lind	Tieden
Horn*	Deluhery	Lloyd-Jones	Tinsman
Taylor**	Dieleman	Rensink	Varn
Boswell	Hedge	Szymoniak	
Bruner	Kibbie		

ENVIRONMENT AND ENERGY UTILITIES—10 Members

Deluhery, Chair	Connolly	Rife	Sturgeon
Gronstal*	Hedge	Soorholtz	Varn
Pate**	Miller		

HUMAN RESOURCES—12 Members

Hannon, Chair	Connolly	Horn	Sturgeon
Bruner*	Gentleman	Murphy	Taylor
Corning**	Hagerla	Riordan	Tinsman

JUDICIARY—15 Members

Varn, Chair	Deluhery	Gronstal	Murphy
Mann*	Drake	Hagerla	Taylor
Gentleman**	Fuhrman	Hester	Welsh
Coleman	Gettings	Horn	

LOCAL GOVERNMENT—10 Members

Miller, Chair	Fraise	Kinley	Priebe
Szyoniak*	Goodwin	Murphy	Tinsman
Vande Hoef**	Jensen		

NATURAL RESOURCES—12 Members

Scott, Chair	Doyle	Husak	Priebe
Kibbie*	Hedge	Miller	Rensink
Goodwin**	Hester	Peterson	Tieden

RULES AND ADMINISTRATION—6 Members

Hutchins, Chair	Hultman**	Kinley
Gettings*	Jensen	Lloyd-Jones

SMALL BUSINESS AND ECONOMIC DEVELOPMENT—12 Members

Boswell, Chair	Connolly	Pate	Scott
Hannon*	Kibbie	Peterson	Szyoniak
Hagerla**	Lind	Rife	Vande Hoef

STATE GOVERNMENT—15 Members

Kibbie, Chair	Dieleman	Gronstal	Running
Lloyd-Jones*	Drake	Hannon	Soorholtz
Nystrom**	Fraise	Horn	Vande Hoef
Coleman	Gentleman	Rife	

TRANSPORTATION—10 Members

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

WAYS AND MEANS—15 Members

Dieleman, Chair	Connolly	Gentleman	Riordan
Husak*	Drake	Hultman	Soorholtz
Hester**	Fraise	Murphy	Szymoniak
Bruner	Fuhrman	Palmer	

SENATE APPROPRIATIONS SUBCOMMITTEES

ADMINISTRATION

Gronstal, Chair	Jensen**	Soorholtz
Dieleman*	Mann	

AGRICULTURE/NATURAL RESOURCES

Riordan, Chair	Hester**	Tieden
Priebe*	Scott	

CLAIMS

Kinley, Chair	Drake**	Hultman
Welsh*	Doyle	

ECONOMIC DEVELOPMENT AND IOWA PLAN

Boswell, Chair	Rife**	Lloyd-Jones
Kibbie*	Hagerla	

EDUCATION

Varn, Chair	Rensink**	Nystrom
Horn*	Murphy	

HEALTH AND HUMAN RIGHTS

Sturgeon, Chair	Tinsman**	Hannon
Miller*	Gentleman	

HUMAN SERVICES

Bruner, Chair	Corning**	Fuhrman
Szymoniak*	Deluhery	

JUSTICE SYSTEM

Fraise, Chair	Vande Hoef**	Taylor
Doyle*	Connolly	

REGULATION

Running, Chair	Hedge**	Palmer
Peterson*	Goodwin	

TRANSPORTATION AND SAFETY

Gettings, Chair	Lind**	Pate
Coleman*	Husak	

APPOINTMENTS TO SENATE ETHICS COMMITTEE

Appointed by Senator Hutchins, Majority Leader

Kinley, Chair	Husak*	Kibbie
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Appointed by Senator Hultman, Minority Leader

Taylor**	Drake
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REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: December 6, 1989, 10:20 a.m.

Members Present: Gronstal, Chair; Dieleman, Vice Chair and Soorholtz.

Members Absent: Jensen, Ranking Member and Mann.

Committee Business: Budget presentations by Executive Council, Lt. Governor, Treasurer of State, Secretary of State and Governor's office.

Adjourned: 3:20 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: December 7, 1989, 9:15 a.m.

Members Present: Gronstal, Chair; Dieleman, Vice Chair and Jensen, Ranking Member.

Members Absent: Mann and Soorholtz.

Committee Business: Budget presentations by General Services, Revenue and Finance and Department of Personnel.

Adjourned: 4:15 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: December 12, 1989, 10:15 a.m.

Members Present: Gronstal, Chair; Dieleman, Vice Chair; Jensen, Ranking Member and Soorholtz.

Members Absent: Mann.

Committee Business: Budget presentation by Department of Management; reviewed significant budget items for further discussion by sub-subcommittees.

Adjourned: 2:45 p.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: December 12, 1989, 9:18 a.m.

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

Members Absent: Priebe, Vice Chair (excused).

Committee Business: Budget presentation by the office of the Secretary of Agriculture.

Adjourned: 2:59 p.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: December 13, 1989, 9:00 a.m.

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

Members Absent: Priebe, Vice Chair (excused).

Committee Business: Budget presentations by the Iowa Fair Board Authority and the Department of Natural Resources.

Adjourned: 3:15 p.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: December 14, 1989, 9:10 a.m.

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

Members Absent: Priebe, Vice Chair (excused).

Committee Business: Budget presentation by Department of Natural Resources.

Adjourned: 2:45 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

Convened: December 5, 1989, 9:15 a.m.

Members Present: Boswell, Chair; Kibbie, Vice Chair; Rife, Ranking Member; Lloyd-Jones and Hagerla.

Members Absent: none.

Committee Business: Adopted subcommittee rules; budget presentation by the Department of Economic Development.

Adjourned: 4:30 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

Convened: December 6, 1989, 8:07 a.m.

Members Present: Boswell, Chair; Kibbie, Vice Chair; Rife, Ranking Member; Lloyd-Jones and Hagerla.

Members Absent: none.

Committee Business: Budget presentations by Iowa Product Development Corporation and Iowa State University; discussed issues and programs.

Adjourned: 2:57 p.m.

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

Convened: December 7, 1989, 8:10 a.m.

Members Present: Boswell, Chair; Kibbie, Vice Chair; Rife, Ranking Member; Lloyd-Jones and Hagerla.

Members Absent: none.

Committee Business: Budget presentations by Iowa Finance Authority and University of Iowa; LFB discussed budget forms/legislative oversight programs; discussed issues and programs.

Adjourned: 12:30 p.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: December 5, 1989, 10:00 a.m.

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

Members Absent: none.

Committee Business: Budget presentation by the Department of Education; discussed subcommittee priorities.

Adjourned: 4:30 p.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: December 6, 1989, 9:00 a.m.

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

Members Absent: none.

Committee Business: Budget presentation by the Department of Cultural Affairs; discussed subcommittee priorities.

Adjourned: 4:45 p.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: December 7, 1989, 8:30 a.m.

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

Members Absent: Nystrom.

Committee Business: Budget presentations by Board of Regents president and secretary, and the presidents of the University of Iowa, Iowa State University and University of Northern Iowa; subcommittee reviewed and discussed priorities.

Adjourned: 3:05 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: December 12, 1989, 10:18 a.m.

Members Present: Sturgeon, Chair; Miller, Vice Chair; Tinsman, Ranking Member; Gentleman and Hannon.

Members Absent: none.

Committee Business: Budget presentations by the Civil Rights Commission and Department for the Blind.

Adjourned: 4:06 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: December 13, 1989, 9:12 a.m.

Members Present: Sturgeon, Chair; Miller, Vice Chair; Tinsman, Ranking Member; Gentleman and Hannon.

Members Absent: none.

Committee Business: Budget presentations by the Department of Public Health and Department of Elder Affairs.

Adjourned: 4:06 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: December 14, 1989, 8:18 a.m.

Members Present: Sturgeon, Chair; Miller, Vice Chair; Tinsman, Ranking Member; Gentleman and Hannon.

Members Absent: none.

Committee Business: Budget presentation by the Department of Human Rights.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: December 12, 1989, 10:17 a.m.

Members Present: Bruner, Chair; Szymoniak, Vice Chair; Corning, Ranking Member and Fuhrman.

Members Absent: Deluhery (excused).

Committee Business: Reviewed Department of Human Services budget requests.

Adjourned: 2:54 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: December 14, 1989, 9:15 a.m.

Members Present: Bruner, Chair; Szymoniak, Vice Chair; Corning, Ranking Member and Fuhrman.

Members Absent: Deluhery (excused).

Committee Business: Discussed interim committee reports and child support enforcement.

Adjourned: 1:40 p.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: December 12, 1989, 9:10 a.m.

Members Present: Fraise, Chair; Vande Hoef, Ranking Member and Taylor.

Members Absent: Doyle, Vice Chair and Connolly (both excused).

Committee Business: Budget presentations by various departments.

Adjourned: 4:00 p.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: December 13, 1989, 9:15 a.m.

Members Present: Fraise, Chair; Doyle, Vice Chair; Vande Hoef, Ranking Member and Taylor.

Members Absent: Connolly (excused).

Committee Business: Presentation by Paul Grossheim, Director of the Department of Corrections, regarding additional prison beds; sub-subcommittees met.

Adjourned: 1:30 p.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: December 14, 1989, 9:20 a.m.

Members Present: Fraise, Chair; Doyle, Vice Chair; Vande Hoef, Ranking Member and Taylor.

Members Absent: Connolly (excused).

Committee Business: Presentation by Mike Forrest, Drug Abuse Prevention Coordinator; update of Corrections Task Force; update of financing/constructing additional prison beds by the Deputy Director of the Department of Corrections.

Adjourned: 3:10 p.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: December 12, 1989, 10:10 a.m.

Members Present: Running, Chair; Peterson, Vice Chair; Hedge, Ranking Member; Goodwin and Palmer.

Members Absent: none.

Committee Business: Budget presentations by Department of Employment Services and Department of Commerce.

Adjourned: 3:45 p.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: December 13, 1989, 9:10 a.m.

Members Present: Running, Chair; Peterson, Vice Chair; Hedge, Ranking Member; Goodwin and Palmer.

Members Absent: none.

Committee Business: Budget presentations by Department of Inspections and Appeals and Auditor of State.

Adjourned: 4:00 p.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: December 14, 1989, 9:30 a.m.

Members Present: Running, Chair; Peterson, Vice Chair; Hedge, Ranking Member; Goodwin and Palmer.

Members Absent: none.

Committee Business: Finalized agency budget hearings, call-backs, additional information requests.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: December 12, 1989, 10:05 a.m.

Members Present: Gettings, Chair; Coleman, Vice Chair and Lind, Ranking Member.

Members Absent: Husak and Pate.

Committee Business: Budget presentations by Iowa Law Enforcement Academy Council and Department of Public Defense.

Adjourned: 3:50 p.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: December 13, 1989, 9:10 a.m.

Members Present: Gettings, Chair; Coleman, Vice Chair and Lind, Ranking Member.

Members Absent: Husak and Pate.

Committee Business: Budget presentation by the Department of Public Safety.

Adjourned: 2:30 p.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: December 14, 1989, 9:10 a.m.

Members Present: Gettings, Chair; Coleman, Vice Chair; Lind, Ranking Member; Husak and Pate.

Members Absent: none.

Committee Business: Budget presentation by the Department of Transportation.

Adjourned: 2:40 p.m.

RULES AND ADMINISTRATION

Convened: December 14, 1989, 9:50 a.m.

Members Present: Hutchins, Chair; Gettings, Vice Chair; Jensen, Kinley and Lloyd-Jones.

Members Absent: Hultman, Ranking Member.

Committee Business: Approved proposed senate resolution amending Senate Rule 59; approved proposed senate concurrent resolutions amending Joint Rules 11 and 20.

Adjourned: 10:50 a.m.

CERTIFICATES OF RECOGNITION

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

Anthony James (A.J.) Smith, Danville — For having attained the rank of Eagle Scout. Senator Hagerla (October 1, 1989)

Harris Community Club, Harris — For receiving second place in the Iowa Community Betterment Program for communities of 0 to 250 persons and celebration of their Centennial. Senator Vande Hoef (October 31, 1989).

Sheldon, Iowa — For receiving third place in the Iowa Community Betterment Program for communities of 5,000 to 10,000 persons. Senator Vande Hoef (October 31, 1989).

Primghar Community Playhouse, Primghar — For receiving the Theme Award in the Iowa Community Betterment Program. Senator Vande Hoef (October 31, 1989).

Troy Faaborg, Danville — For having attained the rank of Eagle Scout. Senator Hagerla (November 8, 1989).

Coach Tom Van Den Bosch and the Hull Western Christian High School Volleyball Team — For winning the 1989 Class 2A State high school volleyball tournament. Senator Rensink (November 14, 1989).

Coach Wayne Westenberg and the Unity Christian High School Volleyball Team, Orange City — For being the runner-up in the 1989 Class 1A State high school volleyball tournament. Senator Rensink (November 14, 1989).

Coach Lawrence (Larry) Korver, Orange City — For induction into the National Association of Intercollegiate Athletes (NAIA) Hall of Fame. Senator Rensink (November 14, 1989).

Perry Nogler, Alford — For receiving the American FFA Degree and being named a gold award winner in competition for the National FFA Diversified Livestock Production Proficiency Award. Senator Vande Hoef (November 30, 1989).

Tom Zylstra, Sibley — For receiving the American FFA Degree. Senator Vande Hoef (November 30, 1989).

Tillie Ridders, Hull — For celebrating her 104th birthday. Senator Rensink (December 16, 1989).

The Families of Joseph (Joe) Wilt and William (Bill) Klein, West Burlington — The supreme sacrifice, devotion and dedication they gave to the community of West Burlington. Senator Hagerla (January 1, 1990).

COMMUNICATIONS

The following communications have been received and placed on file in the office of the Secretary of the Senate during the 1989 legislative interim:

DEPARTMENT OF TRANSPORTATION

1989 Iowa Primary Road Sufficiency Log pursuant to Chapter 307A.2(12), Code of Iowa.

Updated Iowa Transportation Policy report for Fiscal Year 1990 pursuant to Section 307.10(1), Code of Iowa.

The 1989 Iowa Airport Sufficiency Ratings, pursuant to Chapter 328.12, Code of Iowa.

Statewide Aviation Weather Collection and Dissemination Study of the Air and Transit Division, pursuant to Chapter 1278, section 20, of the 1988 General Assembly.

DEPARTMENT OF HUMAN SERVICES

Final Social Services Block Grant Pre-Expenditure Report.

Report to the Iowa Department of Human Services: Research of the Iowa Lottery and Gambling pursuant to Section 99E.12(4), Code of Iowa.

DEPARTMENT OF GENERAL SERVICES

Capitol Planning Commission Progress Report No. 11, biennial report.

The Strategy for the Completion of the Iowa State Capitol Restoration Project -- 1989 Update.

COMMISSION ON THE STATUS OF BLACKS

Annual Report of the Commission on the Status of Blacks for Fiscal Year 1988-1989.

DEPARTMENT OF REVENUE AND FINANCE

1987 Individual Income Tax Annual Statistical Report.

Annual Report for fiscal year ending June 30, 1989.

DEPARTMENT OF COMMERCE

93rd Annual Report of the condition of Savings and Loan Associations.

Administrative Services' Annual Report for fiscal year ending June 30, 1989.

A plan submitted by the Alcoholic Beverages Division for the collection and disposal of empty alcoholic beverage containers, pursuant to H.F. 753, of the 1989 General Assembly.

STATE AUDITOR

Audit Report on the Lottery Division of the Department of Revenue and Finance.

DEPARTMENT OF EMPLOYMENT SERVICES

Job Service Advisory Council plan.
Field Operations Bureau report.

LEGISLATIVE SERVICE BUREAU

World Trade Institute Study.

IOWA STATE UTILITIES BOARD

Energy Efficiency Options Study, Main Report pursuant to Chapter 321, Section 19, Code of Iowa.

1988 Annual Report of the Iowa Utilities Board pursuant to Sections 17.10 and 476.16, Code of Iowa.

DEPARTMENT OF INSPECTIONS AND APPEALS

Coordinated Foster Care Plan pursuant to H.F. 2444, Seventy-second General Assembly.

DEPARTMENT OF EDUCATION

Executive Summary of Institutional Correction Education Report.

DEPARTMENT OF PUBLIC DEFENSE

Enhanced 911 Legislative Report issued by the Disaster Services Division pursuant to Chapter 477B, Code of Iowa.

Corrected copy of the Enhanced 911 Legislative Report pursuant to Chapter 477B.3, Code of Iowa.

DEPARTMENT OF MANAGEMENT

Annual report for 1989.

DEPARTMENT OF PUBLIC HEALTH

Annual Report, pursuant to Chapter 135.11(18), Code of Iowa.

BOARD OF REGENTS

A report on the activities of the University of Iowa and Iowa State University related to global climate change, pursuant to H.F. 774, section 19, of the 1989 Iowa General Assembly.

A report updating the 1988 study on child care needs at Regent universities, pursuant to H.F. 774, section 19, of the 1989 General Assembly.

IOWA ADVISORY COMMISSION ON
INTERGOVERNMENTAL RELATIONS

FY 1989 Annual Report and Legislative Priorities.

COLLEGE AID COMMISSION

Final report of the Health Professional Shortage Committee, pursuant to House File 774, 1989 Iowa General Assembly.

IOWA LAW ENFORCEMENT ACADEMY

Annual Report for FY 1989, pursuant to Chapter 7E.3(4), Code of Iowa.

TASK FORCE ON RURAL HEALTH

Final report on goals and strategies recommended for the support of Iowa's rural health care system.

ANNOUNCEMENT OF APPOINTMENTS

The majority and minority leaders announced the following statutory appointments made during the 1989 legislative interim on June 20 and June 30 (all terms commence July 1, 1989):

AGRICULTURAL GRAIN MARKETING COMMISSION
(Code 183.1)

Senator Leonard Boswell, term expires 6-30-91.

HEALTH DATA COMMISSION
(Code 145)

Senator Jack Rife, term expires 6-30-90.

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS
(Code 28C)

Senator Alvin Miller, term expires 6-30-91.

**INVESTMENT BOARD OF THE IOWA PUBLIC
EMPLOYEES RETIREMENT SYSTEM**
(Code 97B)

Senator Charles Bruner, term expires 6-30-91.

MEDICAL ASSISTANCE ADVISORY COUNCIL
(Code 249A, terms expire 6-30-91)

Senators Elaine Szymoniak and Maggie Tinsman.

ADVISORY COMMITTEE ON QUALITY GRAIN MARKETING
(H.F. 59, 1989 Session, terms expires 5-1-91)

Senators Leonard Boswell, Kenneth Scott and Jack Hester.

CAPITAL PROJECTS ADVISORY COMMITTEE
(1989 Session, S.F. 546, terms expires 1-7-91)

Senators Joe Welsh, Chair; C. Joseph Coleman, Eugene Fraise, Dale Tieden and Calvin Hultman.

TECHNOLOGY TRANSFER FOUNDATION BOARD
(1989 Session, H.F. 686, terms expire 6-30-93)

Senators John Kibbie and Linn Fuhrman

OFFICE OF RURAL HEALTH ADVISORY COMMITTEE
(1989 Session, S.F. 538, terms expire 1-7-91)

Senators Al Sturgeon and Wilmer Rensink

HIGHWAY RESEARCH BOARD
(1989 Session, S.F. 524)

Senator Bill Hutchins, term expires 6-30-91.
Senator Richard Drake, term expires 6-30-93.

STATE COUNCIL ON AGRICULTURAL EDUCATION
(1988 Session, H.F. 2433)

Senator Berl Priebe, term expires 2-28-92.

SUPPLEMENTAL REPORT OF THE COMMITTEE ON MILEAGE

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

<u>NAME</u>	<u>ADDRESS</u>
Connolly, Michael	410
Lind, James	220

Respectfully submitted,

DON E. GETTINGS, Chair
AL STURGEON
RICHARD F. DRAKE
RAY TAYLOR

**REPORTS OF THE COMMITTEE ON
RULES AND ADMINISTRATION**

MADAM PRESIDENT: Pursuant to Senate Concurrent Resolution 3, the committee on rules and administration submits the following increases and reclassifications and the effective dates of Senate employees:

Secretary of the Senate	Jack F. Dwyer	Annual	\$44,657.60 effective 6/23/89
Assistant Sec. of the Senate	Cynthia Clingan	34-5 to 34-6	effective 6/23/89
Senior Finance Officer	Mary Ann Abbott	31-5 to 31-6	effective 6/23/89
Finance Officer I	Linda Laurenzo	21-2 to 24-1	effective 6/23/89
Executive Sec. to the Secretary	Lori Bristol	23-3 to 23-4	effective 6/23/89
Senior Journal Editor	Carole Kelly	29-5 to 29-6	effective 6/23/89
Journal Editor	Julie Elder	21-4 to 24-2	effective 6/23/89
Journal Recording Clerk	Kathleen Curoe	20-1 P-FT	effective 11/27/89
Chief Indexer	Caryll Wilbur	24-3 to 24-5	effective 6/23/89
Indexing Assistant	Nancy Gibson	18-3 to 18-4	effective 6/23/89
Sr. Administrative Assistant to Majority Leader	Greg Nichols	35-5 to 35-6	effective 6/23/89
Sr. Administrative Assistant to Minority Leader	Judy Vinchattle	35-4 to 35-5	effective 6/23/89
Sr. Caucus Staff Director	Dennis Harbaugh	36-2 to 36-3	effective 6/23/89
Caucus Staff Director	Robert Haus	34-1 P-FT	effective 10/23/89
Confidential Sec. to Majority Leader	Kathy Hillman	23-6 to 26-4	effective 6/23/89
Administrative Secretary to Minority Leader	Betty Wise	21-5 to 21-6	effective 1/08/90
Legislative Research Analyst III	Debbie O'Leary	33-1 to 33-2	effective 6/23/89
Legislative Research Analyst II to III	Bill Haigh	30-2 to 33-1	effective 11/24/89
Legislative Research Analyst II	Steve Conway	30-1 to 30-2	effective 9/15/89
Legislative Research Analyst II	Theresa Kehoe	30-1 to 30-2	effective 11/10/89
Legislative Research Analyst I	Randy Bauer	27-1 to 27-3	effective 6/23/89
Legislative Research Analyst I	Evelyn Hawthorne	27-1 to 27-2	effective 6/23/89
Caucus Secretary	Mary Bustad	21-4 to 21-5	effective 6/23/89
Legislative Research Analyst III	Jim Boose	33-1 to 33-2	effective 6/23/89
Legislative Research Analyst II	Suzanne Johnson	30-1 to 30-2	effective 8/18/89
Legislative Research Analyst I	Dana Wipperman	27-1 to 27-2	effective 7/07/89
Legislative Research Analyst I	Curtis Stamp	27-1 P-FT	effective 8/07/89

BILL HUTCHINS, Chair

ALSO:

MADAM PRESIDENT: Pursuant to Senate Concurrent Resolution 3, your committee on rules and administration submits the following names of officers and employees of the Senate, and their respective classification, grades and steps:

		<u>Class</u>	<u>Grade</u>	<u>Step</u>
Recording Clerk	K'Ann Morris	S-O	20	1
Assistant to Legal Counsel	Kirsten Daddow	S-O	17	1
Doorkeeper	Bernadine Follett	S-O	10	1

Doorkeeper	Daryl Nims	S-O	10	1
Bill Clerk	Glen Beck	S-O	13	2
Legislative Committee Secretary	Mary Callas	S-O	18	1
Legislative Committee Secretary	Dan Davis	S-O	16	3
Legislative Committee Secretary	Sally Gallagher	S-O	17	5+2
Legislative Secretary	John Gilliland	S-O	16	1
Legislative Secretary	Vernell Hall	S-O	18	1
Legislative Secretary	Carla Hassel	S-O	16	1
Legislative Committee Secretary	Elsie Haun	S-O	18	5+2
Legislative Committee Secretary	Katherine Jellison	S-O	18	1
Legislative Committee Secretary	Lori Jones	S-O	17	1
Legislative Committee Secretary	Carole Peterson	S-O	18	3+2
Legislative Secretary	Jo Ann West	S-O	15	4+2
Legislative Committee Secretary	Anne Zuccaro	S-O	18	1
Page	Eric Anniss	S-O	Minimum Wage	
Page	Linda Burbridge	S-O	Minimum Wage	
Page	Mindy Davis	S-O	Minimum Wage	
Page	Kathy Disterhaupt	S-O	Minimum Wage	
Page	Shannon Ehlers	S-O	Minimum Wage	
Page	Anita Gerholdt	S-O	Minimum Wage	
Page	Renee Klink	S-O	Minimum Wage	
Page	Jason Kobes	S-O	Minimum Wage	
Page	Ed Love	S-O	Minimum Wage	
Page	Molly McNeill	S-O	Minimum Wage	
Page	Natalie Paris	S-O	Minimum Wage	
Page	Craig Purscell	S-O	Minimum Wage	
Page	Eric Schulz	S-O	Minimum Wage	
Page	Julie Seeley	S-O	Minimum Wage	
Page	Chris Squier	S-O	Minimum Wage	
Page	Gayle Westra	S-O	Minimum Wage	
Page	Paula Winke	S-O	Minimum Wage	

BILL HUTCHINS, Chair

ALSO:

MADAM PRESIDENT: Pursuant to Senate Concurrent Resolution 3, the committee on Rules and Administration submits the following changes:

Recording Clerk	K'Ann Morris	Step 1 to Step 2 Effective 3-2-90
Records & Supply Clerk	Mary Buban	Step 5 to Step 6 Effective 3-2-90
Assistant Sergeant-at-arms	William Krieg	Step 1 to Step 2 Effective 2-16-90
Legislative Secretary	Brent Bauerly	Step 1 to Step 1 Effective 3-2-90
Legislative Committee Secretary	Jeanne Coverdale	Step 1 to Step 2 Effective 3-2-90

Legislative Committee Secretary	David Elick	Step 1 to Step 2 Effective 3-2-90
Legislative Secretary	Mary Ann Gass	Step 1 to Step 2 Effective 3-2-90
Legislative Secretary	Alleen Hedge	Step 1 to Step 2 Effective 3-2-90
Legislative Committee Secretary	Brenda Huyser	Step 1 to Step 2 Effective 3-16-90
Legislative Committee Secretary	George Oster	Step 1 to Step 2 Effective 3-2-90

BILL HUTCHINS, Chair

REPORT FROM THE IOWA LEGISLATIVE COUNCIL

MADAM PRESIDENT: Pursuant to the Pay Resolution adopted by the Legislative Council on May 17, 1989, the Iowa Legislative Council submits the following names of employees of the central legislative staff agencies, and their respective classifications, grades and steps:

		Class	Grade	Step
<u>CITIZENS' AIDE/OMBUDSMAN</u>				
Citizens' Aide	William P. Angrick, II	P-FT	\$52,391.56 annual	
Deputy	Ruth Mosher	P-FT	35	6
Legal Counsel	Michael K. Elliott	P-FT	31	2
Assistant for Corrections	Clarence Key, Jr.	P-FT	30	6
Assistant II	Randy Meline	P-FT	30	6
Assistant II	Michael J. Ferjak	P-FT	30	2
Executive Secretary	Judy Green	P-FT	23	6
Administrative Secretary	Patricia Nett	P-FT	21	6
CA/O Secretary	Maureen Kennedy	P-FT	19	2
<u>COMPUTER SUPPORT BUREAU</u>				
Director	Sanford Scharf	P-FT	\$54,207.66 annual	
Mapper Coordinator	Kay Evans	P-FT	32	3
Run Designer I	Cheryl Porath	P-FT	24	3
Administrative Secretary	Sherry Frederick	P-FT	23	3
Computer Operator I	David Robinson	P-FT	21	5
Microcomputer/Support Analyst	Ed Damman	P-FT	27	2
Computer Operator I	Scott Scothorn	S-O	21	1

LEGISLATIVE FISCAL BUREAU

Legislative Fiscal Director	Dennis C. Prouty	P-FT	\$62,140.00 annual	
Legislative Analyst I	Jon A. Studer	P-FT	27	1
Legislative Analyst I	David L. Reynolds	P-FT	27	1
Legislative Analyst I	Pamela N. Shipman	P-FT	27	1
Legislative Analyst I	Paul W. Accola	P-FT	27	1
Legislative Analyst I	Mary A. Shipman	P-FT	27	1
Legislative Analyst II	Paul D. Durand	P-FT	30	2
Legislative Analyst II	John K. Hawley	P-FT	30	2
Legislative Analyst II	Beth A. Lenstra	P-FT	30	2
Legislative Analyst II	Carter R. Hawley	P-FT	30	2
Legislative Analyst II	Alice A. Wisner	P-FT	30	2
Legislative Analyst II	Jeffrey W. Robinson	P-FT	30	2
Legislative Analyst II	Khalid N. Mahmood	P-FT	30	2
Legislative Analyst III	Robert R. Snyder	P-FT	33	2
Legislative Analyst III	Susan L. Lerdal	P-FT	33	2
Senior Legislative Analyst	Jonathan M. Neiderback	P-FT	35	2
Principal Legislative Analyst	Douglas P. Wulf	P-FT	36	6
Principal Legislative Analyst	Holly M. Lyons	P-FT	36	4
Principal Legislative Analyst	Miller D. Ferguson	P-FT	36	3
Principal Legislative Analyst	Glen P. Dickinson	P-FT	36	4
Deputy Director	Timothy C. Faller	P-FT	39	6
Run Designer II	Cynthia Dufty	P-FT	27	1
Run Designer III	Raymond L. Knapp	P-FT	30	6
Administrative Secretary	Lynn S. Sevedge	P-FT	21	6
Administrative Secretary	Le Ann Dunne-Jaber	P-FT	21	2
Executive Secretary	Nona M. Livingston	P-FT	23	6
Page	Donald D. Bryan	S-O		Minimum Wage

LEGISLATIVE SERVICE BUREAU

Director	Diane Bolender	P-FT	\$62,140.00 annual	
Iowa Code Editor	JoAnn Brown	P-FT	38	6
Administrative Code Editor	Phyllis Barry	P-FT	38	2
Legal Division Chief	Richard Johnson	P-FT	37	4
Deputy Iowa Code Editor	Janet Wilson	P-FT	33	6
Senior Legal Counsel	Michael Goedert	P-FT	36	4
Senior Legal Counsel	Gary Kaufman	P-FT	36	3
Senior Research Analyst	Thane Johnson	P-FT	35	6
Legal Counsel II	Mark Johnson	P-FT	33	2
Legal Counsel II	Susan Voss	P-FT	33	5
Legal Counsel I	Douglas Adkisson	P-FT	30	4
Legal Counsel I	Aida Audeh	P-FT	30	1
Legal Counsel I	Mary Carr	P-FT	30	1
Legal Counsel I	Julie Smith Craggs	P-FT	30	1
Legal Counsel I	Daniel Windegarden	P-FT	30	4
Legal Counsel I	Leslie Workman	P-FT	30	4
Research Analyst II	Patricia Funaro	P-FT	30	3
Research Analyst II	John Pollak	P-FT	30	2

Research Analyst I	Gary Rudicil	P-FT	27	2
Legislative Research Librarian	Jonetta Douglas	P-FT	24	1
Assistant Librarian	Ruth McGhee	P-PT	22	1
Public Information Officer	Lucinda Parker	P-FT	22	1
Capitol Tour Guide Coordinator	Henrietta Macaulay	P-PT	14	x
Capitol Tour Guide	Joan Arnett	P-PT	12	6
Capitol Tour Guide	Kathryn Farrell	P-PT	12	5
Capitol Tour Guide	Karen Nichols	P-PT	12	6
Capitol Tour Guide	Susan Madden	P-PT	12	1
Capitol Tour Guide	Scott Robinson	P-PT	12	1
Assistant Editor II	Donna Waters	P-FT	27	6
Assistant Editor I	Kathleen Bates	P-FT	24	3
Assistant Editor I	Joyann Benoit	P-FT	24	4
Assistant Editor I	Loanne Dodge	P-FT	24	5
Assistant Editor I	Peter Dubec	P-FT	24	3
Publication Coordinator	Rosemary Drake	P-FT	21	1
Iowa Code Indexer	Richard Schulze	P-FT	24	6
Administrative Code Indexer	Pamela Worden	P-FT	24	6
Assistant Indexer	Toni Boyd	P-FT	18	4
Assistant Indexer	Sarah Cartwright	P-FT	18	4
Assistant Indexer	Patricia Fetters	P-FT	18	6
Assistant Indexer	Doris Stoner	P-FT	18	4
Administrative Assistant	Alice Gossett	P-FT	20	1
Administrative Assistant	Bonnie King	P-FT	20	6
Senior Finance Officer	Marge Knudsen	P-FT	31	3
Confidential Secretary	Donna Greenwood	P-FT	26	6
Executive Secretary	Vivian Haag	P-FT	23	6
Executive Administrator	Kathaleen Miklus	P-FT	23	4
Legislative Text Processor Supervisor	Jean Wyer	P-FT	28	4
Senior Legislative Text Processor	Sarah Craig	P-FT	25	4
Senior Legislative Text Processor	Chris Fisher	P-FT	25	4
Legislative Text Processor II	Susan Weddell	P-FT	22	1
Legislative Text Processor I	Marva Cross	P-FT	19	2
Legislative Text Processor I	Jody Jorgensen	P-FT	19	1
Senior Bill Clerk	Bridget McNerney	P-FT	18	1
Bill Clerk	Robert Burgin	S-O	13	1
Bill Clerk	Carolyn Cox	S-O	13	2
Proofreader Coordinator	Andrea Meier	P-FT	18	3
Proofreader	Cathie Young	P-FT	16	2
Proofreader	Diane Young	P-FT	16	3
Proofreader	Barbara Colonno	S-O	16	2
Proofreader	Sue Fetters	S-O	16	1
Code Proofreader	Betty Snuggs	P-FT	15	5
Code Proofreader	Donna Munzenmaier	P-FT	15	2
Page	Chad Nowels	S-O	Minimum Wage	

AFTERNOON SESSION

The Senate reconvened at 4:05 p.m., President Zimmerman presiding.

PRESENTATION OF VISITORS

President Zimmerman welcomed the following visitors who were present in the Senate chamber:

Shannon McCormick from Marne and Tonya Englund from Davenport, Lieutenant Governors from Boys and Girls State.

BILLS ASSIGNED TO COMMITTEE

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

S.F.	2001	Commerce
S.F.	2002	Judiciary
S.F.	2003	Transportation
S.F.	2004	Ways and Means
S.F.	2005	Education
S.F.	2006	State Government
S.F.	2007	Business & Labor Relations
S.F.	2008	Transportation
S.F.	2009	Transportation
S.F.	2010	Environment & Energy Utilities
S.F.	2011	Human Resources
S.F.	2012	State Government
H.F.	142	Commerce
H.F.	347	Judiciary
H.F.	619	Judiciary

STUDY BILL RECEIVED

SSB 2001 Natural Resources

Relating to the approval of division and program budgets by the environmental protection commission and the natural resource commission.

SUBCOMMITTEE ASSIGNMENT

SSB 2001

NATURAL RESOURCES: Kibbie, Chair; Rensink and Scott

ANNOUNCEMENT BY THE PRESIDENT OF THE SENATE

The President of the Senate appoints Senator Kibbie to fill the vacancy of Senator Carr as Chair of the Conference Committee on House File 178.

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:07 p.m., until 9:00 a.m., Tuesday, January 9, 1990.

JOURNAL OF THE SENATE

SECOND CALENDAR DAY
SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 9, 1990

The Senate met in regular session at 9:10 a.m., President Zimmerman presiding.

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

The Journal of Monday, January 8, 1990, was approved.

INTRODUCTION OF BILLS

Senate File 2013, by Hultman, a bill for an act relating to reimbursement of funeral expenses for certain persons receiving aid to dependent children and state supplementary assistance.

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

Senate File 2014, by Hultman, a bill for an act relating to benefits under the public safety peace officers' retirement system and city police officers and fire fighters retirement systems, and providing for the applicability of the Act.

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

Senate File 2015, by Gettings, Hutchins and Hultman, a bill for an act relating to training requirements for reserve peace officers and providing for the Act's applicability.

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

Senate File 2016, by Fraise, a bill for an act relating to the notification of parents or guardians of persons under nineteen years of age apprehended with alcohol in their possession.

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

Senate File 2017, by Fuhrman, a bill for an act relating to scheduled violations where a court appearance is required and the minimum fine for such violations.

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

Senate File 2018, by Vande Hoef, a bill for an act relating to the membership of the public safety commission of a unified law enforcement district.

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

Senate File 2019, by Vande Hoef, a bill for an act relating to the sales of beer kegs, by requiring an identification number on each keg of beer, by recording the purchase of beer by the keg, and subjecting violators to an existing penalty.

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

Senate File 2020, by Vande Hoef, a bill for an act legalizing the establishment of certain county roads in Osceola county.

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

Senate File 2021, by Gentleman, a bill for an act relating to access to and egress from a health facility and providing a penalty.

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

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House Concurrent Resolution 101** 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.

COMMITTEE FROM THE HOUSE

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

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

JOINT CONVENTION

The joint convention convened at 9:45 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 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 Boswell, Fraise and Goodwin on the part of the Senate, and Representatives Adams, Beatty and Pellett, 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; Michael Fitzgerald, Treasurer of State; Tom Miller, Attorney General; Richard Johnson, Auditor of State; and Congressman Dave Nagle, U.S. Representative from Iowa's third congressional district.

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 and budget address:

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

Before I begin this morning, I would like to take a moment to welcome a very special family to these chambers - Tibi and Marilena Craici and their children, Dan and Anamaria.

The Craici's were born, married and had their two children in Romania. Tibi was an electrical engineer and Marilena a mechanical engineer there. They were more fortunate than many of their countrymen. Yet, Tibi told me last week, "We had everything . . . except freedom."

A few years ago, they fled their homeland as political refugees. Today, Tibi and Marilena Craici are realizing their dream of freedom here in Iowa. Iowa is now their home.

It was thus with horror that a month ago the Craici's watched thousands of their compatriots gunned down while marching for freedom. We can only imagine the joy in their hearts as they witnessed Romania throw off a 40-year yoke of brutal oppression. Finally, all Romanians are realizing their dream of freedom. Just this morning, I heard on the radio this was the first time in over forty years that Romanians were being allowed to travel outside their country.

1989 was the year when the Cold War melted; the Iron Curtain parted; and the Berlin Wall came tumbling down. First it was Hungary, then Poland, East Germany, Czechoslovakia, Bulgaria and finally Romania. One by one, people in Eastern Europe threw off the mantle of oppression and demanded freedom and democracy.

Today, let us salute all the brave Romanians and other Eastern Europeans who risked their lives to bring freedom to their lands. Please join me in welcoming the Craici's to this special place they now call home, Iowa.

As we enter the 1990's, the prospects for peace in the world are greater than at any other time in the 20th Century and we Iowans should take at least a small measure of pride in knowing that we helped make that happen. Our state has always been a force for peace in the world.

Even though it was more than 30 years ago, we vividly recall Nikita Khrushchev's visit to Roswell Garst's farm near Coon Rapids. In the 70's, Iowans pushed for expanded trade with the Soviets and in the 80's, Iowa was the very first state to establish a sister-state relationship in the Soviet Union.

For Iowa, peace means prosperity. The next ten years offer extraordinary opportunity for our state. Yes, the 90's could well be Iowa's best decade.

Lest we forget, the 80's taught us some important lessons.

Ten years ago today, we had just come off a decade of great prosperity. Farmland values had yet to hit their peak; manufacturing jobs were at an all time high, and inflation-induced growth seemed never ending.

Yet, there were dark clouds on the horizon. Interest rates were beginning to soar; a grain embargo had just been imposed on the Soviets and the wheels of commerce were slowing down.

We were not prepared to deal with the result.

Those dark clouds rained distress on Iowans like no time since the 30's.

We watched in dismay as the floor fell out of the economy, land values plummeted, bankruptcies mounted, unemployment neared double digits, and many Iowans moved to other parts of the country in search of jobs.

Never again. Never again will we enter a decade so vulnerable to the shifts of economic trends. Never again will we become complacent and uncompetitive. Never again will we let our economy rest on a one-legged stool. Never, never again.

Yes, in the 1980's times were tough, but Iowans were tougher. We learned some lessons from the farm crisis and used them to help Iowa turn a new direction. We set out a plan and stuck to it: to strengthen and diversify Iowa's economy; to build on our strengths in agriculture and education; to improve our business climate; to promote and market Iowa.

Now the sun is shining on the horizon. Our strategy is paying dividends. Over the past three years, we've seen a dramatic comeback in Iowa. In 1989, we saw record numbers of Iowans working and our unemployment remains among the lowest of American states. Land values are now up -- 45 percent since 1986. Now 40 percent of Iowa firms intend to expand. For the first ten months of 1989, exports are up 20 percent.

In 1989 millions of people learned about Iowa. They saw the care and compassion in Sioux City after the disastrous crash of Flight 232 and they marveled that the community of Sioux City could respond so quickly and so well. The rest of the nation saw the beauty of Iowa and Iowa people through the movie "Field of Dreams".

1989 was the year when Fortune Magazine dubbed the Hawkeye State No. 1 in education, when Newsweek touted prairie cuisine and when Midwest Living reported that people were, "Returning from the South, the Northeast and the West to a region that for them was gone, but not forgotten. America is rediscovering meatloaf and Midwest values."

1989 proved that Iowa is back on track. But are we ready to take advantage of the opportunities that await us in the 90's? Have we decided the kind of future we would like for Iowa?

Let us imagine for a moment where we want Iowa to be ten years from today.

In the year 2000, we want a growing economy in tune with the global marketplace with quality jobs.

In the year 2000, we want an education system that is nothing less than world class.

In the year 2000, we want a state renowned for its rolling landscape, trees, wildlife and healthy human environment.

In the year 2000, we want our families to be whole and secure, caring and compassionate.

To fulfill this vision of our future, state government must lead and facilitate, encourage and sustain. But the people who are going to make it possible for us to reach this field of dreams for Iowa are the people living in every community from river to river and from border to border. Every Iowan must be motivated to get involved in building their communities, building their state.

We can do it. We can be architects of our future. We have already seen Iowans roll up their sleeves and work to help their communities become part of the economic comeback.

We have seen communities like Bonaparte, population 490, raise \$100,000 to restore their historic Main Street. We have seen communities like Lisbon land a division of Illinois Tool in their new industrial park. We have seen communities like Sac City muster 101 volunteers to spend hundreds of hours to get a large industrial building ready for sale.

Our program for the 90's begins now. We must keep economic development a top priority. Iowa needs a dynamic economy that is competitive in the global marketplace.

It is clear that in the 90's, the economy will be more global than ever before. Iowa is well-positioned to forge relationships with people and develop markets for our products throughout the world. We already have three foreign offices and export more than 3 billion dollars in goods annually.

As the door of Eastern Europe swing open, we must develop a plan to identify trade opportunities in that part of the world. Our European Office should be expanded to accommodate our trade plans both in Eastern Europe and with the European community, which is slated to become in unified market in 1992.

We must also continue to enhance our trade and cultural relationships with Japan. Iowa sells 1 billion dollars in agricultural commodities and \$300 million in other products to Japan each year and, with fewer trade restrictions, the Japanese people have been introduced to Iowa quality beef and pork. We must sell them even more in the 90's.

As we pursue opportunities in other parts of the world, we must also focus on our largest trading partner, our neighbor to the north -- Canada. The United States already has a free trade agreement with Canada. To achieve the full benefits of this relationship, Iowa should join with other Midwestern states to open a trade office in Canada.

Iowa can be a model among the states in the development of strong, vibrant rural communities. Agriculture, small business and health care are key components to a strong rural development strategy. We are addressing each.

Adding value to our commodities will bring higher prices, more jobs and a more diverse economic base at home. We are in the midst of an unprecedented three-year commitment to strengthen agriculture research at Iowa State University. Our goal is the development of new products and processes. With the help of farm and commodity organizations, we will keep that commitment. This year, we should establish a special fund to provide financing for innovative ways to add value to commodities.

Small businesses are the backbone of the Iowa economy and especially important to rural communities. The entrepreneurial spirit is part of the fabric of Iowa, yet we trail many other states in new business formation and growth. To be competitive in the 90's, our state needs an economy that is conducive to entrepreneurship and innovation. The Iowa Futures Report identified this as a key to our future and that report is on target.

I am recommending several initiatives that will foster entrepreneurship in Iowa. A capital Access Program to make it easier for small business to get bank loans; a 10 percent tax credit for qualified investments in Iowa start-up companies; and removal of remaining barriers to help small Iowa companies raise capital.

Access to affordable quality health care is also critical to sustain the viability of rural communities. Recent adjustments in Medicare and Medicaid reimbursements will reduce some of the inequities between urban and rural hospitals.

We need to do our part at the state level with financial incentives to encourage doctors, nurses and other health care professionals to practice in rural Iowa. We also need to provide rural health care planning grants to help communities attract professionals and develop effective ways to deliver services.

The tools of the next decade and the next century will be technology-based. We must begin to set the framework for them now. Supercomputers provide state-of-the-art solutions to technology development and transfer. To keep Iowa

competitive, we should allocate funds to develop a plan that will make a supercomputer part of the state's science infrastructure in the next decade.

In the 90's, we will complete the fiber optics network which will link Iowans to people at home and abroad. Our plan also includes building new livestock research facilities at Iowa State and medical research facilities at the University of Iowa.

As we invest in the tools and technology of tomorrow, so must we invest in the people who keep the machines of our economy humming. The 90's is a decade of promise for people who want jobs, but preparation is key.

Ninety percent of the technology used today was invented in the last 30 years and half of what we will use in the year 2000 hasn't been invented yet. By the end of this decade, we will see a dramatically different workforce and 75 percent of all employees will need some retraining to keep up with their jobs.

We must focus on helping Iowans move into the workforce. A new Workforce 90's Program will help prepare older Iowans, displaced homemakers, at-risk youths and immigrants for jobs. Businesses will need skilled employees, so our commitment to Job Training Programs must remain firm.

Iowa's record in education is outstanding. We can be proud of our commitment to leadership in quality education. Through our revised School Aid Formula, this year we will commit almost 88 percent of our new resources to Iowa's schools. Over \$193 million in scholarships, loans and grants will be available for Iowa students in our colleges and universities.

In education, Iowa is indeed a model for the nation. As chair of the National Governor's Association, I've had the honor of working with President Bush and the other governors at the Education Summit in September. Iowa's education record, especially our three-phased Educational Excellence Program, generated a lot of interest among the governors.

Here at home, in Iowa, we are not resting on our laurels. A month ago, Iowans began the process of developing our own goals for education. Iowans support education goals that call for all Iowa children to be prepared to succeed when they start school; for all Iowans to be able to read well; and for all Iowans to have the necessary skills to get good jobs.

In looking to the future of education in Iowa, we must continue to support innovation among teachers. We must invest in staff development and improved faculty salaries at our community colleges. We must address the needs of the 21st Century with instruction in math and science and in foreign languages and international education. This budget does that.

Our students must have access to a quality and timely undergraduate education at the state universities. We also must provide financial aid to students and I am proposing increases in Iowa's Tuition Grants and Voc Tech Programs to help those who attend our independent and community colleges.

Iowa has long been a leader in environmental issues and, with your help, the 80's produced landmark legislation to protect our groundwater and an unprecedented resource enhancement and protection program.

REAP funds are already at work with the purchase of more land in the Loess Hills; expansion of the Yellow River State Forest; development of the Green Island Wildlife Area and renovation in state and local parks throughout Iowa.

In the 90's, we have the opportunity to assume leadership in the reuse of resources; to make environmental and renewable energy technology a growth industry in our state; and to boost our economy through energy conservation.

Last summer, I asked a diverse group of Iowans with broad experience in environmental issues to help develop an environmental agenda for the 90's for our state.

In addition to fully funding the REAP Program, I am asking you to join me in making an additional 4 million dollar commitment to launch this innovative environmental agenda:

- * To develop markets for recycled products;
- * To establish permanent collection centers for toxic household wastes;
- * To increase funds for the Center for Health Effects of Environmental Contamination at Iowa State University, and the Waste Reduction Center at the University of Northern Iowa; and
- * To expand environmental education programs in Iowa.

Global climate change is an issue of much discussion and complexity. Yet, we all know that trees play an important role in nature's delicate balancing act.

To celebrate the 20th Anniversary of Earth Day on April 22, I am asking Iowans to help enhance our state's environment by planting a tree this year. Our goal is to plant a tree for every Iowan, a tree that will help air quality and improve the beauty of Iowa.

Iowa has long been known for our commitment to solid family values. Our goal for the 90's must be to preserve and strengthen the family structure to ensure that all our citizens have the opportunity to realize their full potential.

Drug and alcohol abuse devastate family life. The drug problem has not skipped over Iowa. One cocaine baby is born every week in Iowa and our Department of Education reports that 10 percent of youths in grade 7 through 12 are in need of substance abuse treatment.

Communities are key to our strategy to combat drugs, but we must give them the tools to do the job. That means stepped-up education programs for school children; increased funds for treatment; more narcotics agents and tougher

penalties for drug offenses; more prosecutors; additional resources for the courts; and, yes we must have more prison beds to rid our streets of the hardened criminals.

We also must provide for Iowans who cannot provide for themselves. Last year, we pledged 11.2 million dollars to address the needs of at-risk children. We need to encourage and assist with more adoptions and provide more foster care homes. This budget also includes inflation adjustments for human service providers and for needy Iowans.

This budget supporting this program carefully allocates our resources. It takes into account the moderate, yet steady economic growth we can expect in Iowa in coming years.

The budget reflects our commitment to be prudent stewards of taxpayer dollars. We cannot borrow ourselves into prosperity and we should be wary of spending schemes that will lead us into a deficit. My commitment is to an even handed and balanced program. We need to continue to move ahead to achieve generally accepted accounting principles on schedule and to fulfill our promise to property taxpayers. We can do this and not raise taxes.

Quality jobs. A world class education system. A healthy environment. Safe communities. Strong families. All are on our agenda for the 90's. Action is needed in each area if we are to realize our full potential.

We can be proud of the economic comeback that together we helped start in the 80's; but the job is not completed. We must not rest until all Iowans share in our recovery. We can make the 90's the best decade in the Twentieth Century.

Like our ancestors, the Craici's have decided to call Iowa home. They like the quiet and comfortable life in our state and the freedom and security it provides. They understand that this is a special place to live, work and raise a family.

Former Iowans are coming back, realizing that only Iowa can be home. This is a special place where friendliness, honesty and kindness are a way of life.

New Iowans marvel at our attention to the environment, our quality of life and our unparalleled commitment to education. All of this we must develop. All of this we must nurture. All of this we must preserve.

Let us not permit partisan or personal differences to divert us from this task -- to make the 1990's Iowa's decade, a decade to come home to Iowa.

Come home to a state that is strong and safe; clean and compassionate.

Come home to a state with open arms for families like the Craici's seeking freedom and hope and opportunity.

Come home to a state where our children and our children's children can find jobs and family and community.

Come home to this special place -- Iowa -- a beacon of hope in the Heartland of the world. 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 pro tempore Mann presiding.

RECESS

On motion of Senator Horn, the Senate recessed at 10:55 a.m., until 4:00 p.m.

APPENDIX

REPORT OF COMMITTEE MEETINGS

BUSINESS AND LABOR RELATIONS

Convened: January 8, 1990, 1:39 p.m.

Members Present: Peterson, Chair; Sturgeon, Vice Chair; Gettings, Palmer, Running and Vande Hoef.

Members Absent: Fuhrman, Ranking Member; Hultman (excused), Mann and Taylor (excused).

Committee Business: Announced bills would be assigned at next week's meeting.

Adjourned: 1:40 p.m.

JUDICIARY

Convened: January 8, 1990, 3:36 p.m.

Members Present: Varn, Chair; Mann, Vice Chair; Gentleman, Ranking Member; Coleman, Deluhery, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn and Welsh.

Members Absent: Murphy and Taylor (both excused).

Committee Business: Organizational meeting.

Adjourned: 3:43 p.m.

NATURAL RESOURCES

Convened: January 8, 1990, 2:00 p.m.

Members Present: Scott, Chair; Kibbie, Vice Chair; Goodwin, Ranking Member; Hedge, Hester, Husak, Miller, Peterson, Rensink and Tieden.

Members Absent: Doyle and Priebe.

Committee Business: Assigned bills to subcommittees.

Adjourned: 2:30 p.m.

WAYS AND MEANS

Convened: January 8, 1990, 3:05 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hester, Ranking Member; Connolly, Drake, Fraise, Fuhrman, Gentleman, Hultman, Palmer, Riordan, Soorholtz and Szymoniak.

Members Absent: Bruner (excused) and Murphy.

Committee Business: Assigned bills to subcommittees.

Adjourned: 3:25 p.m.

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 21**

AGRICULTURE: Rensink, Chair; Vande Hoef and Riordan

Senate Joint Resolution 5

EDUCATION: Murphy, Chair; Horn and Lind

Senate File 7

WAYS AND MEANS: Husak, Chair; Dieleman and Murphy

Senate File 8

EDUCATION: Murphy, Chair; Horn and Lind

Senate File 9

EDUCATION: Boswell, Chair; Horn and Tieden

Senate File 26

WAYS AND MEANS: Fraise, Chair; Connolly and Soorholtz

Senate File 27

WAYS AND MEANS: Husak, Chair; Palmer and Hester

Senate File 34

EDUCATION: Varn, Chair; Murphy, Horn, Lind and Rensink

Senate File 39

EDUCATION: Horn, Chair; Bruner and Corning

Senate File 50

AGRICULTURE: Boswell, Chair; Coleman and Fuhrman

Senate File 55

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

Senate File 69

WAYS AND MEANS: Palmer, Chair; Murphy and Gentleman

Senate File 75

NATURAL RESOURCES: Husak, Chair; Goodwin and Hedge

Senate File 80

WAYS AND MEANS: Husak, Chair; Dieleman and Hultman

Senate File 97

EDUCATION: Horn, Chair; Rensink and Tieden

Senate File 98

WAYS AND MEANS: Husak, Chair; Palmer and Drake

Senate File 100

EDUCATION: Varn, Chair; Horn and Rensink

Senate File 102

AGRICULTURE: Husak, Chair; Miller and Rensink

Senate File 103

WAYS AND MEANS: Bruner, Chair; Connolly and Fuhrman

Senate File 107

WAYS AND MEANS: Connolly, Chair; Murphy and Drake

Senate File 143

EDUCATION: Varn, Chair; Kibbie and Lind

Senate File 147

EDUCATION: Varn, Chair; Horn and Rensink

Senate File 187

WAYS AND MEANS: Murphy, Chair; Riordan and Hultman

Senate File 196

NATURAL RESOURCES: Husak, Chair; Miller and Goodwin

Senate File 197

WAYS AND MEANS: Gentleman, Chair; Murphy and Bruner

Senate File 217

AGRICULTURE: Hester, Chair; Vande Hoef and Fuhrman

Senate File 232

WAYS AND MEANS: Husak, Chair; Drake and Palmer

Senate File 237

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

Senate File 241

WAYS AND MEANS: Husak, Chair; Palmer and Gentleman

Senate File 242

EDUCATION: Varn, Chair; Boswell and Tieden

Senate File 245

NATURAL RESOURCES: Miller, Chair; Kibbie and Hedge

Senate File 264

EDUCATION: Kibbie, Chair; Lloyd-Jones and Corning

Senate File 265

WAYS AND MEANS: Dieleman, Chair; Husak and Hester

Senate File 281

EDUCATION: Varn, Chair; Boswell and Corning

Senate File 286

AGRICULTURE: Coleman, Chair; Miller and Vande Hoef

Senate File 287

WAYS AND MEANS: Husak, Chair; Dieleman and Fuhrman

Senate File 298

NATURAL RESOURCES: Kibbie, Chair; Doyle and Hester

Senate File 299

WAYS AND MEANS: Husak, Chair; Drake and Riordan

Senate File 301

NATURAL RESOURCES: Hester, Chair; Rensink and Kibbie

Senate File 302

NATURAL RESOURCES: Hester, Chair; Rensink and Kibbie

Senate File 303

AGRICULTURE: Boswell, Chair; Hedge and Soorholtz

Senate File 310

NATURAL RESOURCES: Priebe, Chair; Miller and Hester

Senate File 311

EDUCATION: Varn, Chair; Boswell and Tieden

Senate File 312

WAYS AND MEANS: Bruner, Chair; Riordan and Gentleman

Senate File 313

WAYS AND MEANS: Husak, Chair; Palmer and Soorholtz

Senate File 320

WAYS AND MEANS: Murphy, Chair; Fraise and Drake

Senate File 325

WAYS AND MEANS: Palmer, Chair; Riordan and Fuhrman

Senate File 326

WAYS AND MEANS: Connolly, Chair; Szymoniak and Drake

Senate File 334

WAYS AND MEANS: Husak, Chair; Fuhrman and Kibbie

Senate File 348

EDUCATION: Murphy, Chair; Horn and Lind

Senate File 351

WAYS AND MEANS: Bruner, Chair; Palmer and Drake

Senate File 352

EDUCATION: Horn, Chair; Murphy and Tinsman

Senate File 354

EDUCATION: Varn, Chair; Bruner and Tinsman

Senate File 358

AGRICULTURE: Rensink, Chair; Miller and Vande Hoef

Senate File 362

EDUCATION: Murphy, Chair; Dieleman, Hultman, Kibbie and Drake

Senate File 377

AGRICULTURE: Riordan, Chair; Fuhrman and Fraise

Senate File 401

WAYS AND MEANS: Husak, Chair; Gentleman and Palmer

Senate File 404

EDUCATION: Kibbie, Chair; Varn and Corning

Senate File 429

NATURAL RESOURCES: Kibbie, Chair; Doyle and Hedge

Senate File 430

WAYS AND MEANS: Soorholtz, Chair; Fraise and Fuhrman

Senate File 440

WAYS AND MEANS: Husak, Chair; Connolly and Hester

Senate File 455

AGRICULTURE: Rensink, Chair; Miller and Vande Hoef

Senate File 456

AGRICULTURE: Rensink, Chair; Soorholtz and Scott

Senate File 457

AGRICULTURE: Husak, Chair; Soorholtz and Scott

Senate File 463

WAYS AND MEANS: Dieleman, Chair; Riordan and Soorholtz

Senate File 467

WAYS AND MEANS: Dieleman, Chair; Hultman and Szymoniak

Senate File 473

WAYS AND MEANS: Bruner, Chair; Murphy and Drake

Senate File 477

WAYS AND MEANS: Dieleman, Chair; Bruner and Hester

Senate File 528

WAYS AND MEANS: Dieleman, Chair; Bruner and Hester

Senate File 533

WAYS AND MEANS: Dieleman, Chair; Murphy and Hultman

House Joint Resolution 13

EDUCATION: Murphy, Chair; Szymoniak and Tinsman

House File 157

EDUCATION: Szymoniak, Chair; Kibbie and Hedge

House File 217

AGRICULTURE: Palmer, Chair; Priebe and Boswell

House File 269

EDUCATION: Horn, Chair; Corning and Lind

House File 333

AGRICULTURE: Palmer, Chair; Miller and Rensink

House File 466

NATURAL RESOURCES: Tieden, Chair; Miller and Rensink

House File 531

AGRICULTURE: Riordan, Chair; Palmer, Coleman, Fuhrman and Hedge

House File 534

AGRICULTURE: Fraise, Chair; Palmer and Hester

House File 638

AGRICULTURE: Fraise, Chair; Hester and Boswell

House File 659

EDUCATION: Varn, Chair; Horn and Rensink

House File 731

AGRICULTURE: Coleman, Chair; Priebe and Fuhrman

House File 754

WAYS AND MEANS: Dieleman, Chair; Bruner and Fuhrman

House File 756

AGRICULTURE: Priebe, Chair; Husak and Vande Hoef

House File 762

WAYS AND MEANS: Husak, Chair; Riordan and Soorholtz

House File 787

WAYS AND MEANS: Husak, Chair; Fraise and Soorholtz

STUDY BILLS RECEIVED

SSB 2002 Ways & Means

Relating to the taxation of certain pensions, annuities, and retirement allowances received for purposes of state income tax and providing a retroactive applicability date.

SSB 2003 Ways & Means

Providing for a state income tax checkoff to pay the expenses of older Iowan delegates for attending and participating in approved older Iowans' legislature activities, making an appropriation, and providing a retroactive applicability date.

SSB 2004 Ways & Means

Relating to state income taxation by exempting certain bonds and notes issued by the agricultural development authority and providing a retroactive applicability date.

SSB 2005 Ways & Means

Allowing for subchapter S corporations to be taxed as regular corporations for state income tax purposes and making adjustments in the computation of the income tax on the corporation and its shareholders and providing a retroactive applicability date.

SSB 2006 Ways & Means

Relating to the updating of references to the federal Internal Revenue Code, relating to income tax and the computation of net income, and providing certain retroactive applicability dates.

SSB 2007 State Government

Relating to indemnification of art exhibitors by the Iowa arts council.

SSB 2008 State Government

A concurrent resolution recognizing the twenty-fifth anniversary of the Iowa Civil Rights Commission.

SSB 2009 State Government

To reduce the markup percentage on state alcoholic liquor sales.

SSB 2010 State Government

Providing rulemaking authority to the auditor of state to establish a fee schedule for certain services.

SSB 2011 Education

Relating to the appointment of administrative law judges for the board of educational examiners for certain administrative hearings.

SSB 2012 Education

Relating to dropout and at-risk student programs.

SSB 2013 Education

Providing technical changes to the financing of education programs of school districts.

SSB 2014 State Government

Abolishing the duty of the treasurer of state to approve increases in the maximum deposit limit of a local government in a depository financial institution.

SSB 2015 State Government

Relating to unclaimed fees to conform with the uniform disposition of unclaimed property Act.

SSB 2016 State Government

Relating to the filing of uniform commercial code financing statements by permitting a filing officer to accept for filing a copy of a signature and authorizing the adoption of rules to permit electronic filing of financing statements.

SSB 2017 State Government

Relating to election administration, designating the secretary of state as the state registrar of voters, and providing properly related matters.

SSB 2018 State Government

Relating to community action agencies by providing for an annual report and establishing membership requirements for community action agency boards.

SSB 2019 State Government

Relating to additional retirement benefits for peace officers of the state department of transportation, and providing for payment of the employer share of the cost of the additional benefits.

SSB 2020 Agriculture

A concurrent resolution to urge the Congress of the United States, the President of the United States, and the United States Secretary of Agriculture, to enact and implement legislation to ensure that the United States is the world's preeminent supplier of grains.

AFTERNOON SESSION

The Senate reconvened at 4:11 p.m., President pro tempore Mann presiding.

INTRODUCTION OF BILLS

Senate Joint Resolution 2001, by Boswell, a joint resolution to nullify an administrative rule of the Iowa department of public health relating to licensure of cosmetologists and providing an effective date.

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

Senate File 2022, by Lind, a bill for an act to permit eleventh and twelfth grade pupils enrolled in accredited nonpublic schools to enroll in nonsectarian courses in eligible postsecondary institutions under the postsecondary enrollment options Act.

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

Senate File 2023, by Rife, a bill for an act to increase the number of years in which funds are available for the excess costs of instruction of non-English-speaking students.

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

Senate File 2024, by Doyle, a bill for an act providing for payment in lieu of property taxes on certain state properties under the jurisdiction of the department of natural resources and including applicability dates.

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

Senate File 2025, by Gronstal, a bill for an act relating to motor vehicle insurance policies, by requiring that an accident be attributed, for rate making purposes, to the driver of the motor vehicle and not to the owner of the motor vehicle.

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

Senate File 2026, Lind, a bill for an act relating to sale and use taxation of certain museums by providing certain refunds and exemptions.

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

Senate File 2027, by Dieleman, a bill for an act relating to the repeal of wagering on excursion gambling boats, making corresponding amendments to the Code, and providing an effective date.

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

Senate File 2028, by Tieden and Rife, a bill for an act to reduce the markup percentage on state alcoholic liquor sales.

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

Senate File 2029, by Szymoniak, a bill for an act providing a sales and use tax exemption for certain paint supplies.

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

CONSIDERATION OF RESOLUTION (Regular Calendar)

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

Senate Concurrent Resolution 102

On motion of Senator Hultman, Senate Concurrent Resolution 102, a concurrent resolution to amend Joint Rule 11, relating to the Code Editor's Correction Bills by extending the applicability of the rule to amendments by the other house, was taken up for consideration.

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

APPENDIX**BILLS ASSIGNED TO COMMITTEE**

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

S. F.	2013	Human Resources
S. F.	2014	State Government
S. F.	2015	Judiciary
S. F.	2016	Judiciary
S. F.	2017	Judiciary
S. F.	2018	Local Government
S. F.	2019	State Government
S. F.	2020	Judiciary
S. F.	2021	Judiciary
S. F.	2022	Education
S. F.	2023	Education
S. F.	2024	Natural Resources
S. F.	2025	Commerce
S. F.	2026	Ways and Means
S. F.	2027	State Government
S. F.	2028	State Government
S. F.	2029	Ways and Means
S. J. R.	2001	State Government

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:15 p.m., until 9:00 a.m., Wednesday, January 10, 1990.

JOURNAL OF THE SENATE

THIRD CALENDAR DAY
THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 10, 1990

The Senate met in regular session at 9:01 a.m.; President Zimmerman presiding.

Prayer was offered by the Reverend Peter Pintus, pastor of Powell III Center at Iowa Methodist Medical Center, Des Moines, Iowa and St. Timothy Episcopal Church, West Des Moines, Iowa.

The Journal of Tuesday, January 9, 1990, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Deluhery for the morning on request of Senator Hutchins and Senator Pate for the day on request of Senator Hultman.

INTRODUCTION OF BILLS

Senate File 2030, by Running, a bill for an act requiring a credit union to maintain life insurance policies promised to long-term depositors or investor members.

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

Senate File 2031, by Running, a bill for an act relating to vacation leave sharing by state employees.

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

Senate File 2032, by Running, a bill for an act establishing certain criminal penalties for the theft of fish from private fish hatcheries.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:15 a.m., until 4:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: January 9, 1990, 8:00 a.m.

Members Present: Priebe, Chair; Boswell, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Rensink, Scott and Vande Hoef.

Members Absent: Riordan, Vice Chair (excused); Soorholtz, Ranking Member; Coleman and Palmer.

Committee Business: Organizational meeting; assigned 1989 bills to subcommittees.

Adjourned: 8:30 a.m.

EDUCATION

Convened: January 9, 1990, 1:36 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Boswell, Corning, Deluhery, Dieleman, Hedge, Kibbie, Lind, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn.

Members Absent: Taylor, Ranking Member and Bruner.

Committee Business: Assigned bills to subcommittees.

Adjourned: 2:02 p.m.

STATE GOVERNMENT

Convened: January 9, 1990, 2:33 p.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Horn, Rife, Running, Soorholtz and Vande Hoef.

Members Absent: Hannon (excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 2:40 p.m.

TRANSPORTATION

Convened: January 9, 1990, 2:00 p.m.

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

Members Absent: Dieleman and Lloyd-Jones.

Committee Business: Organizational meeting.

Adjourned: 2:05 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate File 22

ENVIRONMENT AND ENERGY UTILITIES: Sturgeon, Chair; Varn and Pate

Senate File 42

ENVIRONMENT AND ENERGY UTILITIES: Miller, Chair; Gronstal and Hedge

Senate File 60

STATE GOVERNMENT: Lloyd-Jones, Chair; Gronstal and Gentleman

Senate File 62

ENVIRONMENT AND ENERGY UTILITIES: Gronstal, Chair; Sturgeon and Pate

Senate File 66

STATE GOVERNMENT: Gronstal, Chair; Hannon and Vande Hoef

Senate File 70

COMMERCE: Palmer, Chair; Gronstal and Lind

Senate File 73

ENVIRONMENT AND ENERGY UTILITIES: Connolly, Chair; Varn and Hedge

Senate File 85

STATE GOVERNMENT: Gronstal, Chair; Kibbie and Drake

Senate File 99

ENVIRONMENT AND ENERGY UTILITIES: Connolly, Chair; Gronstal and Hedge

Senate File 101

COMMERCE: Running, Chair; Deluhery and Tieden

Senate File 106

STATE GOVERNMENT: Kibbie, Chair; Nystrom, Drake, Horn and Dieleman

Senate File 156

STATE GOVERNMENT: Nystrom, Chair; Vande Hoef and Fraise

Senate File 183

ENVIRONMENT & ENERGY UTILITIES: Deluhery, Chair; Varn and Soorholtz

Senate File 189

ENVIRONMENT & ENERGY UTILITIES: Gronstal, Chair; Sturgeon and Pate

Senate File 200

ENVIRONMENT AND ENERGY UTILITIES: Gronstal, Chair; Sturgeon and Pate

Senate File 208

COMMERCE: Kinley, Chair; Gronstal and Tieden

Senate File 212

ENVIRONMENT AND ENERGY UTILITIES: Miller, Chair; Hedge and Connolly

Senate File 219

ENVIRONMENT AND ENERGY UTILITIES: Gronstal, Chair; Deluhery and Pate

Senate File 235

COMMERCE: Kinley, Chair; Priebe and Tieden

Senate File 243

ENVIRONMENT AND ENERGY UTILITIES: Varn, Chair; Sturgeon and Hedge

Senate File 252

COMMERCE: Welsh, Chair; Gronstal and Nystrom

Senate File 267

COMMERCE: Kinley, Chair; Priebe, Hannon, Tieden and Nystrom.

Senate File 268

ENVIRONMENT AND ENERGY UTILITIES: Varn, Chair; Soorholtz and Connolly

Senate File 274

COMMERCE: Kinley, Chair; Mann and Tieden

Senate File 283

COMMERCE: Running, Chair; Deluhery and Lind

Senate File 296

COMMERCE: Mann, Chair; Priebe and Jensen

Senate File 319

COMMERCE: Mann, Chair; Hannon and Nystrom

Senate File 336

STATE GOVERNMENT: Kibbie, Chair; Nystrom, Drake, Horn and Dieleman

Senate File 359

COMMERCE: Mann, Chair; Gronstal, Welsh, Lind and Jensen

Senate File 421

COMMERCE: Kinley, Chair; Deluhery and Tieden

Senate File 431

ENVIRONMENT AND ENERGY UTILITIES: Varn, Chair; Miller and Pate

Senate File 448

COMMERCE: Kinley, Chair; Hannon and Nystrom

Senate File 458

COMMERCE: Deluhery, Chair; Priebe and Jensen

Senate File 509

COMMERCE: Mann, Chair; Welsh and Tieden

Senate File 513

COMMERCE: Deluhery, Chair; Mann and Jensen

Senate File 518

COMMERCE: Palmer, Chair; Mann and Jensen

Senate File 2006

STATE GOVERNMENT: Gronstal, Chair; Running and Gentleman

Senate File 2010

ENVIRONMENT AND ENERGY UTILITIES: Miller, Chair; Deluhery and Soorholtz

Senate File 2012

STATE GOVERNMENT: Kibbie, Chair; Nystrom, Drake, Horn and Dieleman

Senate File 2024

NATURAL RESOURCES: Doyle, Chair; Priebe and Rensink

Senate File 2025

COMMERCE: Palmer, Chair; Gronstal and Jensen

House File 46

STATE GOVERNMENT: Gronstal, Chair; Kibbie and Drake

House File 79

STATE GOVERNMENT: Soorholtz, Chair; Coleman and Running

House File 121

STATE GOVERNMENT: Running, Chair; Vande Hoef and Hannon

House File 248

COMMERCE: Running, Chair; Priebe and Lind

House File 282

ENVIRONMENT AND ENERGY UTILITIES: Sturgeon, Chair; Connolly and Soorholtz

House File 346

COMMERCE: Gronstal, Chair; Welsh and Jensen

House File 398

COMMERCE: Palmer, Chair; Gronstal and Nystrom

House File 468

COMMERCE: Gronstal, Chair; Welsh and Pate

House File 574

COMMERCE: Hannon, Chair; Running, Kinley, Jensen and Rife

House File 600

ENVIRONMENT AND ENERGY UTILITIES: Sturgeon, Chair; Miller and Hedge

House File 656

STATE GOVERNMENT: Coleman, Chair; Hannon and Soorholtz

House File 658

COMMERCE: Running, Chair; Hannon and Tieden

House File 707

STATE GOVERNMENT: Horn, Chair; Fraise and Vande Hoef

House File 714

ENVIRONMENT AND ENERGY UTILITIES: Sturgeon, Chair; Deluhery and Hedge

House File 719

ENVIRONMENT AND ENERGY UTILITIES: Gronstal, Chair; Sturgeon and Pate

House File 730

STATE GOVERNMENT: Running, Chair; Fraise and Rife

SSB 2002

WAYS AND MEANS: Dieleman, Chair; Husak, Riordan, Hester and Soorholtz

SSB 2010

STATE GOVERNMENT: Gronstal, Chair; Running and Soorholtz

SSB 2014

STATE GOVERNMENT: Fraise, Chair; Coleman and Soorholtz

SSB 2015

STATE GOVERNMENT: Coleman, Chair; Running and Rife

SSB 2016

STATE GOVERNMENT: Fraise, Chair; Running and Vande Hoef

SSB 2017

STATE GOVERNMENT: Gronstal, Chair; Fraise and Soorholtz

SSB 2018

STATE GOVERNMENT: Running, Chair; Gronstal and Drake

SSB 2019

STATE GOVERNMENT: Kibbie, Chair; Nystrom, Drake, Horn and Dieleman

SSB 2020

AGRICULTURE: Boswell, Chair; Hester and Scott

STUDY BILLS RECEIVED

SSB 2021 Local Government

Relating to the duties of the county recorder by imposing a fee for recording and indexing certain instruments, and by providing for the issuance of certain transcripts.

SSB 2022 Local Government

Authorizing the creation of a township general fund and the levy of a property tax, making corresponding amendments to the Code, and providing effective dates.

SSB 2023 Local Government

Relating to membership qualifications of the board of review.

SSB 2024 Local Government

>Relating to the tax levy for the assessment expense fund of assessment areas.

SSB 2025 State Government

To reduce the markup percentage on state alcoholic liquor sales.

SSB 2026 Ways & Means

Relating to the cigarette tax.

SSB 2027 Ways & Means

Relating to penalties on the filing of certain tax returns and deposit forms and on the payment of certain taxes, and providing an effective date.

SSB 2028 Human Resources

Relating to the distribution of lists of certified ophthalmic dispensers.

SSB 2029 Human Resources

Relating to persons authorized to certify information for a birth certificate.

SSB 2030 Human Resources

Relating to the reporting of the occurrence of selected illnesses and injuries to the Iowa department of public health.

SSB 2031 Human Resources

Relating to personnel requirements for intermediate care facilities.

SSB 2032 Human Resources

Relating to juvenile substance abuse programs licensed by the Iowa department of public health by requiring criminal record and child abuse registry screening of persons employed by the programs.

SSB 2033 Local Government

Relating to the length of occupancy of the homestead for purposes of the homestead credit and providing an effective and applicability date.

SSB 2034 State Government

Relating to the registration of voters, repealing provisions for the appointment of mobile deputy registrars, changing certain registration time limits, and providing other properly related matters.

SSB 2035 Human Resources

Relating to state and local surrogate medical decision-making boards.

SSB 2036 Small Business/Economic Development

Relating to the receipt of assistance under certain economic development programs and providing civil penalties for certain violations.

AFTERNOON SESSION

The Senate reconvened at 4:01 p.m., Senator Gronstal presiding.

INTRODUCTION OF BILLS

Senate File 2033, by Scott, a bill for an act requiring governmental meetings open to the public to be held in buildings accessible to and functional for the physically handicapped.

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

Senate File 2034, by Scott, a bill for an act relating to state income tax by modifying the computation of net income for certain property transactions and providing a retroactive applicability date.

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

Senate File 2035, by Scott, a bill for an act relating to product rebate promotions, by requiring as an alternative that rebates be redeemable at the point-of-sale, at a discount to standard postpurchase, mail-in processing terms.

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

Senate File 2036, by Scott, a bill for an act relating to the issuance of prisoner of war registration plates to the surviving spouse of a prisoner of war.

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

Senate File 2037, by Priebe, a bill for an act relating to the employment of conservation officers by the department of natural resources, making an appropriation, and providing an effective date.

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

Senate File 2038, by Priebe, a bill for an act relating to notification of hazardous conditions to public utilities by the department of natural resources.

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

Senate File 2039, by Priebe, a bill for an act relating to notification of health care providers and emergency medical care providers by persons with acquired immune deficiency syndrome and providing a penalty.

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

Senate File 2040, by Priebe, a bill for an act relating to the sale or exchange of livestock under certain conditions for income tax purposes and providing a retroactive applicability date.

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

Senate File 2041, by Priebe, a bill for an act permitting aboveground storage tanks for retail motor vehicle fuel outlets to be installed anywhere other than in cities of a certain size.

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

Senate File 2042, by Priebe, a bill for an act relating to the acceptance and payment of the refund value on compressed or crushed metal beverage containers, and subjecting violators to a penalty.

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

Senate File 2043, by Priebe and Scott, a bill for an act regulating the sale of liquefied petroleum gas, and making penalties applicable.

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

Senate File 2044, by Murphy, a bill for an act imposing a mineral severance tax and providing a penalty.

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

Senate File 2045, by Murphy, a bill for an act relating to official titles, by requiring the use of the titles expressly designated by statute for executive departments and agencies, their subunits, and officers.

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

Senate File 2046, by Horn, a bill for an act relating to the Iowa public employees' retirement system by allowing the purchase of credit for prior service in an approved or accredited nonpublic school under certain circumstances.

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

Senate File 2047, by Husak, a bill for an act relating to training requirements for reserve peace officers.

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

Senate File 2048, by Scott, a bill for an act to prohibit the discharge of firearms near a feedlot and subjecting violators to existing penalties.

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

Senate File 2049, by Hutchins, a bill for an act relating to the establishment of standards for the collection, processing, storage, and distribution of human blood, plasma, and blood products, and to the licensing of blood collection and plasmapheresis centers, and providing a penalty.

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

Senate File 2050, by Riordan, a bill for an act to prohibit the use of schoolhouses and grounds for the conduct of private businesses for individual profit.

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

Senate File 2051, by Riordan, a bill for an act providing an income tax credit for spaying or neutering certain domestic animals and providing a retroactive applicability date.

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

Senate File 2052, 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 2053, by Lind, a bill for an act providing a sales and use tax exemption for admission fees to county fairs.

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

Senate File 2054, by Hutchins, a bill for an act relating to the delinquency date for the payment of property taxes.

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

Senate File 2055, by Bruner, a bill for an act limiting an insurer's right to refuse to renew an automobile policy and requiring certain procedures in connection with certain bases for nonrenewal.

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

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

The Senate resumed session, Senator Gronstal presiding.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	2030	Commerce
S. F.	2031	State Government
S. F.	2032	Natural Resources
S. F.	2033	State Government
S. F.	2034	Ways & Means
S. F.	2035	Commerce
S. F.	2036	Transportation
S. F.	2037	Appropriations
S. F.	2038	Environment & Energy Utilities
S. F.	2039	Human Resources
S. F.	2040	Ways & Means
S. F.	2041	Environment & Energy Utilities
S. F.	2042	Environment & Energy Utilities
S. F.	2043	Commerce
S. F.	2044	Ways & Means
S. F.	2045	State Government
S. F.	2046	State Government
S. F.	2047	Judiciary
S. F.	2048	Natural Resources
S. F.	2049	Human Resources
S. F.	2050	Education
S. F.	2051	Ways & Means
S. F.	2052	Agriculture
S. F.	2053	Ways & Means
S. F.	2054	Ways & Means
S. F.	2055	Commerce

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:14 p.m., until 9:00 a.m., Thursday, January 11, 1990.

JOURNAL OF THE SENATE

FOURTH CALENDAR DAY
FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 11, 1990

The Senate met in regular session at 9:03 a.m., Senator Kinley presiding.

Prayer was offered by the Honorable James R. Riordan, member of the Senate from Dallas County, Waukee, Iowa.

The Journal of Wednesday, January 10, 1989, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Hannon for the day on request of Senator Hutchins and Senator Tinsman for the day on request of Senator Hultman.

INTRODUCTION OF BILL

Senate File 2056, by Scott, a bill for an act to provide for the erection and maintenance of wildlife reflectors along public highways.

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

SPECIAL GUEST

Senator Welsh presented Robin Clark from Bellevue, Iowa, 1990 Iowa Young Women of the Year. Robin is a senior at Marquette High School and will attend Yale University next fall. She is a 1990 Page in the Iowa House of Representatives.

Robin will represent Iowa at The America's Young Woman of the Year Program in Mobile, Alabama in July, 1990.

President Zimmerman took the chair at 9:12 a.m.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:34 a.m., until 3:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: January 10, 1990, 9:55 a.m.

Members Present: Gronstal, Chair and Jensen, Ranking Member.

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

Committee Business: Reviewed Governor's budget.

Adjourned: 10:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 10, 1990, 9:52 a.m.

Members Present: Sturgeon, Chair; Miller, Vice Chair; Tinsman, Ranking Member; Gentleman and Hannon.

Members Absent: none.

Committee Business: Discussed Governor's recommendations, responses by the departments to questions generated at December meetings, and possible items to be discussed by the subcommittee.

Adjourned: 11:44 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 10, 1990, 9:55 a.m.

Members Present: Bruner, Chair; Szymoniak, Vice Chair; Corning, Ranking Member and Fuhrman.

Members Absent: Deluhery (excused).

Committee Business: Updates on the state institutions at Toledo, Eldora and Woodward.

Adjourned: 10:52 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 10, 1990, 9:55 a.m.

Members Present: Fraise, Chair; Doyle, Vice Chair; Vande Hoef, Ranking Member; Taylor and Connolly.

Members Absent: none.

Committee Business: Beth Lenstra from LFB gave analysis of governor's recommendations.

Adjourned: 10:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: January 10, 1990, 9:30 a.m.

Members Present: Running, Chair; Hedge, Ranking Member; Goodwin and Palmer.

Members Absent: Peterson, Vice Chair (excused).

Committee Business: Review of Governor's recommended budget.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: January 10, 1990, 9:55 a.m.

Members Present: Gettings, Chair; Coleman, Vice Chair; Lind, Ranking Member and Husak.

Members Absent: Pate (excused).

Committee Business: Organizational meeting and review of Governor's budget recommendations.

Adjourned: 11:49 a.m.

COMMERCE

Convened: January 10, 1990, 1:30 p.m.

Members Present: Palmer, Chair; Jensen, Ranking Member; Gronstal, Hannon, Lind, Nystrom, Priebe, Rife, Tieden and Welsh.

Members Absent: Deluhery, Vice Chair (excused), Kinley, Mann (excused), Pate (excused) and Running.

Committee Business: Reassigned 1989 bills to subcommittees.

Adjourned: 1:40 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: January 9, 1990, 2:10 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Connolly, Hedge, Rife, Soorholtz, Sturgeon and Varn.

Members Absent: Pate, Ranking Member and Miller.

Committee Business: Organizational meeting.

Adjourned: 2:15 p.m.

HUMAN RESOURCES

Convened: January 10, 1990, 2:08 p.m.

Members Present: Hannon, Chair; Bruner, Vice Chair; Corning, Ranking Member; Connolly, Gentleman, Horn, Riordan, Taylor and Tinsman.

Members Absent: Hagerla, Murphy and Sturgeon.

Committee Business: Reassigned 1989 bills to subcommittees and assigned 1990 bills to subcommittees.

Adjourned: 2:12 p.m.

NATURAL RESOURCES

Convened: January 10, 1990, 2:00 p.m.

Members Present: Scott, Chair; Kibbie, Vice Chair; Goodwin, Ranking Member; Doyle, Hedge, Hester, Husak, Miller, Peterson, Rensink and Tieden.

Members Absent: Priebe.

Committee Business: Assigned bills to subcommittees.

Adjourned: 2:05 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: January 10, 1990, 8:10 a.m.

Members Present: Boswell, Chair; Hagerla, Ranking Member; Connolly, Kibbie, Lind, Peterson, Rife, Scott, Szymoniak and Vande Hoef.

Members Absent: Hannon, Vice Chair and Pate (both excused).

Committee Business: Organizational meeting.

Adjourned: 8:25 a.m.

STATE GOVERNMENT

Convened: January 10, 1990, 3:08 p.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef.

Members Absent: none.

Committee Business: Assigned bills to subcommittees.

Adjourned: 3:55 p.m.

CERTIFICATE OF RECOGNITION

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

Robin Christine Clark, Bellevue — 1990 Iowa Young Woman of the Year. Senator Welsh (January 11, 1990).

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 2001

STATE GOVERNMENT: Dieleman, Chair; Hannon and Gentleman

Senate File 1

STATE GOVERNMENT: Coleman, Chair; Soorholtz and Gronstal

Senate File 5

HUMAN RESOURCES: Taylor, Chair; Hannon and Bruner

Senate File 12

HUMAN RESOURCES: Sturgeon, Chair; Horn and Tinsman

Senate File 13

STATE GOVERNMENT: Horn, Chair; Kibbie and Rife

Senate File 15

STATE GOVERNMENT: Gronstal, Chair; Hannon and Soorholtz

Senate File 16

HUMAN RESOURCES: Sturgeon, Chair; Horn and Corning

Senate File 29

HUMAN RESOURCES: Murphy, Chair; Tinsman and Taylor

Senate File 30

HUMAN RESOURCES: Sturgeon, Chair; Hannon and Hagerla

Senate File 33

STATE GOVERNMENT: Gronstal, Chair; Kibbie and Drake

Senate File 37

HUMAN RESOURCES: Taylor, Chair; Hannon and Bruner

Senate File 44

STATE GOVERNMENT: Horn, Chair; Kibbie, Fraise, Rife and Nystrom

Senate File 49

HUMAN RESOURCES: Hannon, Chair; Bruner and Corning

Senate File 63

STATE GOVERNMENT: Lloyd-Jones, Chair; Kibbie, Dieleman, Nystrom and Drake

Senate File 65

STATE GOVERNMENT: Lloyd-Jones, Chair; Nystrom and Coleman

Senate File 72

STATE GOVERNMENT: Horn, Chair; Fraise and Rife

Senate File 79

HUMAN RESOURCES: Sturgeon, Chair; Bruner and Gentleman

Senate File 84

STATE GOVERNMENT: Coleman, Chair; Vande Hoef and Fraise

Senate File 92

HUMAN RESOURCES: Sturgeon, Chair; Connolly and Tinsman

Senate File 93

HUMAN RESOURCES: Sturgeon, Chair; Connolly and Tinsman

Senate File 95

STATE GOVERNMENT: Kibbie, Chair; Nystrom, Drake, Horn and Dieleman

Senate File 104

HUMAN RESOURCES: Riordan, Chair; Hannon and Tinsman

Senate File 136

LOCAL GOVERNMENT: Tinsman, Chair; Fraise and Szymoniak

Senate File 145

HUMAN RESOURCES: Bruner, Chair; Horn and Tinsman

Senate File 146

HUMAN RESOURCES: Hannon, Chair; Bruner and Taylor

Senate File 160

STATE GOVERNMENT: Gronstal, Chair; Vande Hoef and Running

Senate File 171

STATE GOVERNMENT: Gronstal, Chair; Kibbie, Lloyd-Jones, Nystrom and Drake

Senate File 191

STATE GOVERNMENT: Lloyd-Jones, Chair; Horn and Gentleman

Senate File 234

HUMAN RESOURCES: Sturgeon, Chair; Bruner and Corning

Senate File 236

STATE GOVERNMENT: Gronstal, Chair; Kibbie, Lloyd-Jones, Drake and Nystrom

Senate File 239

STATE GOVERNMENT: Gronstal, Chair; Lloyd-Jones and Nystrom

Senate File 262

STATE GOVERNMENT: Gronstal, Chair; Kibbie, Lloyd-Jones, Nystrom and Drake

Senate File 263

STATE GOVERNMENT: Kibbie, Chair; Lloyd-Jones, Nystrom, Dieleman and Drake

Senate File 269

HUMAN RESOURCES: Bruner, Chair; Connolly and Hagerla

Senate File 273

HUMAN RESOURCES: Bruner, Chair; Hannon and Hagerla

Senate File 307

HUMAN RESOURCES: Sturgeon, Chair; Connolly and Taylor

Senate File 350

STATE GOVERNMENT: Dieleman, Chair; Soorholtz and Hannon

Senate File 356

STATE GOVERNMENT: Horn, Chair; Kibbie and Rife

Senate File 383

HUMAN RESOURCES: Sturgeon, Chair; Connolly and Corning

Senate File 425

LOCAL GOVERNMENT: Miller, Chair; Fraise and Tinsman

Senate File 465

HUMAN RESOURCES: Murphy, Chair; Connolly and Corning

Senate File 489

LOCAL GOVERNMENT: Fraise, Chair; Szymoniak and Goodwin

Senate File 2011

HUMAN RESOURCES: Hannon, Chair; Murphy and Tinsman

Senate File 2013

HUMAN RESOURCES: Connolly, Chair; Bruner and Lind

Senate File 2014

STATE GOVERNMENT: Kibbie, Chair; Nystrom, Horn, Drake and Dieleman

Senate File 2018

LOCAL GOVERNMENT: Vande Hoef, Chair; Priebe and Kinley

Senate File 2019

STATE GOVERNMENT: Coleman, Chair; Gronstal and Soorholtz

Senate File 2024

(Corrected)

NATURAL RESOURCES: Doyle, Chair; Priebe and Hester

Senate File 2027

STATE GOVERNMENT: Horn, Chair; Fraise and Vande Hoef

Senate File 2039

HUMAN RESOURCES: Bruner, Chair; Riordan and Tinsman

Senate File 2048

NATURAL RESOURCES: Priebe, Chair; Husak and Hedge

Senate File 2049

HUMAN RESOURCES: Sturgeon, Chair; Murphy and Tinsman

House File 252

LOCAL GOVERNMENT: Fraise, Chair; Kinley and Tinsman

House File 315

LOCAL GOVERNMENT: Szymoniak, Chair; Fraise and Vande Hoef

House File 324

LOCAL GOVERNMENT: Vande Hoef, Chair; Murphy and Miller

House File 366

LOCAL GOVERNMENT: Fraise, Chair; Goodwin and Szymoniak

House File 465

LOCAL GOVERNMENT: Szymoniak, Chair; Goodwin and Murphy

House File 571

LOCAL GOVERNMENT: Fraise, Chair; Vande Hoef and Tinsman

House File 620

LOCAL GOVERNMENT: Szymoniak, Chair; Fraise and Tinsman

House File 732

LOCAL GOVERNMENT: Kinley, Chair; Fraise and Goodwin

SSB 2021

LOCAL GOVERNMENT: Miller, Chair; Szymoniak and Vande Hoef

SSB 2022

LOCAL GOVERNMENT: Goodwin, Chair; Murphy and Priebe

SSB 2023

LOCAL GOVERNMENT: Vande Hoef, Chair; Fraise and Szymoniak

SSB 2024

LOCAL GOVERNMENT: Fraise, Chair; Priebe and Jensen

SSB 2025

STATE GOVERNMENT: Horn, Chair; Rife and Kibbie

SSB 2028

HUMAN RESOURCES: Connolly, Chair; Hannon and Gentleman

SSB 2029

HUMAN RESOURCES: Gentleman, Chair; Hannon and Bruner

SSB 2030

HUMAN RESOURCES: Riordan, Chair; Bruner and Hagerla

SSB 2031

HUMAN RESOURCES: Riordan, Chair; Sturgeon and Tinsman

SSB 2032

HUMAN RESOURCES: Connolly, Chair; Bruner and Gentleman

SSB 2033

LOCAL GOVERNMENT: Priebe, Chair; Goodwin and Murphy

SSB 2035

HUMAN RESOURCES: Hannon, Chair; Connolly and Corning

AFTERNOON SESSION

The Senate reconvened at 3:27 p.m., President pro tempore Mann presiding.

INTRODUCTION OF BILLS

Senate File 2057, by Kinley, a bill for an act relating to the conduct of pari-mutuel racing by simultaneous telecast.

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

Senate File 2058, by Priebe, a bill for an act relating to limiting the dollar amount of property taxes which a school district may raise for a budget year and providing an effective and applicability dates.

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

Senate File 2059, by Kibbie, a bill for an act authorizing merged area schools to establish a self-insurance program for the payment of workers' compensation benefits, exempting the self-insurance program from taxation, and exempting the self-insurance program from insurance regulation.

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

INTRODUCTION OF RESOLUTION

Senate Resolution 102, by committee on Rules and Administration, a resolution honoring former Senator Bob Carr for his years of legislative service.

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

COMMITTEE REPORT

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 102, a resolution honoring former Senator Bob Carr for his years of legislative service.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 6: Hutchins, Gettings, Hultman, Jensen, Kinley and Lloyd-Jones.
Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ADOPTION OF RESOLUTION
(Regular Calendar)

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

Senate Resolution 102

On motion of Senator Welsh, Senate Resolution 102, a resolution honoring former Senator Bob Carr for his years of legislative service, was taken up for consideration.

Senator Welsh moved the adoption of Senate Resolution 102, which motion prevailed by a voice vote.

APPENDIX**STUDY BILLS RECEIVED****SSB 2002.1 Ways & Means**

Relating to the taxation of certain pensions, annuities, and retirement allowances received for purposes of state income tax and providing a retroactive applicability date.

SSB 2037 Human Resources

Changing the eligibility criteria for the family support subsidy program.

SSB 2038 Human Resources

Providing for access to certain vital statistics records which are at least seventy-five years old.

SSB 2039 Human Resources

Relating to registration and deferrals of children on state and national adoption exchanges.

SSB 2040 Transportation

Relating to investigations of complaints concerning an individual's driving ability.

SSB 2041 Transportation

Authorizing persons to obtain copies of their own accident reports filed with the state department of transportation.

SSB 2042 Education

Relating to student financial aid programs administered by the college aid commission.

SSB 2043 Education

Relating to student teaching in accredited school districts or private schools.

SSB 2044 Education

To require that public and nonpublic schools identify for the county commissioner of elections those students who have reached voting age or will reach voting age within six months.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2004**

WAYS AND MEANS: Bruner, Chair; Connolly and Fuhrman

Senate File 2026

WAYS AND MEANS: Dieleman, Chair; Connolly and Hester

Senate File 2029

WAYS AND MEANS: Palmer, Chair; Szymoniak and Gentleman

Senate File 2034

WAYS AND MEANS: Bruner, Chair; Fraise and Gentleman

Senate File 2040

WAYS AND MEANS: Connolly, Chair; Szymoniak and Hester

Senate File 2044

WAYS AND MEANS: Riordan, Chair; Murphy and Hester

Senate File 2051

WAYS AND MEANS: Fraise, Chair; Riordan and Gentleman

Senate File 2053

WAYS AND MEANS: Soorholtz, Chair; Connolly and Dieleman

Senate File 2054

WAYS AND MEANS: Szymoniak, Chair; Dieleman and Drake

SSB 2002.1

WAYS AND MEANS: Dieleman, Chair; Husak, Riordan, Hester and Soorholtz

SSB 2003

WAYS AND MEANS: Palmer, Chair; Riordan and Drake

SSB 2004

WAYS AND MEANS: Fraise, Chair; Riordan and Fuhrman

SSB 2005

WAYS AND MEANS: Husak, Chair; Palmer and Soorholtz

SSB 2006

WAYS AND MEANS: Szymoniak, Chair; Palmer and Gentleman

SSB 2026

WAYS AND MEANS: Bruner, Chair; Riordan and Gentleman

SSB 2037

HUMAN RESOURCES: Corning, Chair; Murphy and Connolly

SSB 2038

HUMAN RESOURCES: Gentleman, Chair; Riordan and Hannon

SSB 2039

HUMAN RESOURCES: Murphy, Chair; Hagerla and Bruner

BILLS ASSIGNED TO COMMITTEE

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

- S.F. 2056 Transportation
- S.F. 2057 State Government
- S.F. 2058 Ways and Means
- S.F. 2059 Education

COMMITTEE REPORT

WAYS AND MEANS

Final Bill Action: SENATE FILE 2060 (SSB 2002.1), a bill for an act relating

to the taxation of certain pensions, annuities, and retirement allowances received for purposes of state income tax and providing a retroactive applicability date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Dieleman, Husak, Hester, Drake, Fraise, Fuhrman, Gentleman, Hultman, Murphy, Riordan, Soorholtz and Szymoniak. Nays, 1: Bruner. Absent or not voting, 2: Connolly and Palmer.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILL

Senate File 2060, by committee on Ways and Means, a bill for an act relating to the taxation of certain pensions, annuities, and retirement allowances received for purposes of state income tax and providing a retroactive applicability date.

Read first time under **Rule 28** and placed on **Ways and Means Calendar**.

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 3:35 p.m., until 10:00 a.m., Monday, January 15, 1990.

JOURNAL OF THE SENATE

EIGHTH CALENDAR DAY
FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 15, 1990

The Senate met in regular session at 10:06 a.m., President pro tempore Mann presiding.

Prayer was offered by the Reverend James Clark, pastor of the Grace Baptist Church, Waverly, Iowa.

The Journal of Thursday, January 11, 1990, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Goodwin for the day and January 16, 1990, on request of Senator Hultman.

HOUSE MESSAGE RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on January 10, 1990, adopted the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 101, a concurrent resolution to amend Joint Rule 20 by advancing the deadline dates for the 1990 Session of the Seventy-third General Assembly.

INTRODUCTION OF BILL

Senate File 2061, by Szymoniak, a bill for an act relating to discovery in a civil action involving sexual abuse, sexual assault, or sexual harassment and providing for the Act's applicability.

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

President Zimmerman took the chair at 10:10 a.m.

OBSERVANCE OF DR. MARTIN LUTHER KING'S BIRTHDAY

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

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 42 present, 8 absent and a quorum present.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Hannon and Murphy for the morning on request of Senator Hutchins.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2060.

Senate File 2060

On motion of Senator Dieleman, Senate File 2060, a bill for an act relating to the taxation of certain pensions, annuities, and retirement allowances received for purposes of state income tax and providing a retroactive applicability date, was taken up for consideration.

Senator Szymoniak offered amendment S—5001 filed by her from the floor to page 1 of the bill and moved its adoption.

Amendment S—5001 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. 2060) the vote was:

Ayes, 31:

Coleman	Deluhery	Dieleman	Doyle
Drake	Fraise	Gettings	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Miller	Nystrom	Pate	Rensink
Rife	Running	Scott	Soorholtz
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 15:

Boswell	Bruner	Cannolly	Corning
Fuhrman	Gentleman	Gronstal	Hagerla
Hedge	Lloyd-Jones	Palmer	Peterson
Priebe	Riordan	Sturgeon	

Absent or not voting, 4:

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:50 a.m., until 4:00 p.m.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES**

Convened: January 10, 1990, 9:15 a.m.

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

Members Absent: none.

Committee Business: Legislative oversight; reviewed Governor's budget recommendations.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: January 11, 1990, 9:45 a.m.

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

Members Absent: Priebe, Vice Chair (excused).

Committee Business: Expenditure oversight for Department of Natural Resources and Department of Agriculture.

Adjourned: 11:37 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

Convened: January 11, 1990, 9:50 a.m.

Members Present: Boswell, Chair; Kibbie, Vice Chair; Rife, Ranking Member; Lloyd-Jones and Hagerla.

Members Absent: none.

Committee Business: Explanatory presentation by LSB.

Adjourned: 10:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 11, 1990, 9:53 a.m.

Members Present: Sturgeon, Chair; Miller, Vice Chair and Gentleman.

Members Absent: Tinsman, Ranking Member and Hannon (both excused).

Committee Business: Discussed FY 1990 programs.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 11, 1990, 9:45 a.m.

Members Present: Bruner, Chair; Szymoniak, Vice Chair; Corning, Ranking Member; Deluhery and Fuhrman.

Members Absent: none.

Committee Business: Discussed programs for the homeless; overview from Institute for Applied Research regarding their study of DHS staffing.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 11, 1990, 9:45 a.m.

Members Present: Fraise, Chair; Doyle, Vice Chair; Vande Hoef, Ranking Member; Taylor and Connolly.

Members Absent: none.

Committee Business: Deputy Director Harry Cannon and Farm Director Wayne Siegle spoke on prison industries and farm account revolving fund; received legislative request reports from Beth Lenstra and Doug Wulf, LFB; Allen Spencer appeared before the committee.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: January 11, 1990, 9:40 a.m.

Members Present: Running, Chair; Peterson, Vice Chair; Hedge, Ranking Member; Goodwin and Palmer.

Members Absent: none.

Committee Business: Reviewed responses from Auditor's Office and Department of Management.

Adjourned: 11:35 a.m.

APPROPRIATIONS

Convened: January 11, 1990, 1:39 p.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Pate, Peterson, Rensink, Riordan, Running and Sturgeon.

Members Absent: Tinsman (excused) and Varn.

Committee Business: Assigned bills to subcommittees.

Adjourned: 1:56 p.m.

HUMAN RESOURCES

Convened: January 11, 1990, 3:45 p.m.

Members Present: Bruner, Vice Chair; Corning, Ranking Member; Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon and Taylor.

Members Absent: Hannon, Chair; Connolly and Tinsman (all excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 3:50 p.m.

LOCAL GOVERNMENT

Convened: January 11, 1990, 8:04 a.m.

Members Present: Miller, Chair; Vande Hoef, Ranking Member; Fraise, Goodwin, Jensen and Priebe.

Members Absent: Szymoniak, Vice Chair (excused); Kinley, Murphy and Tinsman (excused).

Committee Business: Assigned bills to subcommittees; presentations by Kent Sovern, League of Iowa Municipalities and Paul Coates, Iowa State Association of Counties.

Adjourned: 8:40 a.m.

RULES AND ADMINISTRATION

Convened: January 11, 1990, 9:45 a.m.

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

Committee Business: Approved committee resolution honoring former Senator Bob Carr for his years of legislative service; appointed a subcommittee to recommend a policy regarding personal computers in Senate chamber.

Adjourned: 9:50 a.m.

WAYS AND MEANS

Convened: January 11, 1990, 2:45 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hester, Ranking Member; Bruner, Drake, Fraise, Fuhrman, Gentleman, Hultman, Murphy, Riordan, Soorholtz and Szymoniak.

Members Absent: Connolly (excused) and Palmer.

Committee Business: Assigned bills to subcommittees; approved SSB 2002.1 as a committee bill.

Adjourned: 3:10 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 7

APPROPRIATIONS: Gronstal, Chair; Riordan and Jensen

Senate File 3

TRANSPORTATION: Coleman, Chair; Doyle and Drake

Senate File 4

TRANSPORTATION: Coleman, Chair; Doyle and Drake

Senate File 11

APPROPRIATIONS: Gronstal, Chair; Tieden and Peterson

Senate File 21

APPROPRIATIONS: Welsh, Chair; Riordan, Lloyd-Jones, Jensen and Tieden

Senate File 36

APPROPRIATIONS: Varn, Chair; Jensen and Husak

Senate File 43

TRANSPORTATION: Lloyd-Jones, Chair; Gettings and Goodwin

Senate File 51

TRANSPORTATION: Dieleman, Chair; Lloyd-Jones and Jensen

Senate File 53

APPROPRIATIONS: Riordan, Chair; Sturgeon, Varn, Lind and Tinsman

Senate File 58

TRANSPORTATION: Doyle, Chair; Scott and Jensen

Senate File 67

APPROPRIATIONS: Varn, Chair; Jensen and Husak

Senate File 108

APPROPRIATIONS: Gronstal, Chair; Welsh, Varn, Lind and Tinsman

Senate File 109

APPROPRIATIONS: Husak, Chair; Goodwin and Peterson

Senate File 115

APPROPRIATIONS: Husak, Chair; Goodwin and Peterson

Senate File 116

APPROPRIATIONS: Gronstal, Chair; Riordan and Lind

Senate File 133

TRANSPORTATION: Doyle, Chair; Dieleman and Nystrom

Senate File 134

TRANSPORTATION: Lloyd-Jones, Chair; Jensen and Scott

Senate File 135

TRANSPORTATION: Jensen, Chair; Goodwin and Scott

Senate File 142

TRANSPORTATION: Doyle, Chair; Coleman and Nystrom

Senate File 144

APPROPRIATIONS: Husak, Chair; Goodwin and Peterson

Senate File 151

APPROPRIATIONS: Husak, Chair; Jensen and Varn

Senate File 161

APPROPRIATIONS: Varn, Chair; Tinsman and Riordan

Senate File 163

APPROPRIATIONS: Welsh, Chair; Lloyd-Jones and Tieden

Senate File 164

APPROPRIATIONS: Welsh, Chair; Lloyd-Jones and Tieden

Senate File 165

APPROPRIATIONS: Welsh, Chair; Lloyd-Jones and Tieden.

Senate File 166

APPROPRIATIONS: Welsh, Chair; Lloyd-Jones and Tieden.

Senate File 172

APPROPRIATIONS: Riordan, Chair; Gronstal and Lind

Senate File 181

TRANSPORTATION: Drake, Chair; Coleman and Gettings

Senate File 195

APPROPRIATIONS: Welsh, Chair; Tieden and Riordan

Senate File 227

BUSINESS AND LABOR RELATIONS: Hultman, Chair; Running and Fuhrman

Senate File 240

APPROPRIATIONS: Welsh, Chair; Gronstal and Tieden

Senate File 244

APPROPRIATIONS: Welsh, Chair; Gronstal and Tieden

Senate File 248

TRANSPORTATION: Doyle, Chair; Coleman and Nystrom

Senate File 249

APPROPRIATIONS: Welsh, Chair

Senate File 250

APPROPRIATIONS: Welsh, Chair

Senate File 261

TRANSPORTATION: Lloyd-Jones, Chair; Drake and Gettings

Senate File 297

APPROPRIATIONS: Gronstal, Chair; Husak and Pate

Senate File 335

APPROPRIATIONS: Riordan, Chair; Gronstal and Corning

Senate File 353

TRANSPORTATION: Jensen, Chair; Nystrom and Lloyd-Jones

Senate File 376

APPROPRIATIONS: Husak, Chair; Boswell and Tieden

Senate File 379

APPROPRIATIONS: Gronstal, Chair; Tieden and Riordan

Senate File 384

TRANSPORTATION: Doyle, Chair; Gettings and Drake

Senate File 392

BUSINESS AND LABOR RELATIONS: Mann, Chair; Running and Taylor

Senate File 400

TRANSPORTATION: Drake, Chair; Lloyd-Jones and Scott

Senate File 422

APPROPRIATIONS: Sturgeon, Chair; Tinsman and Varn

Senate File 438

TRANSPORTATION: Dieleman, Chair; Scott and Goodwin

Senate File 439

APPROPRIATIONS: Gronstal, Chair; Tieden and Running

Senate File 446

APPROPRIATIONS: Bruner, Chair; Lloyd-Jones and Corning

Senate File 447

APPROPRIATIONS: Welsh, Chair; Gronstal and Lind

Senate File 464

APPROPRIATIONS: Gronstal, Chair; Riordan and Goodwin

Senate File 542

APPROPRIATIONS: Welsh, Chair; Riordan and Corning

Senate File 2003

TRANSPORTATION: Lloyd-Jones, Chair; Scott and Jensen

Senate File 2008

TRANSPORTATION: Coleman, Chair; Jensen and Nystrom

Senate File 2009

TRANSPORTATION: Doyle, Chair; Gettings and Drake

Senate File 2032

NATURAL RESOURCES: Kibbie, Chair; Husak and Hedge

Senate File 2036

TRANSPORTATION: Scott, Chair; Dieleman and Jensen

Senate File 2037

APPROPRIATIONS: Husak, Chair; Tieden and Riordan

Senate File 2038

ENVIRONMENT & ENERGY UTILITIES: Varn, Chair; Sturgeon and Soorholtz

Senate File 2041

ENVIRONMENT & ENERGY UTILITIES: Sturgeon, Chair; Miller and Pate

Senate File 2042

ENVIRONMENT & ENERGY UTILITIES: Sturgeon, Chair; Miller and Pate

Senate File 2056

TRANSPORTATION: Scott, Chair; Coleman and Goodwin

House Concurrent Resolution 13

APPROPRIATIONS: Welsh, Chair and Tieden

House File 29

BUSINESS AND LABOR RELATIONS: Mann, Chair; Palmer and Taylor

House File 49

BUSINESS AND LABOR RELATIONS: Sturgeon, Chair; Peterson and Fuhrman

House File 400

APPROPRIATIONS: Lloyd-Jones, Chair; Gronstal and Rensink

House File 473

TRANSPORTATION: Coleman, Chair; Doyle and Goodwin

House File 570

TRANSPORTATION: Gettings, Chair; Dieleman and Jensen

House File 664

TRANSPORTATION: Doyle, Chair; Coleman and Jensen

House File 736

BUSINESS AND LABOR RELATIONS: Running, Chair; Gettings and Taylor

House File 739

TRANSPORTATION: Coleman, Chair; Gettings and Nystrom

House File 757

APPROPRIATIONS: Welsh, Chair; Jensen and Peterson

House File 766

APPROPRIATIONS: Welsh, Chair and Tieden

House File 786

APPROPRIATIONS: Tieden, Chair; Gronstal and Husak

House File 781

APPROPRIATIONS: Gronstal, Chair; Riordan and Corning

SSB 2011

EDUCATION: Horn, Chair; Dieleman and Corning

SSB 2012

EDUCATION: Bruner, Chair; Deluhery, Lloyd-Jones, Lind and Tinsman

SSB 2013

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

SSB 2040

TRANSPORTATION: Doyle, Chair; Coleman and Drake

SSB 2041

TRANSPORTATION: Doyle, Chair; Gettings and Goodwin

SSB 2042

EDUCATION: Varn, Chair; Boswell and Tieden

SSB 2043

EDUCATION: Horn, Chair; Szymoniak and Hedge

SSB 2044

EDUCATION: Deluhery, Chair; Bruner and Lind

PETITIONS

The following petition was presented and placed on file by:

Senator Rensink from four hundred ninety-nine residents of Sioux County favoring legislation outlawing abortion in the state of Iowa.

The following petitions opposing the four cent sales tax on labor charges and service calls were presented and placed on file by:

Senator Hutchins from forty-seven residents of Boone County.
Senator Dieleman from forty-seven residents of Boone County.

AMENDMENT FILED

AFTERNOON SESSION

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

INTRODUCTION OF BILLS

Senate File 2062, by Scott, a bill for an act relating to auction sales of vehicles and providing a penalty.

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

Senate File 2063, by Priebe, a bill for an act authorizing the discontinuance of periodic notification regarding the customer contribution fund for certain utilities.

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

Senate File 2064, by Scott, a bill for an act to provide free fishing licenses to military veterans who are disabled or were prisoners of war.

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

Senate File 2065, by Scott and Miller, a bill for an act relating to the sale of certain beverages by wholesalers and retailers, and providing a penalty for violators.

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

STUDY BILLS RECEIVED**SSB 2045 State Government**

Relating to the operation of institutions under the control of the department of human services by authorizing the offering of goods and services to the public as part of client training programs and by deleting the requirement of maintaining daily records of time worked by institutional staff.

SSB 2046 State Government

Relating to installation in certain multiple-unit residential buildings of smoke detectors with light-emitting alarms.

SSB 2047 State Government

Relating to unclaimed winnings at a racetrack and providing for the use and payment of the unclaimed winnings.

SSB 2048 State Government

Relating to the Iowa public employees' retirement system by classifying all employees of the department of corrections and of judicial district department of correctional services as employed in a protection occupation and providing properly related matters.

SSB 2049 State Government

Relating to the qualifications of the director of the Iowa department of corrections.

SSB 2050 Transportation

Relating to refunds and credits of vehicle registration fees.

SSB 2051 Small Business/Economic Development

Relating to the provision of economic development assistance to communities by authorizing certain property tax exemptions.

SSB 2052 Small Business/Economic Development

Relating to the Wallace technology transfer foundation of Iowa.

SSB 2053 Natural Resources

To the reorganization of the department of natural resources, by creating two separate departments, by assigning powers and duties to the two departments, by making necessary amendments to the Code, and providing effective dates.

SSB 2054 Judiciary

Establishing controlled substances felonies as nonbailable offenses, and prohibiting deferred judgments and sentences and suspended sentences concerning such controlled substance offenders.

SSB 2055 Judiciary

Allowing a person indirectly injured by a violation of the Iowa competition law to bring a legal action for redress.

SSB 2056 Judiciary

Relating to the theft of fish from private fish hatcheries.

SSB 2057 Judiciary

Removing duplicative requirements for notification of crime victims.

SSB 2058 Judiciary

Relating to missing person reports to law enforcement agencies by amending the definition of missing person to conform with a definition used by the national crime information center.

SSB 2059 Judiciary

Relating to the appeal process for certain postconviction procedures.

SSB 2060 Judiciary

Relating to costs for service of a subpoena by a person other than a sheriff.

SSB 2061 Judiciary

Relating to confidential autopsy records of the state medical examiner or a county medical examiner.

SSB 2062 Judiciary

Relating to the disposition of seizable and forfeitable property, by modifying provisions relating to seizable property and seizure of vehicles, by providing for classes of forfeitable property, amending the burden of proof at forfeiture proceedings, providing for conditions of forfeiture, establishing certain affirmative defenses, presumptions, and counterclaims, providing for the award of attorney fees, and providing an applicability date and an effective date.

SSB 2063 Judiciary

Relating to certain felons and misdemeanants, by providing for the placement of such parole or probation violators in the county jail, providing for placement following county jail confinement, and requiring reimbursement to counties holding such violators.

SSB 2064 Judiciary

Relating to the crime of public intoxication and the types of chemical tests to be administered.

SSB 2065 Judiciary

Making corrections and removing inconsistencies in Iowa's civil rights laws.

SSB 2066 Judiciary

Relating to the Iowa civil rights Act by expanding the definition of public accommodation.

SSB 2067 Judiciary

Relating to the definition of public accommodation under the civil rights law.

SSB 2068 Judiciary

Relating to the right to bring a civil rights action after administrative closure.

SSB 2069 Judiciary

Relating to the use of deadly force by correctional or peace officers to prevent an escape.

SSB 2070 State Government

Relating to the filing of uniform commercial code financing statements by permitting a filing officer to accept for filing a copy of a signature and authorizing the adoption of rules to permit electronic filing of financing statements.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2058

WAYS AND MEANS: Murphy, Chair; Dieleman and Drake

SSB 2027

WAYS AND MEANS: Szymoniak, Chair; Dieleman and Drake

SSB 2050

TRANSPORTATION: Gettings, Chair; Coleman and Nystrom

SSB 2051

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Kibbie, Chair; Boswell and Rife

SSB 2052

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Connolly, Chair; Hannon and Pate

SSB 2053

NATURAL RESOURCES: Priebe, Chair; Husak, Doyle, Hedge and Rensink

BILLS ASSIGNED TO COMMITTEE

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

- S. F. 2061 Judiciary
- S. F. 2062 Transportation

S.F.	2063	Environment & Energy Utilities
S.F.	2064	Natural Resources
S.F.	2065	State Government

COMMITTEE REPORT

TRANSPORTATION

Final Bill Action: SENATE FILE 400, a bill for an act relating to expenditures of moneys on state park roads, county conservation parkways, and the great river road.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Coleman, Scott, Drake, Dieleman, Doyle, Gettings, Jensen, Lloyd-Jones and Nystrom. Nays, none. Absent or not voting, 1: Goodwin.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:07 p.m., until 9:00 a.m., Tuesday, January 16, 1990.

JOURNAL OF THE SENATE

NINTH CALENDAR DAY
SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 16, 1990

The Senate met in regular session at 9:05 a.m., Senator Riordan presiding.

Prayer was offered by the Reverend Dan Parsch, pastor of the Gloria Dei Lutheran Church, Urbandale, Iowa.

The Journal of Monday, January 15, 1990, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Mann for the day on request of Senator Hutchins.

INTRODUCTION OF BILLS

Senate File 2066, by Varn, a bill for an act relating to the liability of a volunteer, sports program physician.

Read first time and passed on file.

Senate File 2067, by Varn, a bill for an act relating to emergency telephone communication systems, by providing for statewide funding for enhanced 911 systems through a subscriber surcharge on basic services.

Read first time and passed on file.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 103, by Varn, a concurrent resolution relating to the appointment of a joint Code publication subcommittee.

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.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:17 a.m., until 4:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

BUSINESS AND LABOR RELATIONS

Convened: January 15, 1990, 1:35 p.m.

Members Present: Peterson, Chair; Sturgeon, Vice Chair; Fuhrman, Ranking Member; Gettings, Hultman, Palmer, Running, Taylor and Vande Hoef.

Members Absent: Mann.

Committee Business: Assigned bills to subcommittees.

Adjourned: 1:40 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: January 15, 1990, 2:22 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Pate, Ranking Member; Connolly, Hedge, Miller, Rife, Soorholtz, Sturgeon and Varn.

Members Absent: none.

Committee Business: Discussed proposed Department of Natural Resources legislation on inert ingredients.

Adjourned: 2:55 p.m.

NATURAL RESOURCES

Convened: January 15, 1990, 11:45 a.m.

Members Present: Scott, Chair; Doyle, Hedge, Hester, Husak, Miller, Priebe, Rensink and Tieden.

Members Absent: Kibbie, Vice Chair; Goodwin, Ranking Member (excused) and Peterson.

Committee Business: Assigned bills to subcommittees.

Adjourned: 11:50 a.m.

TRANSPORTATION

Convened: January 15, 1990, 2:20 p.m.

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

Members Absent: Goodwin (excused).

Committee Business: Assigned bills to subcommittees; deferred action on SSB 2050; recommended passage of Senate File 400.

Adjourned: 2:37 p.m.

WAYS AND MEANS

Convened: January 15, 1990, 3:05 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hester, Ranking Member; Connolly, Drake, Fraise, Fuhrman, Gentleman, Hultman, Murphy, Palmer, Riordan, Soorholtz and Szymoniak.

Members Absent: Bruner.

Committee Business: Assigned bills to subcommittees; presentation by Carl Castelda, Department of Revenue.

Adjourned: 3:43 p.m.

COMMITTEE REPORT**AGRICULTURE**

Final Bill Action: SENATE FILE 2075, a bill for an act relating to secured transactions by providing for the purchase of farm products by a buyer in the ordinary course of business.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Priebe, Riordan, Soorholtz, Coleman, Fraise, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 2: Boswell and Fuhrman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STUDY BILLS RECEIVED**SSB 2071 Environment & Energy Utilities**

Altering the penalty for late payment of the solid waste tonnage fee.

SSB 2072 State Government

Relating to elections and election procedures.

SSB 2073 State Government

Relating to the standards of conduct for professional engineers and land surveyors.

SSB 2074 State Government

Changing the time deadlines for submission of state agency affirmative action plans and annual reports and providing an effective date.

SSB 2075 Human Resources

Relating to licensure of freestanding hospice facilities.

SSB 2076 Human Resources

Relating to the medical assistance subrogation rights of the department of human services.

SSB 2077 Human Resources

Requiring the department of human services to adopt administrative rules which apply administrative penalties to certain health care facilities reimbursed under the medical assistance program.

SSB 2078 Human Resources

Relating to the establishment of a special mental health unit within a state hospital-school.

SSB 2079 Commerce

Relating to unfair or discriminatory credit practices by including familial status as an improper basis for differential

treatment in relation to a consumer credit transaction, an extension of credit by a state chartered financial institution, or the offer of credit life or health and accident insurance.

SSB 2080 Commerce

Relating to increasing the motor vehicle proof of financial responsibility and automobile liability insurance requirements and providing effective and applicability dates.

SSB 2081 Commerce

Relating to the permissible finance charges on certain consumer credit transactions involving the consolidation of consumer loans and consumer credit sales.

SSB 2082 Commerce

Relating to the regulation of banks to conform to changes in federal law contained in the Financial Institutions Reform, Recovery and Enforcement Act of 1989.

SSB 2083 Commerce

Regulating certain motor vehicle service contracts and establishing an annual fee.

SSB 2084 Commerce

Eliminating the requirement that a financial institution file semiannual reports with the treasurer of state disclosing certain service charges.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2

JUDICIARY: Mann, Chair; Hagerla and Varn

Senate File 18

JUDICIARY: Murphy, Chair; Deluhery and Hester

Senate File 20

JUDICIARY: Varn, Chair; Murphy and Drake

Senate File 28

JUDICIARY: Mann, Chair; Gronstal and Fuhrman

Senate File 35

JUDICIARY: Varn, Chair; Murphy and Drake

Senate File 40

JUDICIARY: Varn, Chair; Murphy and Fuhrman

Senate File 48

JUDICIARY: Gronstal, Chair; Deluhery and Hester

Senate File 61

JUDICIARY: Mann, Chair; Varn and Fuhrman

Senate File 64

JUDICIARY: Murphy, Chair; Welsh and Drake

Senate File 74

JUDICIARY: Mann, Chair; Deluhery and Gentleman

Senate File 78

JUDICIARY: Gronstal, Chair; Gettings and Taylor

Senate File 139

JUDICIARY: Horn, Chair; Welsh and Hagerla

Senate File 173

JUDICIARY: Mann, Chair; Coleman and Hester

Senate File 175

JUDICIARY: Mann, Chair; Coleman and Hester

Senate File 192

JUDICIARY: Gentleman, Chair; Horn and Welsh

Senate File 198

JUDICIARY: Murphy, Chair; Horn and Hagerla

Senate File 204

JUDICIARY: Taylor, Chair; Gentleman and Murphy

Senate File 206

JUDICIARY: Mann, Chair; Coleman and Hester

Senate File 228

JUDICIARY: Gettings, Chair; Gronstal and Drake

Senate File 238

JUDICIARY: Mann, Chair; Coleman and Hester

Senate File 270

JUDICIARY: Varn, Chair; Murphy and Hester

Senate File 284

JUDICIARY: Varn, Chair; Murphy and Hester

Senate File 288

JUDICIARY: Varn, Chair; Murphy and Hester

Senate File 292

JUDICIARY: Varn, Chair; Horn and Fuhrman

Senate File 306

JUDICIARY: Mann, Chair; Coleman and Hester

Senate File 316

JUDICIARY: Horn, Chair; Murphy and Hagerla

Senate File 324

JUDICIARY: Gettings, Chair; Horn and Drake

Senate File 328

STATE GOVERNMENT: Dieleman, Chair; Lloyd-Jones, Nystrom, Drake and Hannon

Senate File 329

JUDICIARY: Mann, Chair; Coleman and Hester

Senate File 330

JUDICIARY: Mann, Chair; Coleman and Hester

Senate File 338

JUDICIARY: Mann, Chair; Coleman and Hester

Senate File 340

JUDICIARY: Gronstal, Chair; Gettings and Drake

Senate File 342

JUDICIARY: Welsh, Chair; Deluhery and Taylor

Senate File 355

JUDICIARY: Gettings, Chair; Welsh and Gentleman

Senate File 378

JUDICIARY: Murphy, Chair; Mann and Fuhrman

Senate File 398

JUDICIARY: Horn, Chair; Gronstal and Hester

Senate File 399

JUDICIARY: Coleman, Chair; Deluhery and Taylor

Senate File 418

JUDICIARY: Varn, Chair; Murphy and Hester

Senate File 432

JUDICIARY: Mann, Chair; Murphy and Gentleman

Senate File 461

JUDICIARY: Mann, Chair; Gettings and Hagerla

Senate File 478

JUDICIARY: Murphy, Chair; Welsh and Gentleman

Senate File 496

JUDICIARY: Varn, Chair; Murphy and Fuhrman

Senate File 504

JUDICIARY: Gronstal, Chair; Welsh and Hagerla

Senate File 507

JUDICIARY: Deluhery, Chair; Gronstal and Fuhrman

Senate File 516

JUDICIARY: Mann, Chair; Coleman and Taylor

Senate File 2002

JUDICIARY: Hester, Chair; Deluhery and Horn

Senate File 2005

EDUCATION: Murphy, Chair; Horn and Lind

Senate File 2015

JUDICIARY: Gettings, Chair; Welsh and Drake

Senate File 2016

JUDICIARY: Welsh, Chair; Deluhery and Drake

Senate File 2017

JUDICIARY: Welsh, Chair; Mann and Drake

Senate File 2020

JUDICIARY: Hester, Chair; Fuhrman and Coleman

Senate File 2021

JUDICIARY: Gentleman, Chair; Gronstal and Mann

Senate File 2022

EDUCATION: Murphy, Chair; Horn and Lind

Senate File 2023

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

Senate File 2047

JUDICIARY: Gettings, Chair; Welsh and Drake

Senate File 2050

EDUCATION: Dieleman, Chair; Lloyd-Jones and Hedge

Senate File 2059

EDUCATION: Varn, Chair; Horn, Boswell, Kibbie, Corning, Rensink and Tieden

Senate File 2062

TRANSPORTATION: Scott, Chair; Dieleman and Goodwin

Senate File 2064

NATURAL RESOURCES: Doyle, Chair; Kibbie and Tieden

House File 18

JUDICIARY: Taylor, Chair; Gentleman and Murphy

House File 26

JUDICIARY: Gentleman, Chair; Mann and Horn

House File 149

JUDICIARY: Gentleman, Chair; Hester and Horn

House File 347

JUDICIARY: Varn, Chair; Murphy and Hester

House File 351

JUDICIARY: Coleman, Chair; Deluhery and Taylor

House File 401

JUDICIARY: Varn, Chair; Murphy and Hester

House File 619

JUDICIARY: Gettings, Chair; Horn and Fuhrman

House File 677

JUDICIARY: Varn, Chair; Gronstal and Drake

House File 689

JUDICIARY: Welsh, Chair; Deluhery and Drake

House File 724

JUDICIARY: Coleman, Chair; Murphy and Hester

House File 748

JUDICIARY: Horn, Chair and Mann

SSB 22

JUDICIARY: Horn, Chair; Deluhery and Hagerla

SSB 24

JUDICIARY: Varn, Chair; Mann and Drake

SSB 25

JUDICIARY: Varn, Chair; Murphy and Hester

SSB 30

JUDICIARY: Gettings, Chair; Gronstal and Gentleman

SSB 32

JUDICIARY: Horn, Chair; Gronstal and Drake

SSB 33

JUDICIARY: Mann, Chair; Welsh and Hagerla

SSB 43

JUDICIARY: Mann, Chair; Coleman and Fuhrman

SSB 44

JUDICIARY: Gettings, Chair; Gronstal and Drake

SSB 46

JUDICIARY: Mann, Chair; Murphy and Hester

SSB 75

JUDICIARY: Mann, Chair; Coleman and Fuhrman

SSB 76

JUDICIARY: Deluhery, Chair; Gronstal and Drake

SSB 84

JUDICIARY: Gettings, Chair; Welsh and Drake

SSB 88

JUDICIARY: Gronstal, Chair; Murphy and Drake

SSB 100

JUDICIARY: Varn, Chair; Murphy and Hester

SSB 119

JUDICIARY: Gronstal, Chair; Murphy and Fuhrman

SSB 137

JUDICIARY: Deluhery, Chair; Horn and Gentleman

SSB 144

JUDICIARY: Mann, Chair; Deluhery and Fuhrman

SSB 152

JUDICIARY: Varn, Chair; Gettings and Drake

SSB 180

JUDICIARY: Mann, Chair; Murphy and Hester

SSB 184

JUDICIARY: Mann, Chair; Horn and Fuhrman

SSB 207

JUDICIARY: Mann, Chair; Coleman and Fuhrman

SSB 208

JUDICIARY: Mann, Chair; Deluhery and Fuhrman

SSB 209

JUDICIARY: Welsh, Chair; Gettings and Taylor

SSB 224

JUDICIARY: Varn, Chair; Murphy and Hester

SSB 225

JUDICIARY: Hester, Chair; Varn and Murphy

SSB 239

JUDICIARY: Gronstal, Chair; Mann and Fuhrman

SSB 248

JUDICIARY: Murphy, Chair; Mann and Gentleman

SSB 249

JUDICIARY: Varn, Chair; Horn and Fuhrman

SSB 269

JUDICIARY: Varn, Chair; Gronstal and Hester

SSB 283

JUDICIARY: Murphy, Chair; Mann and Gentleman

SSB 343

JUDICIARY: Gronstal, Chair; Mann and Gentleman

SSB 2054

JUDICIARY: Varn, Chair; Horn and Drake

SSB 2055

JUDICIARY: Varn, Chair; Horn and Hester

SSB 2056

JUDICIARY: Varn, Chair; Horn and Drake

SSB 2057

JUDICIARY: Gronstal, Chair; Murphy and Drake

SSB 2058

JUDICIARY: Gettings, Chair; Deluhery and Hagerla

SSB 2059

JUDICIARY: Fuhrman, Chair; Gettings and Coleman

SSB 2060

JUDICIARY: Welsh, Chair; Deluhery and Hagerla

SSB 2061

JUDICIARY: Hester, Chair; Welsh and Gettings

SSB 2062

JUDICIARY: Murphy Chair; Mann and Fuhrman

SSB 2063

JUDICIARY: Gronstal, Chair; Murphy and Gentleman

SSB 2064

JUDICIARY: Welsh, Chair; Deluhery and Fuhrman

SSB 2065

JUDICIARY: Mann, Chair; Gronstal and Fuhrman

SSB 2066

JUDICIARY: Mann, Chair; Gronstal and Fuhrman

SSB 2067

JUDICIARY: Mann, Chair; Gronstal and Fuhrman

SSB 2068

JUDICIARY: Mann, Chair; Murphy and Fuhrman

SSB 2069

JUDICIARY: Welsh, Chair; Gettings and Hester

SSB 2075

HUMAN RESOURCES: Connolly, Chair; Horn and Corning

SSB 2076

HUMAN RESOURCES: Riordan, Chair; Murphy and Taylor

SSB 2077

HUMAN RESOURCES: Bruner, Chair; Sturgeon and Corning

SSB 2078

HUMAN RESOURCES: Riordan, Chair; Hannon and Gentleman

CERTIFICATES OF RECOGNITION

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

East Monona School District and Charter Oak-Ute School District — For endeavors to help fight teen-age use of drugs and alcohol ("Restore the Pride"). Senator Hutchins, January 15, 1990.

AFTERNOON SESSION

The Senate reconvened at 4:05 p.m., Senator Connolly 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 15, 1990, passed the following bills in which the concurrence of the Senate is asked:

House File 2044, a bill for an act relating to the sale, lease, or other disposition of student-constructed buildings and related school property.

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

House File 2045, a bill for an act relating to the appointment of an additional district judge for the district which includes the Iowa state penitentiary.

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

ALSO: That the House has on January 15, 1990, **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 149, a bill for an act relating to the compulsory attendance and truancy laws and providing penalties.

INTRODUCTION OF BILLS

Senate File 2068, by Lind, a bill for an act relating to the repeal of a local option sales and services tax.

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

Senate File 2069, by Hagerla, a bill for an act relating to fees for cremation permits.

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

Senate File 2070, by Hagerla, a bill for an act providing a fee for the sale of trout, wildlife habitat, and waterfowl stamps by depositaries and county recorders.

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

Senate File 2071, by Kinley, a bill for an act relating to the maximum age of amateur boxing participants and providing an effective date.

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

Senate File 2072, by Hagerla, a bill for an act authorizing an additional tax levy and the creation of a reserve account by a benefited fire district.

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

Senate File 2073, by Hagerla, a bill for an act relating to original and renewal applications for liquor control licenses.

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

Senate File 2074, by Connolly, a bill for an act relating to the veteran's credit under the Iowa public employees' retirement system.

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

Senate File 2075, by committee on Agriculture, a bill for an act relating to secured transactions by providing for the purchase of farm products by a buyer in the ordinary course of business.

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

Senate File 2076, by Hagerla, a bill for an act relating to fire zones in front of privately owned businesses and providing a penalty.

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

Senate File 2077, by Nystrom, a bill for an act relating to campaign finance, restricting the uses of campaign funds, and making penalties applicable.

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

Senate File 2078, by committee on Agriculture, a bill for an act regulating certain pesticide dealers, by modifying licensure fees and certain reporting requirements.

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

Senate File 2079, by committee on Agriculture, a bill for an act relating to the taxation of certain state property and providing effective and applicability dates.

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

Senate File 2080, by committee on Agriculture, a bill for an act providing for the sale, offer for sale, or distribution of sterile varieties of purple loosestrife.

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

Senate File 2081, by committee on Agriculture, a bill for an act to repeal a Code chapter relating to the organization, support, and functions of poultry associations.

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.

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

The Senate resumed session, Senator Connolly presiding.

INTRODUCTION OF BILLS

Senate File 2082, by Bruner, a bill for an act to indefinitely extend the effect of the Code chapter relating to persons with mental illness, mental retardation, or developmental disabilities and providing an effective date.

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

Senate File 2083, by Szymoniak, Lloyd-Jones, Priebe, Mann, Riordan, Corning, Tinsman, Pate, Gentleman, Hester, Drake and Hannon, a bill for an act relating to sexual abuse law, including sexual exploitation by a counselor or therapist, and providing penalties.

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

Senate File 2084, by committee on Natural Resources, a bill for an act relating to the reorganization of the department of natural resources, by creating two separate departments, by assigning powers and duties to the two departments, by making necessary amendments to the Code, and providing effective dates.

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

APPENDIX

PRESENTATIONS OF VISITORS

The following visitors were present in the Senate gallery:

High school students from the Iowa Braille and Sight Saving School, Vinton, Iowa, accompanied by Diane Ipsen and Mary Beth Young. Senators Husak and Lind.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 2078, a bill for an act regulating certain pesticide dealers, by modifying licensure fees and certain reporting requirements.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Priebe, Riordan, Soorholtz, Coleman, Fraise, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 2: Boswell and Fuhrman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2079, a bill for an act relating to the taxation of certain state property and providing effective and applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Priebe, Riordan, Soorholtz, Fraise, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, 1: Coleman. Absent or not voting, 2: Boswell and Fuhrman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2080, a bill for an act providing for the sale, offer for sale, or distribution of sterile varieties of purple loosestrife.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Priebe, Riordan, Soorholtz, Coleman, Fraise, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 2: Boswell and Fuhrman.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2081, a bill for an act to repeal a Code chapter relating to the organization, support, and functions of poultry associations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Priebe, Riordan, Soorholtz, Coleman, Fraise, Hedge, Hester, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, 1: Husak. Absent or not voting, 2: Boswell and Fuhrman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 2049, a bill for an act relating to the establishment of standards for the collection, processing, storage, and distribution of human blood, plasma, and blood products, and to the licensing of blood collection and plasmapheresis centers, and providing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Hannon, Bruner, Connolly, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none. Absent or not voting, 1: Corning.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: SENATE FILE 2024, a bill for an act providing for payment in lieu of property taxes on certain state properties under the jurisdiction of the department of natural resources and including applicability dates.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Scott, Kibbie, Doyle, Hedge, Hester, Husak, Miller, Peterson, Priebe, Rensink and Tieden. Nays, none. Absent or not voting, 1: Goodwin.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2084 (SSB 2053), a bill for an act relating to the reorganization of the department of natural resources, by creating two separate departments, by assigning powers and duties to the two departments, by making necessary amendments to the Code, and providing effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Scott, Kibbie, Doyle, Husak, Miller, Peterson and Priebe. Nays, 2: Hedge and Rensink. Absent or not voting, 3: Goodwin, Hester and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

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

S. C. R.	103	Rules and Administration
S. F.	2066	Judiciary
S. F.	2067	Local Government
S. F.	2068	Local Government
S. F.	2069	Local Government
S. F.	2070	Natural Resources
S. F.	2071	State Government
S. F.	2072	Ways and Means
S. F.	2073	State Government
S. F.	2074	State Government
S. F.	2076	Transportation
S. F.	2077	State Government
S. F.	2082	Human Resources
S. F.	2083	Judiciary
H. F.	2044	Education
H. F.	2045	Judiciary

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:34 p.m., until 9:00 a.m., Wednesday, January 17, 1990.

JOURNAL OF THE SENATE

TENTH CALENDAR DAY
SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 17, 1990

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

Prayer was offered by the Reverend John Propert, pastor of the First Baptist Church, Boone, Iowa.

The Journal of Tuesday, January 16, 1990, was approved.

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 400** be referred from the Regular Calendar to the committee on **Local Government**.

Senator Hutchins asked and received unanimous consent that **Senate File 2084** be referred from the Regular Calendar to the committee on **State Government**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:08 a.m., until 4:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: January 16, 1990, 10:00 a.m.

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

Members Absent: Priebe, Vice Chair (excused).

Committee Business: Presentations by Steve Pederson, Iowa Department of Agriculture and Land Stewardship and Sam Gladding, Department of Economic Development.

Adjourned: 10:47 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

Convened: January 16, 1990, 9:55 a.m.

Members Present: Boswell, Chair; Kibbie, Vice Chair; Rife, Ranking Member; Lloyd-Jones and Hagerla.

Members Absent: none.

Committee Business: Presentation by UNI.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 16, 1990, 9:59 a.m.

Members Present: Sturgeon, Chair; Tinsman, Ranking Member; Gentleman and Hannon.

Members Absent: Miller, Vice Chair (excused).

Committee Business: Legislative oversight reports by LFB; discussed FY 1990 programs.

Adjourned: 11:04 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 16, 1990, 9:57 a.m.

Members Present: Bruner, Chair; Szymoniak, Vice Chair; Corning, Ranking Member; Deluhery and Fuhrman.

Members Absent: none.

Committee Business: Discussed SSBG funding; overview of child welfare.

Adjourned: 11:32 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 16, 1990, 9:55 a.m.

Members Present: Fraise, Chair; Doyle, Vice Chair; Vande Hoef, Ranking Member; Taylor and Connolly.

Members Absent: none.

Committee Business: Super-subcommittees met with their departments.

Adjourned: 10:10 a.m.

AGRICULTURE

Convened: January 16, 1990, 8:00 a.m.

Members Present: Priebe, Chair; Riordan, Vice Chair; Soorholtz, Ranking Member; Coleman, Fraise, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef.

Members Absent: Boswell and Fuhrman.

Committee Business: Approved LSBs 7497, 7066, 7342, 7238, 7237 and 7384 as committee bills; Donna Gwinn and Ron Rowland of the Department of Agriculture appeared before the committee.

Adjourned: 8:40 a.m.

EDUCATION

Convened: January 16, 1990, 12:16 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Bruner, Deluhery, Dieleman, Hedge, Kibbie, Lind, Lloyd-Jones, Rensink, Szymoniak, Tieden and Tinsman.

Members Absent: Boswell, Corning and Varn (all excused).

Committee Business: Assigned bills to subcommittees and received presentations regarding education topics.

Adjourned: 2:16 p.m.

HUMAN RESOURCES

Convened: January 16, 1990, 2:25 p.m.

Members Present: Hannon, Chair; Bruner, Vice Chair; Corning, Ranking Member; Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman.

Members Absent: Connolly (excused).

Committee Business: Assigned study bills to subcommittees; recommended passage of Senate File 2049.

Adjourned: 2:44 p.m.

JUDICIARY

Convened: January 16, 1990, 3:00 p.m.

Members Present: Varn, Chair; Gentleman, Ranking Member; Coleman, Deluhery, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Murphy, Taylor and Welsh.

Members Absent: Mann, Vice Chair (excused).

Committee Business: Assigned bills to subcommittees; approved LSB 7933 as a committee resolution.

Adjourned: 3:06 p.m.

NATURAL RESOURCES

Convened: January 16, 1990, 2:15 p.m.

Members Present: Scott, Chair; Kibbie, Vice Chair; Doyle, Hedge, Hester, Husak, Miller, Peterson, Priebe, Rensink and Tieden.

Members Absent: Goodwin, Ranking Member (excused).

Committee Business: Recommended passage of Senate Files 2024 and 2084.

Adjourned: 4:20 p.m.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 2085, a bill for an act relating to solid waste disposal on agricultural land.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Priebe, Riordan, Soorholtz, Coleman, Fraise, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 2: Boswell and Fuhrman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE RESOLUTION 103, a senate resolution relating to the Honorable Donald V. Doyle.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 14: Varn, Gentleman, Coleman, Deluhery, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Murphy, Taylor and Welsh. Nays, none. Absent or not voting, 1: Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STUDY BILLS RECEIVED

SSB 2085 State Government

Repealing the chapter relating to solicitation of public donations by organizations.

SSB 2086 Education

Relating to payment for state audits of school offices in school districts.

SSB 2087 Local Government

Relating to the annexation of land surrounded by one or more cities, and providing an effective date.

SSB 2088 Local Government

Adding marijuana to the list of secondary noxious weeds.

SSB 2089 Local Government

Relating to disposition of instruments filed with the county recorder, and providing for the applicability of certain provisions.

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 1

STATE GOVERNMENT: Lloyd-Jones, Chair, Running and Drake

Senate Joint Resolution 2

STATE GOVERNMENT: Lloyd-Jones, Chair, Gronstal and Vande Hoef

Senate File 47

STATE GOVERNMENT: Hannon, Chair; Vande Hoef and Gentleman

Senate File 87

STATE GOVERNMENT: Hannon, Chair; Gentleman and Dieleman

Senate File 304

STATE GOVERNMENT: Gentleman, Chair; Hannon and Coleman

Senate File 374

STATE GOVERNMENT: Gronstal, Chair; Lloyd-Jones and Drake

Senate File 380

STATE GOVERNMENT: Kibbie, Chair; Nystrom, Drake, Horn and Dieleman

Senate File 381

STATE GOVERNMENT: Gronstal, Chair; Running and Soorholtz

Senate File 403

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Scott, Chair; Lind and Boswell

Senate File 409

STATE GOVERNMENT: Kibbie, Chair; Horn and Nystrom

Senate File 411

STATE GOVERNMENT: Horn, Chair; Kibbie and Soorholtz

Senate File 433

STATE GOVERNMENT: Lloyd-Jones, Chair; Kibbie, Nystrom, Dieleman and Drake

Senate File 436

STATE GOVERNMENT: Kibbie, Chair; Nystrom, Dieleman, Drake and Horn

Senate File 451

STATE GOVERNMENT: Horn, Chair; Kibbie and Rife

Senate File 476

STATE GOVERNMENT: Drake, Chair; Running and Dieleman

Senate File 492

STATE GOVERNMENT: Coleman, Chair; Fraise and Nystrom

Senate File 499

STATE GOVERNMENT: Gronstal, Chair; Soorholtz and Hannon

Senate File 510

STATE GOVERNMENT: Horn, Chair; Rife and Kibbie

Senate File 544

STATE GOVERNMENT: Hannon, Chair; Coleman and Vande Hoef

Senate File 2001

COMMERCE: Kinley, Chair; Gronstal and Jensen

Senate File 2028

STATE GOVERNMENT: Horn, Chair; Rife and Kibbie

Senate File 2030

COMMERCE: Deluhery, Chair; Running and Nystrom

Senate File 2031

STATE GOVERNMENT: Coleman, Chair; Lloyd-Jones and Vande Hoef

Senate File 2033

STATE GOVERNMENT: Hannon, Chair; Lloyd-Jones and Soorholtz

Senate File 2035

COMMERCE: Lind, Chair; Mann and Priebe

Senate File 2043

COMMERCE: Gronstal, Chair; Hannon and Rife

Senate File 2045

STATE GOVERNMENT: Fraise, Chair; Hannon and Gentleman

Senate File 2046

STATE GOVERNMENT: Kibbie, Chair; Dieleman, Horn, Nystrom and Drake

Senate File 2055

COMMERCE: Running, Chair; Kinley and Tieden

Senate File 2057

STATE GOVERNMENT: Running, Chair; Fraise and Drake

Senate File 2063

ENVIRONMENT & ENERGY UTILITIES: Deluhery, Chair; Gronstal and Pate

Senate File 2065

STATE GOVERNMENT: Horn, Chair; Running and Soorholtz

Senate File 2071

STATE GOVERNMENT: Soorholtz, Chair; Running and Hannon

Senate File 2073

STATE GOVERNMENT: Horn, Chair; Kibbie and Rife

Senate File 2074

STATE GOVERNMENT: Kibbie, Chair; Nystrom, Drake, Horn and Dieleman

Senate File 2076

TRANSPORTATION: Gettings, Chair; Doyle and Goodwin

Senate File 2084

STATE GOVERNMENT: Kibbie, Chair; Gronstal, Horn, Gentleman and Soorholtz

House File 142

COMMERCE: Palmer, Chair; Priebe and Pate

House File 737

TRANSPORTATION: Dieleman, Chair; Scott and Jensen

SSB 2036SMALL BUSINESS & ECONOMIC DEVELOPMENT: Connolly, Chair;
Szymoniak and Hagerla**SSB 2045**

STATE GOVERNMENT: Hannon, Chair; Fraise and Gentleman

SSB 2046

STATE GOVERNMENT: Hannon, Chair; Running and Vande Hoef

SSB 2047

STATE GOVERNMENT: Horn, Chair; Fraise and Soorholtz

SSB 2048

STATE GOVERNMENT: Kibbie, Chair; Dieleman, Horn, Nystrom and Drake

SSB 2049

STATE GOVERNMENT: Fraise, Chair; Gronstal and Nystrom

SSB 2072

STATE GOVERNMENT: Gronstal, Chair; Kibbie and Drake

SSB 2073

STATE GOVERNMENT: Fraise, Chair; Coleman and Nystrom

SSB 2074

STATE GOVERNMENT: Lloyd-Jones, Chair; Dieleman and Vande Hoef

SSB 2079

COMMERCE: Mann, Chair; Welsh and Rife

SSB 2080

COMMERCE: Running, Chair; Kinley and Rife

SSB 2081

COMMERCE: Priebe, Chair; Running and Tieden

SSB 2082

COMMERCE: Rife, Chair; Gronstal and Priebe

SSB 2083

COMMERCE: Gronstal, Chair; Hannon and Jensen

SSB 2084

COMMERCE: Hannon, Chair; Deluhery and Pate

SSB 2085

STATE GOVERNMENT: Dieleman, Chair; Hannon and Vande Hoef

SSB 2086

EDUCATION: Kibbie, Chair; Murphy and Taylor

AFTERNOON SESSION

The Senate reconvened at 4:06 p.m., President Zimmerman presiding.

INTRODUCTION OF BILLS

Senate File 2085, by committee on Agriculture, a bill for an act relating to solid waste disposal on agricultural land.

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

Senate File 2086, by Husak, a bill for an act relating to storage tanks by exempting certain aboveground tanks from registration with the state fire marshal, by limiting registration to aboveground petroleum storage tanks, by defining where aboveground tanks may be permitted for retail motor vehicle fuel outlets pursuant to rules of the state fire marshal, and by altering eligibility standards for certain loan guarantees.

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

Senate File 2087, by Kibbie, Rensink, Miller, Palmer, Boswell, Murphy, Fraise, Horn, Priebe, Running, Hannon, Gettings, Coleman, Szymoniak, Scott, Hutchins, Jensen, Tieden, Hedge, Hagerla, Hester, Taylor, Hultman, Goodwin, Pate, Rife, Corning, Fuhrman and Lind, a bill for an act relating to the use of merged area facilities levy proceeds for payment of costs of utilities.

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

Senate File 2088, by Lind, a bill for an act relating to certain controlled substance offenses, increases the criminal penalties concerning certain offenses regarding cocaine and methamphetamine in smokable form, establishing certain controlled substance offenses as nonbailable offenses, providing that such offenses shall be considered in establishing minimum sentences for repeat offenders, and prohibiting deferred judgments and sentences and suspended sentences for such controlled substance offenders.

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

Senate File 2089, by Lind, a bill for an act relating to refunds and credits of vehicle registration fees.

Senate File 2090, by Hultman, a bill for an act requiring a cooperative association to offer to repurchase capital stock which is otherwise transferable upon the death of the shareholder.

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

Senate File 2091, by Hultman, a bill for an act denying the homestead exemption to debts incurred in connection with the acquisition of the homestead.

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

INTRODUCTION OF RESOLUTION

Senate Resolution 103, by committee on Judiciary, a senate resolution relating to the Honorable Donald V. Doyle.

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.

SENATE INSISTS

Senate File 149

Senator Deluhery called up for consideration Senate File 149, a bill for an act relating to the compulsory attendance and truancy laws and providing penalties, 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 149** on the part of the Senate: Senators Deluhery, Chair; Bruner, Horn, Taylor and Corning.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	2086	Environment & Energy Utilities
S. F.	2087	Education
S. F.	2088	Judiciary
S. F.	2089	Transportation
S. F.	2090	Commerce
S. F.	2091	Commerce

AMENDMENT FILED

S—5002	S. F.	2084	Kenneth Scott
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ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:18 p.m., until 9:00 a.m., Thursday, January 18, 1990.

JOURNAL OF THE SENATE

ELEVENTH CALENDAR DAY
EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 18, 1990

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

Prayer was offered by Candy Boucher, senate secretary, who vocalized "Amazing Grace."

The Journal of Wednesday, January 17, 1990, was approved.

INTRODUCTION OF BILLS

Senate File 2092, by Hutchins, a bill for an act relating to the waiver of penalty and interest on the late payment of income taxes withheld and sales, services, and use taxes collected.

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

Senate File 2093, by committee on State Government, a bill for an act to reduce the markup percentage on state alcoholic liquor sales.

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

Senate File 2094, by committee on State Government, a bill for an act providing rulemaking authority to the auditor of state to establish a fee schedule for certain services.

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

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 104, by Connolly, a concurrent resolution relating to the sesquicentennial of Loras College.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Pate for the day on request of Senator Hultman.

QUORUM CALL

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

The vote revealed 39 present, 11 absent and a quorum present.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:26 a.m., until 2:15 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

Convened: January 17, 1990, 9:45 a.m.

Members Present: Boswell, Chair; Kibbie, Vice Chair; Lloyd-Jones and Hagerla.

Members Absent: Rife, Ranking Member.

Committee Business: Presentations by Business Development Finance Corporation and Iowa Product Development Corporation.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 17, 1990, 9:47 a.m.

Members Present: Sturgeon, Chair; Miller, Vice Chair; Tinsman, Ranking Member; Gentleman and Hannon.

Members Absent: none.

Committee Business: Discussed substance abuse programs.

Adjourned: 11:33 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 17, 1990, 9:55 a.m.

Members Present: Bruner, Chair; Szymoniak, Vice Chair; Corning, Ranking Member; Deluhery and Fuhrman.

Members Absent: none.

Committee Business: Overview of child care and child placement; discussed collection services.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 17, 1990, 9:40 a.m.

Members Present: Fraise, Chair; Doyle, Vice Chair; Vande Hoef, Ranking Member; Taylor and Connolly.

Members Absent: none.

Committee Business: Super subcommittees met.

Adjourned: 10:10 a.m.

COMMERCE

Convened: January 17, 1990, 1:35 p.m.

Members Present: Palmer, Chair; Deluhery, Vice Chair; Jensen, Ranking Member; Gronstal, Kinley, Lind, Nystrom, Pate, Tieden and Welsh.

Members Absent: Hannon (excused), Mann (excused), Priebe, Rife and Running (excused).

Committee Business: Assigned bills to subcommittees; presentation by Robert Rigler, Superintendent of Banking.

Adjourned: 1:45 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: January 17, 1990, 2:22 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Pate, Ranking Member; Connolly, Hedge, Sturgeon and Varn.

Members Absent: Miller, Rife and Soorholtz.

Committee Business: Presentation by members of the Iowa Water Pollution Control Association regarding sewer sludge.

Adjourned: 3:00 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: January 17, 1990, 8:10 a.m.

Members Present: Boswell, Chair; Hagerla, Ranking Member; Connolly, Kibbie, Lind, Pate and Peterson.

Members Absent: Hannon, Vice Chair; Rife, Scott, Szymoniak and Vande Hoef (all excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 8:20 a.m.

STATE GOVERNMENT

Convened: January 17, 1990, 9:12 a.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Dieleman, Drake, Fraise, Gentleman, Gronstal, Horn and Soorholtz.

Members Absent: Coleman, Hannon, Rife, Running and Vande Hoef (all excused).

Committee Business: Assigned Senate File 2084 to a subcommittee.

Adjourned: 9:15 a.m.

STATE GOVERNMENT

Convened: January 17, 1990, 3:10 p.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Soorholtz and Vande Hoef.

Members Absent: Running (excused).

Committee Business: Approved SSB 2010 as a committee bill; amended and approved SSB 2025 as a committee bill.

Adjourned: 3:50 p.m.

CONFERENCE COMMITTEE REPORT RECEIVED (Senate File 199)

A conference committee report signed by the following Senate and House members was filed January 18, 1990, on Senate File 199, a bill for an act relating to child day care by amending certain definitions and certain requirements for group day care homes:

On the Part of the Senate:

JEAN LLOYD-JONES, Chair
 BEVERLY HANNON
 JIM LIND
 LARRY MURPHY
 MAGGIE TINSMAN

On the Part of the House:

JANE TEAFORD, Chair
 FLORENCE BUHR
 DOROTHY CARPENTER
 JOHNIE HAMMOND
 ROBERT KISTLER

COMMITTEE REPORTS

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 2018, a bill for an act relating to the membership of the public safety commission of a unified law enforcement district.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Miller, Vande Hoef, Fraise, Goodwin, Jensen, Kinley and Priebe. Nays, none. Absent or not voting, 3: Szymoniak, Murphy and Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 252, a bill for an act relating to leave for a chief deputy sheriff, second deputy sheriff, or other officer or employee subject to civil service who becomes a candidate for elective office.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Miller, Vande Hoef, Fraise, Goodwin, Jensen and Kinley. Nays, none. Absent or not voting, 4: Szymoniak, Murphy, Priebe and Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 2093 (SSB 2025), a bill for an act to reduce the markup percentage on state alcoholic liquor sales.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Kibbie, Lloyd-Jones, Nystrom, Coleman, Fraise, Gentleman, Horn, Rife and Soorholtz. Nays, 4: Dieleman, Drake, Gronstal and Vande Hoef. Absent or not voting, 2: Hannon and Running.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2094 (SSB 2010), a bill for an act providing rulemaking authority to the auditor of state to establish a fee schedule for certain services.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes. 14: Kibbie, Lloyd-Jones, Nystrom, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 1: Running.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5003	S.F.	2061	Elaine Szymoniak
S—5004	S.F.	2064	Kenneth Scott
S—5005	S.F.	2024	Donald Doyle
S—5006	H.F.	620	Elaine Szymoniak

AFTERNOON SESSION

The Senate reconvened at 2:26 p.m., President Zimmerman presiding.

HOUSE MESSAGE RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on January 18, 1990, appointed the following **conference committee to Senate File 149**, a bill for an act relating to the compulsory attendance and truancy laws and providing penalties; and the members on the part of the House are: the Representative from Black Hawk, Representative Harper, Chair; the Representative from Hamilton, Representative Adams, the Representative from Jefferson, Representative Kistler; the Representative from Bremer, Representative Lageshulte; the Representative from Black Hawk, Representative Shoultz.

INTRODUCTION OF BILLS

Senate File 2095, by Pate, Hedge and Rife, a bill for an act relating to petroleum storage tanks by limiting aboveground tank registration to aboveground petroleum storage tanks, and by defining where aboveground tanks may be permitted for retail motor vehicle fuel outlets pursuant to rules of the state fire marshal, and by removing authority to inspect tank installations from fire marshals or the state fire marshal's designee.

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

Senate File 2096, by Running, a bill for an act establishing an employer child day care facility income tax credit and providing a retroactive applicability date.

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

Senate File 2097, by Horn and Rife, a bill for an act relating to the mediation of disputes between dentists and patients by the board of dental examiners.

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

Senate File 2098, by Peterson, a bill for an act providing for a percentage of lottery revenues collected in each county of the state to be returned to the county and cities within the county to be used for any purpose.

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

Senate File 2099, by Nystrom, a bill for an act relating to the required establishment of a utilization and cost control review committee by the board of dental examiners.

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

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Vande Hoef for the afternoon on request of Senator Hultman and Senator Bruner for the afternoon on request of Senator Hutchins.

QUORUM CALL

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

The vote revealed 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.

INTRODUCTION OF BILL

Senate File 2100, by Husak, Running, Tieden, Welsh and Vande Hoef, a bill for an act relating to fraternal benefit societies, imposing penalties, and providing an effective date.

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

CONSIDERATION OF BILL
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2049.

Senate File 2049

On motion of Senator Sturgeon, Senate File 2049, a bill for an act relating to the establishment of standards for the collection, processing, storage, and distribution of human blood, plasma, and blood products, and to the licensing of blood collection and plasmapheresis centers, and providing a penalty, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2049) the vote was:

Ayes, 35:

Boswell	Coleman	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Gronstal	Hannon	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lloyd-Jones
Miller	Murphy	Nystrom	Palmer
Peterson	Priebe	Rensink	Riordan
Scott	Sturgeon	Szymoniak	Tieden
Tinsman	Varn	Welsh	

Nays, 9:

Fuhrman	Gentleman	Goodwin	Hagerla
Hedge	Lind	Rife	Running
Soorholtz			

Absent or not voting, 6:

Bruner	Connolly	Mann	Pate
Taylor	Vande Hoef		

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

COMMITTEE REPORT

STATE GOVERNMENT

Final Bill Action: SENATE FILE 2084, a bill for an act relating to the reorganization of the department of natural resources, by creating two separate departments, by assigning powers and duties to the two departments, by making necessary amendments to the Code, and providing effective dates.

Recommendation: AMEND AND DO PASS IN AMENDMENT S—5007.

Final Vote: Ayes, 8: Kibbie, Lloyd-Jones, Coleman, Dieleman, Fraise, Gronstal, Hannon and Horn. Nays, 6: Nystrom, Drake, Gentleman, Rife, Soorholtz and Vande Hoef. Absent or not voting, 1: Running.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2084.

Senate File 2084

On motion of Senator Priebe, Senate File 2084, a bill for an act relating to the reorganization of the department of natural resources, by creating two separate departments, by assigning powers and duties to the two departments, by making necessary amendments to the Code, and providing effective dates, with report of committee on State Government recommending amendment and passage, was taken up for consideration.

Senator Kibbie offered amendment S—5007 filed by the committee on State Government from the floor to pages 5, 6, 19, 22 and 23 of the bill and moved its adoption.

Amendment S—5007 was adopted by a voice vote.

Senator Hester offered amendment S—5008 filed by Senators Hester, et al., from the floor to pages 3 and 18 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5008 be adopted?" (S.F. 2084) the vote was:

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

Ayes, 17:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Nystrom
Rensink	Soorholtz	Taylor	Tieden
Tinsman			

Nays, 27:

Boswell	Coleman	Deluhery	Dieleman
Doyle	Fraise	Gettings	Gronstal
Hannon	Horn	Husak	Hutchins
Kibbie	Kinley	Lloyd-Jones	Miller
Murphy	Peterson	Priebe	Rife
Riordan	Running	Scott	Sturgeon
Szymoniak	Varn	Welsh	

Absent or not voting, 6:

Bruner	Connolly	Mann	Palmer
Pate	Vande Hoef		

Amendment S—5008 lost.

With the adoption of amendment S—5007, the Chair ruled amendment S—5002 filed by Senator Scott on January 17, 1990, to pages 5 and 22 of the bill, 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. 2084) the vote was:

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

Ayes, 27:

Boswell	Coleman	Deluhery	Dieleman
Doyle	Fraise	Gettings	Gronstal

Hannon	Horn	Husak	Hutchins
Kibbie	Kinley	Lloyd-Jones	Miller
Murphy	Palmer	Peterson	Priebe
Riordan	Running	Scott	Sturgeon
Szymoniak	Varn	Welsh	

Nays, 19:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Nystrom
Rensink	Rife	Soorholtz	Taylor
Tieden	Tinsman	Vande Hoef	

Absent or not voting, 4:

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

INTRODUCTION OF BILLS

Senate File 2101, by Kibbie, a bill for an act to permit boards of trustees of community colleges to issue revenue bonds for certain capital projects.

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

Senate File 2102, by Hutchins, a bill for an act to allow for special motor vehicle registration plates for military retirees.

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

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 2049** and **2084** be immediately messaged to the House.

APPENDIX

PRESENTATION OF VISITOR

The Chair welcomed the Honorable Bob Carr, former member of the Senate from Dubuque County, who was present in the Senate chamber.

STUDY BILLS RECEIVED

SSB 2090 Business and Labor Relations

Relating to this state's labor laws administered by the labor commission by amending provisions of the Code regulating occupational safety and health, amusement ride and boiler inspections, asbestos removal and encapsulation, the division of labor services, wage payment collection, and construction contractors, and providing a penalty.

SSB 2091 Business & Labor Relations

Relating to workers' health, safety, and welfare, by providing funding for the second injury fund, establishing initial hearing deadlines, requiring certain unannounced inspections, authorizing certain administrative search warrants, and imposing certain benefit payment requirements and penalties for unreasonable denial or nonpayment of medical benefits, and providing applicability and effective date.

SSB 2092 Ways & Means

Establishing a pastureland tax credit fund, providing a tax credit, making an appropriation, and providing effective and applicability dates.

SSB 2093 Human Resources

Relating to schedule II controlled substances.

SSB 2094 Human Resources

Requiring the Iowa department of public health to enter the name of the father on the certificate of birth upon a determination of paternity by a court of competent jurisdiction.

SSB 2095 Human Resources

Requiring name change petitioners to attach certified copies of birth certificates for each person seeking a name change to the name change petition.

SSB 2096 Human Resources

Relating to child day care and the state child and dependent care tax credit.

SSB 2097 Education

Relating to school instruction and attendance of children of compulsory school attendance age.

SSB 2098 Business & Labor Relations

Relating to workers' health, safety, and welfare, by providing funding for the second injury fund and providing applicability and effective dates.

SSB 2099 Human Resources

Relating to eligibility determinations involving spousal resources for certain institutionalized medical assistance recipients.

SSB 2100 Ways & Means

Relating to the mobile home tax reduction for the elderly and disabled, the homestead tax credit, the property tax credit and rent reimbursement for the elderly and disabled, and the agricultural land tax credit by increasing the amount of credit and reimbursement and providing effective dates.

SUBCOMMITTEE ASSIGNMENTS**Senate File 400**

LOCAL GOVERNMENT: Kinley, Chair; Miller and Jensen

Senate File 2086

ENVIRONMENT & ENERGY UTILITIES: Gronstal, Chair; Deluhery and Rife

SSB 2087

LOCAL GOVERNMENT: Kinley, Chair; Szymoniak and Tinsman

SSB 2088

LOCAL GOVERNMENT: Vande Hoef, Chair; Szymoniak and Murphy

SSB 2089

LOCAL GOVERNMENT: Miller, Chair; Szymoniak and Jensen

SSB 2097

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

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 105, by Pate, Soorholtz, Hedge, Rife, Hultman, Lind, Corning, Tinsman, Hagerla, Vande Hoef, Gentleman, Tieden, Taylor and Rensink, a concurrent resolution relating to the use of recycled products by the General Assembly.

Read first time under **Rule 28** and passed on file.

INTRODUCTION OF BILL

Senate File 2103, by Pate, a bill for an act providing an exemption from sales or use tax for certain coin-operated laundry machines, providing for certain refunds, and providing a retroactive applicability date.

Read first time under **Rule 28** and passed on file.

AMENDMENTS FILED

S—5007	S.F.	2084	State Government
S—5008	S.F.	2084	Jack Hester
			Norman Goodwin
			Dale Tieden
			Calvin Hultman

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:15 p.m., until 10:00 a.m., Monday, January 22, 1990.

JOURNAL OF THE SENATE

FIFTEENTH CALENDAR DAY
NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 22, 1990

The Senate met in regular session at 10:05 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Stan Kesler, pastor of the Faith Evangelical Church of Radcliffe, Iowa.

The Journal of Thursday, January 18, 1990, was approved.

INTRODUCTION OF BILLS

Senate File 2104, by Vande Hoef, a bill for an act relating to service of process in an action brought against a county.

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

Senate File 2105, by Scott, a bill for an act relating to physically restraining minors in the custody of or being transported by law enforcement officers.

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

Senate File 2106, by Nystrom, a bill for an act relating to membership and powers of the legislative ethics committee.

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

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Pate for the day and January 23 and Senator Corning for the week on request of Senator Hultman; Senator Murphy for the day and Senator Mann for the day and January 23 on request of Senator Hutchins.

QUORUM CALL

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

The vote revealed 40 present, 10 absent and a quorum present.

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

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 following Governor's appointees as members of state boards, departments and commissions pursuant to 1989 Code of Iowa sections and 1989 Iowa Code Supplement sections:

June 30, 1989

For appointment to the Board of Educational Examiners pursuant to Section 260.3, 1989 Code Supplement:

Virginia M. Garnjobst, Burlington, Des Moines, County; Don M. Gunderson, Dike, Grundy County; Calvin W. Halliburton, Ames, Story County; William L. Lepley, West Des Moines, Polk County and Lester D. Menke, Calumet, O'Brien County, for terms beginning July 1, 1989, and ending April 30, 1991.

Vicki L. Hanson, Palmer, Pocahontas County; Betty J. Hyde, Johnston, Polk County; Daniel R. Martinez, Red Oak, Montgomery County; Monsignor W. Robert Schmidt, Davenport, Scott County; Rachel A. Stewart, Ft. Madison, Lee County, and Maureen A. White, Cedar Falls, Black Hawk County, for terms beginning July 1, 1989, and ending April 30, 1993.

For appointment to the Drug Abuse Prevention and Education Advisory Council pursuant to Section 80E.2, 1989 Code Supplement:

Loras A. Jaeger, Cedar Falls, Black Hawk County, for a term beginning July 1, 1989, and ending April 30, 1993.

Jean M. Sturtevant, Sioux City, Woodbury County, for a term beginning July 1, 1989, and ending April 30, 1991.

For appointment to the Environmental Protection Commission pursuant to Section 455A.6, 1989 Code of Iowa:

William A. Ehm, Creston, Union County, and Rozanne E. King, Mondamin, Harrison County, for terms beginning immediately, and ending April 30, 1993.

For appointment to the Iowa Emergency Response Commission pursuant to Section 30.2, 1989 Code Supplement:

Lynn M. Feldmann, Dubuque, Dubuque County, for a term beginning July 1, 1989, and ending April 30, 1991.

Cindy Raspiller, Cedar Rapids, Linn County, for a term beginning July 1, 1989, and ending April 30, 1992.

For appointment to the Iowa Grain Indemnity Fund Board pursuant to Section 543A.4, 1989 Code of Iowa, for terms beginning immediately and ending April 30, 1992:

Charles D. Messer, Danville, Des Moines County, and Bruce A. Yungclas, Webster City, Hamilton County.

Bruce Tamisiea, Spencer, Clay County, for appointment to the Iowa Product Development Corporation pursuant to 1989 Iowa Code Section 28.83 to fulfill an unexpired term beginning immediately and ending April 30, 1991.

Noral D. Johnson, Essex, Page County, for appointment to the Iowa Railway Finance Authority pursuant to 1989 Iowa Code Section 307B.6 to fulfill an unexpired term beginning immediately and ending April 30, 1990.

For appointment to the Narcotics Enforcement Advisory Council pursuant to Section 80E.3, 1989 Code Supplement:

Douglas W. Book, Forest City, Winnebago County; Judy Bradshaw, Des Moines, Polk County, and Jackie Kenniker, Dubuque, Dubuque County, for terms beginning July 1, 1989, and ending April 30, 1993.

Dennis L. Fiser, Cedar Rapids, Linn County, and Lori Lewis, Mason City, Cerro Gordo County, for terms beginning July 1, 1989, and ending April 30, 1991.

For appointment to the Real Estate Appraiser Examining Board pursuant to Section 117B.4, 1989 Code Supplement:

John L. Felderman, Dubuque, Dubuque County, and Mary P. Mitchell, Council Bluffs, Pottawattamie County, for terms beginning July 1, 1989, and ending April 30, 1990.

Susan D. Albright, Boone, Boone County, and Earlis C. Rohret, Oxford, Johnson County, for terms beginning July 1, 1989, and ending April 30, 1991.

Arthur J. Frahm, Des Moines, Polk County; Pat A. Hastings, Jefferson, Greene County, and Arne F. Waldstein, Alta, Buena Vista County, for terms beginning July 1, 1989, and ending April 30, 1992.

For appointment to the State Board of Examiners for Nursing Home Administrators pursuant to Section 135E.2, 1989 Code of Iowa:

Sally A. Mathis, Iowa City, Johnson County, to fulfill an unexpired term beginning immediately and ending April 30, 1990.

Warren D. Rippey, Des Moines, Polk County, for a term beginning immediately and ending April 30, 1992.

For appointment to the Wallace Technology Transfer Foundation of Iowa pursuant to Section 28.154, 1989 Code Supplement, for terms beginning July 1, 1989, with the length of terms to be determined by the standing members of the Board of Directors:

Varel G. Bailey, Anita, Cass County; James L. Churchill, Cedar Rapids, Linn County; Merlin Plagge, Sheffield, Cerro Gordo County; Rose Rennekamp, North Liberty, Johnson County, and Nancy Jane Tomes, Cumming, Warren County.

July 15, 1989

Almo J. Hawkins, Des Moines, Polk County, for appointment as Department Coordinator of the Department of Human Rights pursuant to 1989 Iowa Code Section 601K.2 for a term beginning immediately and serving at the pleasure of the Governor.

August 15, 1989

Edith Ann Westfall, Council Bluffs, Pottawattamie County, for appointment to the Drug Abuse Prevention and Education Advisory Council pursuant to Section 80E.2, 1989 Code Supplement, for a term beginning immediately and ending April 30, 1993.

Michael D. Ralston, Cedar Falls, Black Hawk County, for appointment to the Speech Pathology and Audiology Examining Board pursuant to 1989 Iowa Code Section 147.14(9) for a term beginning immediately and ending April 30, 1991.

August 18, 1989

Robert A. Witt, Allison, Butler County, for appointment to the Board of Physician Assistant Examiners pursuant to 1989 Iowa Code Section 147.14(12) to fulfill an unexpired term beginning immediately and ending April 30, 1991.

September 11, 1989-

Dorothy L. Votroubek, Davenport, Scott County, for appointment to the Accountancy Examining Board pursuant to Section 116.3, 1989 Code Supplement, for a term beginning immediately and ending April 30, 1992.

Molly Kay Pelzer, Tipton, Cedar County, for appointment to the Dietetic Examining Board pursuant to 1989 Iowa Code Section 147.14(11) to fulfill an unexpired term beginning immediately and ending April 30, 1990.

William M. McCarthy, Des Moines, Polk County, for appointment to the Narcotics Enforcement Advisory Council pursuant to Section 80E.3 1989 Code Supplement, for a term beginning immediately and ending April 30, 1991.

October 24, 1989

For appointment to the Iowa Highway Research Board pursuant to Section 307D.4, 1989 Code Supplement:

Donald A. Anderson, Ames, Story County; Frances Antonovitz, Ames, Story County; Mona Rae Bond, Montezuma, Poweshiek County; Ruth Hardin, Indianola, Warren County; Billy M. McCall, Ames, Story County; Maryann L. Shinrock, Marion, Linn County and Leland A. Thomson, La Porte City, Tama County, for terms beginning immediately and ending April 30, 1991.

Shirley Ellen Andre, Ames, Story County; J. Michael Dooley, Sioux City, Woodbury County; Clarence Charles Perry, Mt. Pleasant, Henry County; Richard C. Ranson, Cedar Rapids, Linn County; James W. Stoner, Iowa City, Johnson County, and Janet Kathleen Yates, Ames, Story County, for terms beginning immediately and ending April 30, 1993.

October 26, 1989

Paul John Frank, Oelwein, Buchanan County, for appointment to the Investment Board of the IPERS pursuant to 1989 Code Section 97B.8 to fulfill an unexpired term beginning immediately and ending April 30, 1992.

October 27, 1989

Michael R. Ellis, Le Mars, Plymouth County, for appointment to the Job Service Advisory Council pursuant to 1989 Iowa Code Section 96.11 to fulfill an unexpired term beginning immediately and ending April 30, 1991.

November 2, 1989

Ann Marie Rhodes, Iowa City, Johnson County, for appointment to the Iowa Highway Research Board pursuant to Section 307D.4, 1989 Code Supplement, for a term beginning immediately and ending April 30, 1993.

November 7, 1989

Rita Dolores Sealock, Council Bluffs, Pottawattamie County, for appointment to the State Racing and Gaming Commission pursuant to Section 99D.5, 1989 Code Supplement, to fulfill and unexpired term beginning immediately and ending April 30, 1990.

December 18, 1989

Dennis D. Killion, Red Oak, Montgomery County, for appointment to the Council on Human Services pursuant to 1989 Iowa Code Section 217.2 to fulfill an unexpired term beginning immediately and ending April 30, 1995.

Elwyn T. Gaskill, Corwith, Hancock County, for appointment to the Natural Resource Commission pursuant to 1989 Iowa Code Section 455A.5 to fulfill an unexpired term beginning immediately and ending April 30, 1991.

December 27, 1989

Richard L. Timmerman, Johnston, Polk County, for appointment as Director of the Iowa Department of Economic Development pursuant to 1989 Iowa Code Section 15.105 for a term beginning December 13, 1989, to serve at the pleasure of the Governor.

Sincerely,
TERRY E. BRANSTAD
Governor

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

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

The Senate resumed session, President Zimmerman presiding.

RECESS

On motion of Senator Hutchins, the Senate recessed at 10:35 a.m., until 4:00 p.m.

APPENDIX**STUDY BILLS RECEIVED****SSB 2006.1 Ways & Means**

Relating to the updating of references to the federal Internal Revenue Code, relating to income tax and the computation of net income, increasing the tax credit allowed for certain research activities, providing an effective date, and providing certain retroactive applicability dates.

SSB 2101 Small Business/Economic Development

Providing a venture capital tax credit and providing effective and applicability dates.

SSB 2102 Human Resources

Relating to state and local foster care review boards.

SSB 2103 Human Resources

Establishing a state community-based services fund for the mentally ill.

SSB 2104 Human Resources

Requiring certain information to be provided to adopting parents.

SSB 2105 Human Resources

Relating to the assignment of support rights for children receiving foster care services.

SSB 2106 Human Resources

Establishing an income tax credit for child day care assistance provided by an employer and providing a retroactive applicability date.

SSB 2107 Local Government

Relating to civil rights by requiring certain cities to maintain a local civil rights agency or commission and provide adequate

funding for the agency or commission, and providing for the continuation in effect of certain local civil rights laws.

SSB 2108 Local Government

Relating to reporting requirements for certain cities receiving road use tax funds.

SSB 2109 Local Government

Relating to procedures for the delivery of persons to the Iowa medical and classification center.

SSB 2110 Local Government

Relating to the collection of real estate, real property, and mobile home taxes, providing penalties, and continuing an appropriation.

SSB 2111 Transportation

Relating to the attorney general's access to confidential motor vehicle accident reports.

SSB 2112 Business & Labor Relations

Relating to the administration of the employment security law by the division of job service of the department of employment services by amending or providing for certain requirements for receipt of unemployment compensation benefits, the determination of the amount of unemployment benefits, the payment of fees and expenses for witnesses, the use of the administrative contribution surcharge on employer taxes, and the prospective repeal of the administrative contribution surcharge.

SSB 2113 Education

A Joint Resolution to nullify an administrative rule of the state board of education relating to foreign student eligibility to participate in extracurricular interscholastic competition.

SSB 2114 Natural Resources

Relating to county resource enhancement committees.

SSB 2115 State Government

Relating to appointments subject to senate confirmation by providing for duties of appointing authorities and appointment and employment of the director of the department of economic development, and enacting a transitional provision.

SSB 2116 State Government

Relating to appointments subject to senate confirmation by providing for duties of appointing authorities and appointment and employment of the director of the department of education, and enacting a transitional provision.

SSB 2117 State Government

Requiring licensed professional and occupational disciplinary hearings to be open to the public.

REPORTS OF COMMITTEE MEETINGS**APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES**

Convened: January 18, 1990, 9:40 a.m.

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

Members Absent: none.

Committee Business: Presentation by Al Stokes, Administrator of the Environmental Protection Division, Department of Natural Resources; budget and FTE requests for environmental protection programs.

Adjourned: 11:37 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

Convened: January 18, 1990, 9:50 a.m.

Members Present: Boswell, Chair; Kibbie, Vice Chair; Rife, Ranking Member; Lloyd-Jones and Hagerla.

Members Absent: none.

Committee Business: CEBA presentation by Jude Conway.

Adjourned: 10:36 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 18, 1990, 9:50 a.m.

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

Members Absent: Nystrom (excused).

Committee Business: Presentations by Department of Cultural Affairs, Narrowcast Board and discussion of lottery programs.

Adjourned: 11:07 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 18, 1990, 9:50 a.m.

Members Present: Sturgeon, Chair; Miller, Vice Chair; Tinsman, Ranking Member; Gentleman and Hannon.

Members Absent: none.

Committee Business: Discussed chronic renal disease program.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 18, 1990, 9:55 a.m.

Members Present: Bruner, Chair; Szymoniak, Vice Chair; Corning, Ranking Member; Deluhery and Fuhrman.

Members Absent: none.

Committee Business: Presentations on EPSDT, OB/GYN services, nursing home regulations, and the gambling assistance program.

Adjourned: 11:52 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 18, 1990, 10:00 a.m.

Members Present: Fraise, Chair; Doyle, Vice Chair; Vande Hoef, Ranking Member and Connolly.

Members Absent; Taylor (excused).

Committee Business: Reports from the super subcommittees.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: January 18, 1990, 9:59 a.m.

Members Present: Gettings, Chair; Coleman, Vice Chair; Lind, Ranking Member and Husak.

Members Absent: Pate (excused).

Committee Business: Discussion of sub-subcommittees.

Adjourned: 11:44 a.m.

APPROPRIATIONS

Convened: January 18, 1990, 1:38 p.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Pate, Peterson, Riordan, Running, Sturgeon and Tinsman.

Members Absent: Bruner, Rensink and Varn (all excused).

Committee Business: Presentation by Pat Cavanaugh, Director of the Department of Management; reviewed request for narcotics agents from the Department of Public Safety.

Adjourned: 2:26 p.m.

BUSINESS AND LABOR RELATIONS

Convened: January 18, 1990, 1:17 p.m.

Members Present: Peterson, Chair; Sturgeon, Vice Chair; Fuhrman, Ranking Member; Gettings, Hultman, Palmer and Running.

Members Absent: Mann (excused), Taylor and Vande Hoef (excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 1:20 p.m.

LOCAL GOVERNMENT

Convened: January 18, 1990, 8:06 a.m.

Members Present: Miller, Chair; Vande Hoef, Ranking Member; Fraise, Goodwin, Jensen, Kinley and Priebe.

Members Absent: Szymoniak, Vice Chair (excused), Murphy and Tinsman (excused).

Committee Business: Recommended passage of House File 252 and Senate File 2018; deferred action on SSB 2033; Don Freeman, Assessor from Warren County and Jack Newell, Assessor from Polk County, appeared before the committee regarding SSB 2024.

Adjourned: 8:36 a.m.

STATE GOVERNMENT

Convened: January 18, 1990, 9:35 a.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Soorholtz and Vande Hoef.

Members Absent: Running (excused).

Committee Business: Recommended passage of Senate File 2084 as amended.

Adjourned: 9:50 a.m.

BILLS ASSIGNED TO COMMITTEE

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

S. C. R.	104	Rules and Administration
S. C. R.	105	Rules and Administration
S. F.	2092	Ways and Means
S. F.	2095	Environment and Energy Utilities
S. F.	2096	Ways and Means
S. F.	2097	State Government
S. F.	2098	Appropriations
S. F.	2099	State Government
S. F.	2100	Commerce

S. F.	2101	Education
S. F.	2102	Transportation
S. F.	2103	Ways and Means

CERTIFICATES OF RECOGNITION

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

Granville-Spalding Baseball Team — For winning the 1989 State 1A Baseball Tournament. Senator Rensink (January 18, 1990).

Lin Heiller, Melvin, Iowa — For receiving first place in the no-till non-irrigated class in the National Corn Yield Contest. Senator Vande Hoef (January 19, 1990).

Martha R. Heiller, Melvin, Iowa — For receiving first place in the ridge-till non-irrigated class in the National Corn Yield Contest. Senator Vande Hoef (January 19, 1990).

Todd Herpst, Storm Lake, Iowa — For achieving the level of Eagle Scout. Senator Fuhrman (January 19, 1990).

EXPLANATION OF VOTE

MADAM PRESIDENT: On January 18, 1990, I was necessarily absent from the Senate chamber. Had I been present, I would have voted "nay" on amendment S-5008 to Senate File 2084 and "aye" on final passage of Senate Files 2049 and 2084.

MIKE CONNOLLY

PRESENTATION OF VISITORS

Senator Szymoniak presented Ms. Margarita RIVIERE Marti, Director of EFE Wireservice in Barcelona, Spain, who was visiting the United States at the invitation of the International Visitor Program of the U.S. Information Agency. She was accompanied by U.S. interpreter, Ms. Claudia Allers.

PETITIONS

The following petitions favoring legislation to install a wildlife warning highway reflector system were presented and placed on file by:

Senator Scott from fifty-three residents of Cerro Gordo County and twenty-one residents of Floyd County.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2067

LOCAL GOVERNMENT: Miller, Chair; Murphy and Vande Hoef

Senate File 2068

LOCAL GOVERNMENT: Kinley, Chair; Szymoniak and Jensen

Senate File 2072

WAYS AND MEANS: Connolly, Chair; Fraise and Fuhrman

Senate File 2087

EDUCATION: Varn, Chair; Kibbie and Rensink

Senate File 2089

TRANSPORTATION: Gettings, Chair; Coleman and Nystrom

Senate File 2101

EDUCATION: Varn, Chair; Horn, Boswell, Kibbie, Corning, Rensink and Tieden

House File 2044

EDUCATION: Dieleman, Chair; Kibbie and Rensink

SSB 2006.1

WAYS AND MEANS: Szymoniak, Chair; Palmer and Gentleman

SSB 2092

WAYS AND MEANS: Fraise, Chair; Dieleman and Hester

SSB 2100

WAYS AND MEANS: Dieleman, Chair; Husak, Riordan, Hultman and Drake

SSB 2101

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Connolly, Chair; Boswell and Rife

SSB 2107

LOCAL GOVERNMENT: Szymoniak, Chair; Miller and Goodwin

SSB 2108

LOCAL GOVERNMENT: Jensen, Chair; Priebe and Fraise

SSB 2109

LOCAL GOVERNMENT: Fraise, Chair; Murphy and Tinsman

SSB 2110

LOCAL GOVERNMENT: Miller, Chair; Priebe and Vande Hoef

SSB 2111

TRANSPORTATION: Coleman, Chair; Gettings and Jensen

SSB 2113

EDUCATION: Murphy, Chair; Horn and Lind

LSB 7400

AGRICULTURE: Fraise, Chair; Riordan and Hedge

LSB 7495

AGRICULTURE: Palmer, Chair; Boswell and Vande Hoef

LSB 7499

AGRICULTURE: Fuhrman, Chair; Coleman and Miller

LSB 7500

AGRICULTURE: Hester, Chair; Coleman and Boswell

AMENDMENT FILED

S—5009

S. F.

2083

Elaine Szymoniak

AFTERNOON SESSION

The Senate reconvened at 4:01 p.m., Senator Husak presiding.

INTRODUCTION OF BILLS

Senate File 2107, by Pate, Soorholtz, Hedge, Rife, Hultman, Lind, Corning, Tinsman, Vande Hoef, Gentleman, Rensink and Taylor, a bill for an act establishing a mechanism by which the director of the department of natural resources may prohibit the manufacture, use, or disposal of certain containers within the state.

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

Senate File 2108, by Taylor, a bill for an act relating to certain property interests by providing for the return of certain subsurface property rights to the surface owner and ancillary surface property rights to adjacent landowners when subsurface rights are relinquished by the person who has obtained underground natural gas storage rights.

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

Senate File 2109, by Hultman, a bill for an act relating to writing a negotiable instrument and failing to honor it within ten days of notice that the drawee of the instrument refused payment because of insufficient funds or because the maker has no account with the drawee.

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

Senate File 2110, by Hagerla, a bill for an act establishing the office of small business advocate and providing duties and responsibilities for the advocate.

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

Senate File 2111, by Jensen, a bill for an act relating to the right of cities and counties to enter into lease, lease-purchase, or loan agreements by requiring an election under the same conditions as required for general purpose bonds.

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

Senate File 2112, by Hannon, a bill for an act requiring contributions to a housing trust fund if new construction or renovation displaces low-income housing units, congregate living facilities, or homeless shelter beds.

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

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 106, by Pate, Soorholtz, Hedge, Rife, Hultman, Corning, Tinsman, Lind, Hagerla, Gentleman, Tieden, Taylor and Rensink, a concurrent resolution relating to the creation of a task force on ozone depletion.

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

Senate Concurrent Resolution 107, by Pate, Hedge, Rife, Soorholtz, Vande Hoef, Jensen, Hultman, Tinsman, Hagerla, Corning, Lind, Gentleman, Tieden, Taylor and Rensink, a concurrent resolution relating to the establishment of an alternative fuels consortium.

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

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 2024** be referred from the Regular Calendar to the committee on **Appropriations**.

Senator Hutchins asked and received unanimous consent that **Senate Files 2078** and **2079** be referred from the Regular Calendar to the committee on **Ways and Means**.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. C. R.	106	Rules & Administration
S. C. R.	107	Environment & Energy Utilities
S. F.	2104	Local Government
S. F.	2105	Judiciary
S. F.	2106	Rules & Administration
S. F.	2107	Environment & Energy Utilities
S. F.	2108	Natural Resources
S. F.	2109	Judiciary
S. F.	2110	State Government
S. F.	2111	Local Government
S. F.	2112	State Government

COMMITTEE REPORTS

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: SENATE FILE 2113, a bill for an act relating to reporting ingredients of pesticides, making penalties applicable, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Deluhery, Gronstal, Connolly, Miller, Hedge, Sturgeon and Varn. Nays, 2: Rife and Soorholtz. Absent or not voting, 1: Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: *SENATE FILE 2114 (SSB 2006.1), a bill for an act relating to the updating of references to the federal Internal Revenue Code, relating to income tax and the computation of net income, and providing certain retroactive applicability date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Dieleman, Husak, Hester, Connolly, Drake, Fraise, Fuhrman, Gentleman, Hultman, Palmer, Soorholtz and Szymoniak. Nays, 1: Bruner. Absent or not voting, 2: Murphy and Riordan.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 2114 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 2115 (SSB 2004), a bill for an act relating to state income taxation by exempting certain bonds and notes issued by the agricultural development authority and providing a retroactive applicability date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Dieleman, Husak, Hester, Connolly, Drake, Fraise, Fuhrman, Gentleman, Hultman, Palmer, Soorholtz and Szymoniak. Nays, 1: Bruner. Absent or not voting, 2: Murphy and Riordan.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 2113, by committee on Environment and Energy Utilities, a bill for an act relating to reporting ingredients of pesticides, making penalties applicable, and providing penalties.

Read first time under **Rule 28** and **placed on calendar**.

Senate File 2114, by committee on Ways and Means, a bill for an act relating to the updating of references to the federal Internal Revenue Code, relating to income tax and the computation of net income, and providing certain retroactive applicability date.

Read first time under **Rule 28** and **placed on Ways and Means calendar**.

Senate File 2115, by committee on Ways and Means, a bill for an act relating to state income taxation by exempting certain bonds and notes issued by the agricultural development authority and providing a retroactive applicability date.

Read first time under **Rule 28** and **placed on Ways and Means calendar**.

AMENDMENT FILED

S—5010 S.F. 2064 Kenneth Scott

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:10 p.m., until 9:00 a.m., Tuesday, January 23, 1990.

JOURNAL OF THE SENATE

SIXTEENTH CALENDAR DAY
TENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 23, 1990

The Senate met in regular session at 9:15 a.m., President Zimmerman presiding.

Prayer was offered by Dr. Stanley E. Jensen, director of Small Schools of Iowa, Ankeny, Iowa.

The Journal of Monday, January 22, 1990, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Lind for the remainder of the week on request of Senator Jensen and Senator Murphy for the day on request of Senator Hutchins.

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

The Senate resumed session, 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 19, 1990, passed the following bill in which the concurrence of the Senate is asked:

House File 2068, a bill for an act providing technical changes to the financing of education programs of school districts.

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

ALSO: That the House has on January 22, 1990, passed the following bill in which the concurrence of the House was asked:

Senate File 255, a bill for an act relating to the priority of advances under line-of-credit mortgages.

ALSO: That the House has on January 22, 1990, passed the following bills in which the concurrence of the Senate is asked:

House File 2016, a bill for an act relating to the maximum age of amateur boxing participants and providing an effective date.

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

House File 2105, a bill for an act providing for access to certain vital statistics records which are at least seventy-five years old.

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

House File 2114, a bill for an act removing certain limitations on the issuance of nonresident deer hunting licenses and wild turkey hunting licenses and on the use of license revenues and providing an effective date.

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

INTRODUCTION OF BILLS

Senate File 2116, by Hagerla, a bill for an act providing for the certification of local seed capital pools, providing a local seed capital pool income tax credit, and providing for a retroactive applicability date.

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

Senate File 2117, by Hagerla, a bill for an act providing for inventor or entrepreneurial leave for state officers and employees, and providing properly related matters.

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

Senate File 2118, by Tieden, a bill for an act relating to the sale of wine to liquor control licensees.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:50 a.m., until 4:00 p.m.

APPENDIX

STUDY BILLS RECEIVED

SSB 2118 State Government

Relating to administration and benefits for the Iowa public employees' retirement system.

SSB 2119 Human Resources

Relating to the authority of physician assistants and advanced registered nurse practitioners to prescribe and supply prescription drugs and controlled substances.

SSB 2120 Appropriations

Relating to and making a commitment to the environment, agriculture, and natural resources by making appropriations from Iowa lottery revenues and providing for an income tax credit for establishing permanent grass and buffer zones including erosion control structures, and providing effective and applicability dates.

SSB 2121 Commerce

Relating to the interest rate charged in connection with a renewal or extension of time under a retail motor vehicle installment contract or a renewal or extension of a retail installment contract.

SSB 2122 Commerce

Relating to notice of blended motor vehicle fuels.

SSB 2123 Commerce

Authorizing telegraph and telephone companies to continue to provide notice and impose limitations on liability in connection with deregulated services, and providing an effective date.

SSB 2124 Commerce

A joint resolution suspending for a limited period of time the enforcement of state banking laws, including branch banking restrictions, to the extent such law may conflict or interfere with the administration of the federal Financial Institutions Reform, Recovery, and Enforcement Act of 1989, and providing an effective date.

SSB 2125 Judiciary

Relating to crimes against the elderly and disabled persons by creating a cause of action and providing a civil penalty.

SSB 2126 Judiciary

Relating to juvenile justice by establishing certain dispositional requirements concerning the state juvenile institutions and their administration, and providing effective dates.

SSB 2127 Judiciary

Relating to minimum sentences for certain controlled substance offenses committed in the vicinity of schools and public parks.

SSB 2128 Judiciary

Relating to the admissibility of testimony by a peace officer concerning the administering of a preliminary breath test for purposes of determining the presence of alcohol in a motor vehicle operator in violation of chapter 321J.

SSB 2129 Judiciary

Relating to operating a motor vehicle while under the influence which involves a serious injury or operation of a school bus, by eliminating the restitution limit, and providing penalties.

SSB 2130 Judiciary

Relating to the purchase and possession of weapons, and enhanced criminal penalties for certain offenses involving weapons and providing an effective date.

SSB 2131 Judiciary

Increasing the penalty for a person convicted of driving without a valid motor vehicle or chauffeur's license if the person has three or more such convictions within a five-year period.

SSB 2132 Judiciary

Relating to possession of fireworks and making a penalty applicable.

SSB 2133 Judiciary

Prohibiting the entry of deferred judgments for persons committing sex crimes involving children.

SSB 2134 Judiciary

Relating to the payment of costs associated with an appeal of a compensation commission's award of damages in a condemnation proceeding.

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

The committee on Rules and Administration referred the following Governor's appointments to state boards, commissions and departments to Senate standing committees as indicated for investigation on January 23, 1990:

AGRICULTURE

Charles D. Messer and Bruce A. Yungclas — Iowa Grain Indemnity Fund Board.

BUSINESS AND LABOR RELATIONS

Michael R. Ellis — Job Service Advisory Council.

EDUCATION

Rachel A. Stewart, Virginia M. Garnjobst, Don M. Gunderson, Calvin W. Halliburton, Maureen A. White, Monsignor W. Robert Schmidt, Lester D. Menke, Daniel R. Martinez, William L. Lepley, Betty J. Hyde and Vicki L. Hanson — Board of Educational Examiners.

ENVIRONMENT & ENERGY UTILITIES

William A. Ehm and Rozanne E. King — Environmental Protection Commission.

JUDICIARY

Edith Ann Westfall, Jean M. Sturtevant and Loras A. Jaeger - Drug Abuse Prevention and Education Advisory Council.

Douglas W. Book, Judy Bradshaw, Dennis L. Fiser, Jackie Kenniker, Lori Lewis and William M. McCarthy — Narcotics Enforcement Advisory Council.

HUMAN RESOURCES

Robert A. Witt — Board of Physician Assistant Examiners.

Dennis D. Killion — Council of Human Services.

Almo J. Hawkins — Department Coordinator of the Department of Human Rights.

NATURAL RESOURCES

Elwyn T. Gaskill — Natural Resource Commission.

SMALL BUSINESS & ECONOMIC DEVELOPMENT

James L. Churchill, Merlin Plagge, Nancy Jane Tomes, Rose Rennekamp and Varel G. Bailey — Wallace Technology Transfer Foundation of Iowa.

Richard L. Timmerman — Director of the Iowa Department of Economic Development.

Bruce Tamisiea — Iowa Product Development Corporation.

STATE GOVERNMENT

Molly Kay Pelzer — Dietetic Examining Board.

Dorothy L. Votroubek — Accountancy Examining Board.

Michael D. Ralston — Speech Pathology and Audiology Examining Board.

Rita Dolores Sealock — State Racing and Gaming Commission.

Warren D. Rippey and Sally A. Mathis — State Board of Examiners for Nursing Home Administrators.

Paul John Frank — Investment Board of the IPERS.

Lynn M. Feldmann and Cindy Raspiller — Iowa Emergency Response Commission.

Susan D. Albright, John L. Felderman, Arthur J. Frahn, Pat A. Hastings, Mary P. Mitchell, Earlis C. Rohret and Arne F. Waldstein — Real Estate Appraiser Examining Board.

TRANSPORTATION

Janet Kathleen Yates, Leland A. Thomson, James W. Stoner, Maryann L. Shinrock, Ann Marie Rhodes, Richard C. Ransom, Clarence Charles Perry, Mona Rae Bond, Billy M. McCall, Ruth Hardin, J. Michael Dooley, Frances Antonovitz, Shirley Ellen Andre and Donald A. Anderson — Iowa Highway Research Board.

WAYS AND MEANS

Noral D. Johnson — Iowa Railway Finance Authority.

BILL HUTCHINS, Chair

REPORTS OF COMMITTEE MEETINGS

BUSINESS AND LABOR RELATIONS

Convened: January 22, 1990, 1:33 p.m.

Members Present: Peterson, Chair; Sturgeon, Vice Chair; Fuhrman, Ranking Member; Gettings, Hultman, Palmer, Running, Taylor and Vande Hoef.

Members Absent: Mann (excused).

Committee Business: Assigned a study bill to subcommittee.

Adjourned: 1:35 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: January 22, 1990, 2:22 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Connolly, Hedge, Miller, Rife, Soorholtz, Sturgeon and Varn.

Members Absent: Pate, Ranking Member (excused).

Committee Business: Approved LSB 7934 as a committee bill.

Adjourned: 2:37 p.m.

RULES AND ADMINISTRATION

Convened: January 22, 1990, 10:30 a.m.

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

Members Absent: none.

Committee Business: Assigned resolutions and Governor's appointees to subcommittees; approved salary recommendations.

Adjourned: 10:35 a.m.

TRANSPORTATION

Convened: January 22, 1990, 2:20 p.m.

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

Members Absent: none.

Committee Business: Assigned bills to subcommittees; discussed and deferred action on Senate File 353; discussed SSB 2111, LSB 7452 (bids for certain specialized highway or bridge construction projects), and the commercial drivers licenses proposed bill.

Adjourned: 3:05 p.m.

WAYS AND MEANS

Convened: January 22, 1990, 3:10 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hester, Ranking Member; Bruner, Connolly, Drake, Fraise, Fuhrman, Gentleman, Hultman, Palmer, Soorholtz and Szymoniak.

Members Absent: Murphy (excused) and Riordan.

Committee Business: Assigned bills to subcommittees; approved SSBs 2006.1 and 2004 as committee bills.

Adjourned: 3:25 p.m.

SUBCOMMITTEE ASSIGNMENTS FOR GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committees on January 23, 1990, to investigate the appointment of the following Governor's appointees to state boards, commissions and departments:

AGRICULTURE

As members of the Iowa Grain Indemnity Fund Board:

CHARLES D. MESSER: Husak, Chair; Vande Hoef and Hester
BRUCE A. YUNGCLAS: Coleman, Chair; Miller and Hedge

BUSINESS AND LABOR RELATIONS

As a member of the Job Service Advisory Council:

MICHAEL R. ELLIS: Vande Hoef, Chair; Sturgeon and Fuhrman

ENVIRONMENT AND ENERGY UTILITIES

As members of the Environmental Protection Commission:

WILLIAM A. EHM: Miller, Chair; Varn and Hedge
ROZANNE E. KING: Sturgeon, Chair; Gronstal and Soorholtz

HUMAN RESOURCES

As a member of the Board of Physician Assistant Examiners:

ROBERT A. WITT: Riordan, Chair; Murphy and Gentleman

As a member of the Council on Human Services:

DENNIS D. KILLION: Bruner, Chair; Murphy and Hagerla

As Department Coordinator of the Department of Human Rights:

ALMO J. HAWKINS: Sturgeon, Chair; Hannon and Taylor

NATURAL RESOURCES

As a member of the Natural Resource Commission:

ELWYN T. GASKILL: Priebe, Chair; Miller and Tieden

TRANSPORTATION

As members of the Iowa Highway Research Board:

DONALD A. ANDERSON: Scott, Chair; Doyle and Drake
 SHIRLEY ELLEN ANDRE: Dieleman, Chair; Gettings and Jensen
 FRANCES ANTONOVITZ: Doyle, Chair; Lloyd-Jones and Goodwin
 MONA RAE BOND: Gettings, Chair; Coleman and Nystrom
 J. MICHAEL DOOLEY: Scott, Chair; Dieleman and Drake
 RUTH HARDIN: Drake, Chair; Doyle and Gettings
 BILLY M. McCALL: Jensen, Chair; Gettings and Lloyd-Jones
 CLARENCE CHARLES PERRY: Goodwin, Chair; Scott and Dieleman
 RICHARD C. RANSOM: Nystrom, Chair; Doyle and Gettings
 ANN MARIE RHODES: Lloyd-Jones, Chair; Gettings and Nystrom
 MARYANN L. SHINROCK: Dieleman, Chair; Coleman and Drake
 JAMES W. STONER: Gettings, Chair; Lloyd-Jones and Jensen
 LELAND A. THOMSON: Lloyd-Jones, Chair; Coleman and Goodwin
 JANET KATHLEEN YATES: Lloyd-Jones, Chair; Scott and Goodwin

WAYS AND MEANS

As a member of the Iowa Railway Finance Authority:

NORAL D. JOHNSON: Hultman, Chair; Fuhrman and Murphy

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 103

RULES AND ADMINISTRATION: Hultman, Chair; Hutchins and Kinley

Senate Concurrent Resolution 104

RULES AND ADMINISTRATION: Gettings, Chair; Jensen and Kinley

Senate Concurrent Resolution 105

RULES AND ADMINISTRATION: Hutchins, Chair; Hultman and Gettings

Senate File 2052

AGRICULTURE: Husak, Chair; Riordan and Rensink

Senate File 2070

NATURAL RESOURCES: Kibbie, Chair; Doyle and Hester

Senate File 2077

STATE GOVERNMENT: Gronstal, Chair; Fraise and Soorholtz

Senate File 2082

HUMAN RESOURCES: Bruner, Chair; Horn and Gentleman

Senate File 2098

APPROPRIATIONS: Gronstal, Chair; Tieden and Husak

SSB 2034

STATE GOVERNMENT: Gronstal, Chair; Fraise and Soorholtz

SSB 2093

HUMAN RESOURCES: Hagerla, Chair; Murphy and Connolly

SSB 2094

HUMAN RESOURCES: Corning, Chair; Murphy and Riordan

SSB 2095

HUMAN RESOURCES: Tinsman, Chair; Bruner and Hannon

SSB 2096

HUMAN RESOURCES: Bruner, Chair; Hannon and Tinsman

SSB 2099

HUMAN RESOURCES: Riordan, Chair; Bruner and Hagerla

SSB 2102

HUMAN RESOURCES: Riordan, Chair; Horn and Hagerla

SSB 2103

HUMAN RESOURCES: Connolly, Chair; Murphy and Gentleman

SSB 2104

HUMAN RESOURCES: Connolly, Chair; Hannon and Gentleman

SSB 2105

HUMAN RESOURCES: Bruner, Chair; Riordan and Taylor

SSB 2106

HUMAN RESOURCES: Bruner, Chair; Murphy and Tinsman

SSB 2114

NATURAL RESOURCES: Miller, Chair; Kibbie and Goodwin

SSB 2115

STATE GOVERNMENT: Rife, Chair; Soorholtz and Kibbie

SSB 2116

STATE GOVERNMENT: Rife, Chair; Soorholtz and Kibbie

SSB 2117

STATE GOVERNMENT: Vande Hoef, Chair; Hannon and Running

SSB 2118

STATE GOVERNMENT: Kibbie, Chair; Horn, Dieleman, Nystrom and Drake

SSB 2119

HUMAN RESOURCES: Riordan, Chair; Sturgeon and Corning

SSB 2120

APPROPRIATIONS: Boswell, Chair; Riordan, Welsh, Tieden and Rensink

LSB 7934

ENVIRONMENT & ENERGY UTILITIES: Gronstal, Chair; Miller and Hedge

BILLS ASSIGNED TO COMMITTEE

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

- S.F. 2116 Small Business & Economic Development
- S.F. 2117 State Government
- S.F. 2118 State Government

S. F.	2119	Ways and Means
S. F.	2120	Ways and Means
S. F.	2121	Commerce
S. F.	2122	Commerce
S. F.	2123	Environment & Energy Utilities
H. F.	2016	State Government
H. F.	2068	Education
H. F.	2105	Human Resources
H. F.	2114	Natural Resources

AMENDMENTS FILED

S—5011	S. F.	2048	Kenneth Scott
S—5012	S. F.	2029	Elaine Szymoniak

AFTERNOON SESSION

The Senate reconvened at 4:00 p.m., Senator Welsh presiding.

INTRODUCTION OF BILLS

Senate File 2119, by Jensen, Lind and Tinsman, a bill for an act relating to the taxation of pensions, annuities, and retirement allowances received for the purposes of state individual income tax and providing a retroactive applicability date.

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

Senate File 2120, by Welsh, a bill for an act relating to the collection of real estate, real property, and mobile home taxes, providing penalties, and continuing an appropriation.

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

Senate File 2121, by Welsh, a bill for an act exempting interest or charges on overdue residential rental payments from state usury restrictions.

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

Senate File 2122, by Sturgeon, a bill for an act relating to the contents of records and documents affecting interests in property.

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

Senate File 2123, by Scott, a bill for an act relating to the removal of wastes from abandoned sanitary landfills or dump sites.

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

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:04 p.m., until 9:00 a.m., Wednesday, January 24, 1990.

JOURNAL OF THE SENATE

SEVENTEENTH CALENDAR DAY
ELEVETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 24, 1990

The Senate met in regular session at 9:01 a.m., President Zimmerman presiding.

Prayer was offered by the Honorable H. Kay Hedge, member of the Senate from Mahaska County, Fremont, Iowa.

The Journal of Tuesday, January 23, 1990, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Murphy and Kibbie for the day on request of Senator Hutchins and Senator Pate for the remainder of the week on request of Senator Hultman.

INTRODUCTION OF BILLS

Senate File 2124, by Boswell, a bill for an act relating to the minimum number of district judgeships to which a judicial election district is entitled.

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

Senate File 2125, by Peterson, a bill for an act allowing vacation leave sharing by employees.

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

Senate File 2126, by Vande Hoef, Lind and Hagerla, a bill for an act relating to the unlawful disinterment of human remains and providing a penalty.

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

Senate File 2127, by Vande Hoef, Pate, Hester, Fuhrman, Taylor, Corning and Hagerla, a bill for an act relating to operation of a motor vehicle while under the influence of alcohol or a drug and providing for minimum periods of license revocation and for minimum terms of confinement on consecutive days.

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

Senate File 2128, by Vande Hoef, Tinsman, Pate, Lind, Fuhrman, Taylor, Corning, Goodwin, Hagerla and Rensink, a bill for an act providing a venture capital tax credit and providing effective and applicability dates.

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

Senate File 2129, by Fuhrman, Taylor, Hagerla and Corning, a bill for an act relating to the admissibility of testimony by a peace officer concerning the administering of a preliminary breath test for purposes of determining the presence of alcohol in a motor vehicle operator in violation of chapter 321J.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:35 a.m., until 4:00 p.m.

APPENDIX**STUDY BILLS RECEIVED****SSB 2135 Transportation**

Relating to indemnification for odometer fraud from a motor vehicle dealer's surety bond.

SSB 2136 Transportation

Relating to bids for certain specialized highway or bridge construction projects.

SSB 2137 Business & Labor Relations

Including permanent or temporary conditions resulting from work-related injuries in the definition of disability under the civil rights law.

SSB 2138 Small Business/Economic Development

Authorizing the establishment of rural county investment funds and providing a rural investment fund income tax credit.

REPORTS OF COMMITTEE MEETINGS**APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT
AND IOWA PLAN**

Convened: January 23, 1990, 9:50 a.m.

Members Present: Boswell, Chair; Kibbie, Vice Chair; Rife, Ranking Member and Hagerla.

Members Absent: Lloyd-Jones.

Committee Business: Presentations by Internet, Ag. Financing, Ag. Product Advisory Council.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 23, 1990, 9:58 a.m.

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

Members Absent: Murphy and Nystrom (both excused).

Committee Business: Presentations by the Tim Council, FINE and Iowa Peace Institute; sub-subcommittees met.

Adjourned: 11:16 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 23, 1990, 9:55 a.m.

Members Present: Sturgeon, Chair; Tinsman, Ranking Member; Gentleman and Hannon.

Members Absent: Miller, Vice Chair.

Committee Business: Discussed statutory changes for the Department of Human Rights.

Adjourned: 10:44 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 23, 1990, 9:50 a.m.

Members Present: Bruner, Chair; Szymoniak, Vice Chair; Corning, Ranking Member and Deluhery,

Members Absent: Fuhrman (excused).

Committee Business: Discussed LFB decision packages.

Adjourned: 10:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 23, 1990, 10:00 a.m.

Members Present: Fraise, Chair; Doyle, Vice Chair; Vande Hoef, Ranking Member; Taylor and Connolly.

Members Absent: none.

Committee Business: Deputy Attorney General Gordon Allen spoke on inmate lawsuits and trends in filing cases.

Adjourned: 10:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: January 23, 1990, 9:58 a.m.

Members Present: Running, Chair; Peterson, Vice Chair; Hedge, Ranking Member; Goodwin and Palmer.

Members Absent: none.

Committee Business: Department of Employment Services appeared before the committee; discussed State Auditor's preliminary report; discussed budget target for the subcommittee.

Adjourned: 11:18 a.m.

AGRICULTURE

Convened: January 23, 1990, 8:00 a.m.

Members Present: Priebe, Chair; Riordan, Vice Chair; Soorholtz, Ranking Member; Boswell, Coleman, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef.

Members Absent: none.

Committee Business: Presentations by the Iowa Corn Promotion Board and the Agricultural Conservation and Stabilization Service.

Adjourned: 9:00 a.m.

APPROPRIATIONS

Convened: January 23, 1990, 9:26 a.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lloyd-Jones, Peterson, Rensink, Riordan, Running and Tinsman.

Members Absent: Bruner, Corning, Lind, Pate, Sturgeon and Varn (all excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 9:38 a.m.

EDUCATION

Convened: January 23, 1990, 8:56 a.m.

Members Present: Horn, Vice Chair; Taylor, Ranking Member; Deluhery, Dieleman, Hedge, Lloyd-Jones, Rensink, Tieden and Tinsman.

Members Absent: Murphy, Chair; Boswell, Bruner, Corning, Kibbie, Lind, Szymoniak and Varn (all excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 8:57 a.m.

HUMAN RESOURCES

Convened: January 23, 1990, 9:00 a.m.

Members Present: Hannon, Chair; Gentleman, Horn, Riordan, Sturgeon, Taylor and Tinsman.

Members Absent: Bruner, Vice Chair; Corning, Ranking Member; Connolly, Hagerla and Murphy (all excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 9:05 a.m.

NATURAL RESOURCES

Convened: January 23, 1990, 9:30 a.m.

Members Present: Scott, Chair; Kibbie, Vice Chair; Goodwin, Ranking Member; Doyle, Hedge, Hester, Husak, Miller, Peterson, Priebe, Rensink and Tieden.

Members Absent: none.

Committee Business: Assigned bills to subcommittees and deferred action on Senate File 2048.

Adjourned: 9:45 a.m.

SUBCOMMITTEE ASSIGNMENTS FOR GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committees on January 24, 1990, to investigate the appointment of the following Governor's appointees to state boards, commissions and departments:

EDUCATION

As members of the Board of Educational Examiners:

VIRGINIA M. GARNJOBST: Szymoniak, Chair; Varn and Lind
DON M. GUNDERSON: Corning, Chair; Boswell and Dieleman
CALVIN W. HALLIBURTON: Bruner, Chair; Varn and Tieden
VICKI L. HANSON: Lloyd-Jones, Chair; Kibbie and Tieden
BETTY J. HYDE: Szymoniak, Chair; Horn and Tinsman
WILLIAM L. LEPLEY: Horn, Chair; Murphy and Rensink
DANIEL R. MARTINEZ: Tieden, Chair; Boswell and Kibbie
LESTER D. MENKE: Dieleman, Chair; Szymoniak and Taylor
MONSIGNOR W. ROBERT SCHMIDT: Deluhery, Chair; Murphy and Taylor
RACHEL A. STEWART: Boswell, Chair; Kibbie and Hedge
MAUREEN A. WHITE: Murphy, Chair; Horn and Rensink

JUDICIARY

As members of the Drug Abuse Prevention and Education Advisory Council:

LORAS A. JAEGER: Hester, Chair; Deluhery and Coleman
JEAN M. STURTEVANT: Hester, Chair; Deluhery and Coleman
EDITH ANN WESTFALL: Gronstal, Chair; Mann and Drake

As members of the Narcotics Enforcement Advisory Council:

DOUGLAS W. BOOK: Hester, Chair; Deluhery and Coleman
JUDY BRADSHAW: Gettings, Chair; Welsh and Drake
DENNIS L. FISER: Gettings, Chair; Welsh and Drake
JACKIE KENNIKER: Gettings, Chair; Welsh and Drake
LORI LEWIS: Hester, Chair; Deluhery and Coleman
WILLIAM M. McCARTHY: Gettings, Chair; Welsh and Drake

SMALL BUSINESS & ECONOMIC DEVELOPMENT

As Director of the Iowa Department of Economic Development:

RICHARD L. TIMMERMAN: Boswell, Chair; Kibbie and Rife

As a member of the Iowa Product Development Corporation:

BRUCE TAMISIEA: Peterson, Chair; Scott and Hagerla.

As members of the Wallace Technology Transfer Foundation of Iowa:

VAREL G. BAILEY: Scott, Chair; Hannon and Pate

JAMES L. CHURCHILL: Connolly, Chair; Peterson and Lind

MERLIN PLAGGE: Kibbie, Chair; Scott and Hagerla

ROSE RENNEKAMP: Rife, Chair; Pate and Kibbie

NANCY JANE TOMES: Szymoniak, Chair; Vande Hoef and Connolly

STATE GOVERNMENT

As a member of the Accountancy Examining Board:

DOROTHY L. VOTROUBEK: Fraise, Chair; Drake and Gronstal

As a member of the Dietetic Examining Board:

MOLLY KAY PELZER: Rife, Chair; Gentleman and Lloyd-Jones

As a member of the Investment Board of the IPERS:

PAUL JOHN FRANK: Nystrom, Chair; Horn and Kibbie

As members of the Iowa Emergency Response Commission:

LYNN M. FELDMANN: Hannon, Chair; Dieleman and Drake

CINDY RASPILLER: Horn, Chair; Lloyd-Jones and Gentleman

As members of the Real Estate Appraiser Examining Board:

SUSAN D. ALBRIGHT: Drake, Chair; Coleman and Dieleman

JOHN L. FELDERMAN: Nystrom, Chair; Fraise and Running

ARTHUR J. FRAHM: Dieleman, Chair; Lloyd-Jones and Drake

PAT A. HASTINGS: Coleman, Chair; Fraise and Nystrom

MARY P. MITCHELL: Gronstal, Chair; Running and Vande Hoef

EARLIS C. ROHRET: Lloyd-Jones, Chair; Horn and Rife

ARNE F. WALDSTEIN: Kibbie, Chair; Drake and Soorholtz

As a member of the Speech Pathology and Audiology Examining Board:

MICHAEL D. RALSTON: Lloyd-Jones, Chair; Dieleman and Gentleman

As members of the State Board of Examiners for Nursing Home Administrators:

SALLY A. MATHIS: Lloyd-Jones, Chair; Dieleman and Vande Hoef

WARREN D. RIPPEY: Hannon, Chair; Dieleman and Vande Hoef

As a member of the State Racing and Gaming Commission:

RITA DOLORES SEALOCK: Horn, Chair; Running and Drake

SUBCOMMITTEE ASSIGNMENTS

Senate File 2097

STATE GOVERNMENT: Gronstal, Chair; Nystrom and Running

Senate File 2099

STATE GOVERNMENT: Dieleman, Chair; Gronstal and Rife

Senate File 2102

TRANSPORTATION: Doyle, Chair; Gettings and Nystrom

Senate File 2110

STATE GOVERNMENT: Lloyd-Jones, Chair; Gronstal and Soorholtz

Senate File 2112

STATE GOVERNMENT: Lloyd-Jones, Chair; Gentleman and Horn

SSB 2125

JUDICIARY: Deluhery, Chair; Murphy and Hester

SSB 2126

JUDICIARY: Deluhery, Chair; Varn and Fuhrman

SSB 2127

JUDICIARY: Mann, Chair; Gronstal and Fuhrman

SSB 2128

JUDICIARY: Mann, Chair; Horn and Hester

SSB 2129

JUDICIARY: Varn, Chair; Murphy and Hester

SSB 2130

JUDICIARY: Gronstal, Chair; Mann and Drake

SSB 2131

JUDICIARY: Varn, Chair; Gettings and Fuhrman

SSB 2132

JUDICIARY: Gettings, Chair; Coleman, Horn, Taylor and Drake

SSB 2133

JUDICIARY: Murphy, Chair; Deluhery and Fuhrman

SSB 2134

JUDICIARY: Deluhery, Chair; Gronstal and Hester

SSB 2135

TRANSPORTATION: Gettings, Chair; Jensen and Dieleman

SSB 2136

TRANSPORTATION: Lloyd-Jones, Chair; Scott and Jensen

AMENDMENT FILED

S—5013

S. F.

2075

Berl E. Priebe

AFTERNOON SESSION

The Senate reconvened at 4:02 p.m., Senator Coleman presiding.

INTRODUCTION OF BILLS

Senate File 2130, by Szymoniak, a bill for an act relating to operating a motor vehicle while intoxicated by amending certain penalties, reducing the requisite alcohol concentration for persons under age eighteen, restricting the issuance of temporary licenses, providing for surrender of registration plates and certificates for certain owners, and providing penalties.

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

Senate File 2131, by Miller, a bill for an act removing the statutory monetary limitation on the local option E911 emergency telephone service surcharge, eliminating the prerequisite of a local option referendum, and requiring that each political subdivision scheduled to contribute certain public moneys, in connection with the implementation of an E911 service plan, must first approve the plan by majority vote of the subdivision's governing body.

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

Senate File 2132, by Hedge, Taylor, Vande Hoef, Hagerla, Corning and Rensink, a bill for an act relating to operation of a motor vehicle while under the influence of alcohol or a drug and providing for minimum periods of license revocation and for minimum terms of confinement on consecutive days.

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

Senate File 2133, by Pate, Gentleman, Lind, Fuhrman, Taylor, Corning, Goodwin, Tinsman, Hagerla and Rensink, a bill for an act relating to energy efficiency.

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

Senate File 2134, by Rife, Pate, Lind, Corning, Goodwin, Tinsman, Vande Hoef, Hagerla, Gentleman and Rensink, a bill for an act relating to pollution prevention and reduction.

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

Senate File 2135, by Tinsman, Fuhrman, Taylor, Tieden, Corning, Vande Hoef, Hagerla and Rensink, a bill for an act relating to certain tort actions by limiting the maximum liability for noneconomic damages and by modifying the statute of limitations for certain medical malpractice actions.

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

Senate File 2136, by Vande Hoef, Hultman, Pate, Lind, Taylor, Goodwin, Hagerla, Tieden, Fuhrman, Jensen, Hedge, Rife, Drake, Hester, Nystrom, Tinsman, Corning and Rensink, a bill for an act relating to the mobile home tax reduction for the elderly and disabled, the homestead tax credit, the property tax credit and rent reimbursement for the elderly and disabled, and the agricultural land tax credit by increasing the amount of credit and reimbursement and providing effective dates.

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

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 108, by Rensink, a concurrent resolution requesting the Legislative Council to appoint an interim study committee on a midwest higher education compact.

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

Senate Concurrent Resolution 109, by Taylor, a concurrent resolution recognizing the efforts of United States Army Specialist Thomas Hageman in the service of his country.

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

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. C. R.	108	Rules & Administration
S. C. R.	109	Rules & Administration
S. F.	2124	Judiciary
S. F.	2125	State Government
S. F.	2126	Judiciary
S. F.	2127	Judiciary
S. F.	2128	Small Business & Economic Development
S. F.	2129	Judiciary
S. F.	2130	Judiciary
S. F.	2131	Local Government
S. F.	2132	Judiciary
S. F.	2133	Environment & Energy Utilities
S. F.	2134	Environment & Energy Utilities
S. F.	2135	Judiciary
S. F.	2136	Ways and Means

COMMITTEE REPORTS

COMMERCE

Final Bill Action: SENATE JOINT RESOLUTION 2002 (SSB 2124), a joint resolution suspending for a limited period of time the enforcement of state banking laws, including branch banking restrictions, to the extent such law may conflict or interfere with the administration of the federal Financial Institutions Reform, Recovery, and Enforcement Act of 1989, and providing an effective date.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 11: Palmer, Deluhery, Jensen, Gronstal, Hannon, Kinley, Nystrom, Rife, Running, Tieden and Welsh. Nays, none. Absent or not voting, 4: Lind, Mann, Priebe and Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 2137, a bill for an act providing for the disposal of forfeited weapons.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Varn, Gentleman, Coleman, Deluhery, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn and Taylor. Nays, none. Absent or not voting, 3: Mann, Murphy and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2138 (SSB 2058), a bill for an act relating to missing person reports to law enforcement agencies by amending the definition of missing person to conform with a definition used by the national crime information center.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Varn, Gentleman, Coleman, Deluhery, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn and Taylor. Nays, none. Absent or not voting, 3: Mann, Murphy and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2139 (SSB 2059), a bill for an act relating to the appeal process for certain postconviction procedures.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Varn, Gentleman, Coleman, Deluhery, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn and Taylor. Nays, none. Absent or not voting, 3: Mann, Murphy and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 730, a bill for an act relating to the adoption of rules by the real estate commission imposing certain requirements on real estate brokers and salespersons, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes. 12: Lloyd-Jones, Nystrom, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife and Running. Nays, none. Absent or not voting, 3: Kibbie, Soorholtz and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate Joint Resolution 2002, by committee on Commerce, a joint resolution suspending for a limited period of time the enforcement of state banking laws, including branch banking restrictions, to the extent such law may conflict or interfere with the administration of the federal Financial Institutions Reform, Recovery, and Enforcement Act of 1989, and providing an effective date.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2137, by committee on Judiciary, a bill for an act providing for the disposal of forfeited weapons.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2138, by committee on Judiciary, a bill for an act relating to missing person reports to law enforcement agencies by amending the definition of missing person to conform with a definition used by the national crime information center.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2139, by committee on Judiciary, a bill for an act relating to the appeal process for certain postconviction procedures.

Read first time under Rule 28 and **placed on calendar**.

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:04 p.m., until 9:00 a.m., Thursday, January 25, 1990.

JOURNAL OF THE SENATE

EIGHTEENTH CALENDAR DAY
TWELFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 25, 1990

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

Prayer was offered by the Reverend Marvin C. Beukelman, pastor of the Reformed Church, Otley, Iowa.

The Journal of Wednesday, January 24, 1990, was approved.

INTRODUCTION OF BILLS

Senate File 2140, by Fuhrman, a bill for an act relating to income taxation by increasing the tax credit allowed for certain research activities and providing effective and applicability dates.

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

Senate File 2141, by Fuhrman, a bill for an act relating to substances which may be used as a precursor in the illegal production of controlled substances and providing penalties.

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

Senate File 2142, by Fuhrman, Taylor, Tinsman, Lind, Pate, Corning and Hagerla, a bill for an act relating to violations of civil rights involving physical, emotional, or financial harm, providing for the collection and dissemination of information relating to such violations, providing for recovery of reasonable attorney fees, and providing penalties.

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

SPECIAL PRESENTATION

Terry Blong from Charles City, Iowa, representing accompanying members of the North Central Iowa Vietnam Veterans Support Group, presented a POW-MIA flag to Senators Boswell, Fuhrman, Jensen and Scott on behalf of the Senate in memory of the Americans still missing in action or held prisoner in Vietnam.

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 24, 1990, **refused to concur** in the Senate amendment as amended to the following bill in which the concurrence of the House was asked:

House File 685, 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, subject to certain procedures and conditions, subjecting a bank acquired by a regional bank holding company to community reinvestment standards and disclosures as a condition of the deposit of public funds or the approval of actions of the bank by the superintendent, and other properly related matters, and making penalties applicable and providing penalties.

SENATE INSISTS

Senator Hutchins asked and received unanimous consent to take up for consideration House File 685.

House File 685

Senator Gronstal called up for consideration House File 685, 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, subject to certain procedures and conditions, subjecting a bank acquired by a regional bank holding company to community reinvestment standards and

disclosures as a condition of the deposit of public funds or the approval of actions of the bank by the superintendent, and other properly related matters, and making penalties applicable and providing penalties, amended by the Senate, further amended by the House and moved that the Senate insists on its amendment.

The motion prevailed by a voice vote and the Senate **insisted on its amendment.**

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **House File 685** on the part of the Senate: Senators Gronstal, Chair; Palmer, Kinley, Hultman and Rife.

Senator Hutchins asked and received unanimous consent that **House File 685** be **immediately messaged** to the House.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:17 a.m., until 3:00 p.m.

APPENDIX

COMMUNICATIONS

The following communications were received in the office of the Secretary of the Senate:

January 18, 1990

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 60 claims of a general nature that were denied by the State Appeal Board during March, 1989 through January, 1990.

Index attached shows number of claim, name and address of claimant and the amount requested in claim.

Sincerely,
Richard D. Johnson
Chairman
STATE APPEAL BOARD

Receipt of the above is hereby acknowledged.

JOHN F. DWYER
Secretary of the Senate

January 18, 1990

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 and Judgements (general torts and highway) paid during 1989 under Chapter 25A.

The attached report shows the claim number, claimant's name, a brief description of the claim, the amount requested 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.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: January 23, 1990, 9:40 a.m.

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

Members Absent: none.

Committee Business: Presentation by the Soil Conservation Operations for the Iowa Department of Agriculture and Land Stewardship.

Adjourned: 11:34 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: January 24, 1990, 10:03 a.m.

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

Members Absent: Priebe, Vice Chair.

Committee Business: Presentations by the Pocahontas County Drainage District, and the Environmental Protection Division of the Department of Natural Resources.

Adjourned: 11:45 a.m.

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

Convened: January 24, 1990, 9:54 a.m.

Members Present: Boswell, Chair; Rife, Ranking Member; Lloyd-Jones and Hagerla.

Members Absent: Kibbie, Vice Chair.

Committee Business: Work force investment program - DED, DOM, JTPA.

Adjourned: 11:12 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 24, 1990, 10:05 a.m.

Members Present: Bruner, Chair; Szymoniak, Vice Chair; Deluhery and Fuhrman.

Members Absent: Corning, Ranking Member (excused).

Committee Business: Discussed budgets for medical assistance, juvenile institutions, and foster care.

Adjourned: 11:47 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 24, 1990, 9:50 a.m.

Members Present: Fraise, Chair; Doyle, Vice Chair; Vande Hoef, Ranking Member; Taylor and Connolly.

Members Absent: none.

Committee Business: Discussed budget target reports from the sub-subcommittees; the sub-subcommittees met upon adjournment.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: January 24, 1990, 9:58 a.m.

Members Present: Running, Chair; Peterson, Vice Chair; Hedge, Ranking Member; Goodwin and Palmer.

Members Absent: none.

Committee Business: Department of Employment Services appeared before the committee; discussed supplemental appropriations bill.

Adjourned: 10:10 a.m.

COMMERCE

Convened: January 24, 1990, 1:30 p.m.

Members Present: Palmer, Chair; Deluhery, Vice Chair; Jensen, Ranking Member; Gronstal, Hannon, Kinley, Nystrom, Rife, Running, Tieden and Welsh.

Members Absent: Lind (excused), Mann, Priebe and Pate (excused).

Committee Business: Assigned bills to subcommittees and approved SSB 2124 as a committee joint resolution.

Adjourned: 2:10 p.m.

JUDICIARY

Convened: January 24, 1990, 2:20 p.m.

Members Present: Varn, Chair; Gentleman, Ranking Member; Coleman, Deluhery, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, and Taylor.

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

Committee Business: Approved SSBs 2058, 84 and 2059 as committee bills; deferred action on Senate File 2015.

Adjourned: 2:53 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: January 24, 1990, 8:10 a.m.

Members Present: Boswell, Chair; Connolly, Peterson, Scott, Szymoniak and Vande Hoef.

Members Absent: Hannon, Vice Chair (excused); Hagerla, Ranking Member; Kibbie (excused), Lind (excused), Pate (excused) and Rife.

Committee Business: General discussion.

Adjourned: 8:20 a.m.

STATE GOVERNMENT

Convened: January 24, 1990, 3:14 p.m.

Members Present: Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife and Running.

Members Absent: Kibbie, Chair; Soorholtz and Vande Hoef (all excused).

Committee Business: Recommended passage of House File 730; assigned bills and Governor's appointees to subcommittees.

Adjourned: 3:17 p.m.

STUDY BILLS RECEIVED

SSB 2139 Business & Labor Relations

Relating to an unsafe workplace environment which results in the death of an employee and providing a penalty.

SSB 2140 Education

Providing for an accreditation process for area education agencies and providing a procedure for merger of a nonaccredited area education agency with one or more other contiguous area education agencies.

SSB 2141 Education

Relating to area education agencies and providing effective dates.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2069

LOCAL GOVERNMENT: Murphy, Chair; Fraise and Tinsman

Senate File 2090

COMMERCE: Tieden, Chair; Deluhery and Hannon

Senate File 2091

COMMERCE: Deluhery, Chair; Mann and Pate

Senate File 2100

COMMERCE: Running, Chair; Mann and Pate

Senate File 2104

LOCAL GOVERNMENT: Vande Hoef, Chair; Priebe and Kinley

Senate File 2108

NATURAL RESOURCES: Husak, Chair; Doyle and Hedge

Senate File 2111

LOCAL GOVERNMENT: Szymoniak, Chair; Jensen and Murphy

Senate File 2131

LOCAL GOVERNMENT: Miller, Chair; Murphy and Vande Hoef

House File 156

BUSINESS AND LABOR RELATIONS: Running, Chair; Gettings and Taylor

House File 2068

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

House File 2114

NATURAL RESOURCES: Priebe, Chair; Husak and Tieden

SSB 2090

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

SSB 2091

BUSINESS AND LABOR RELATIONS: Peterson, Chair; Mann and Hultman

SSB 2098

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

SSB 2112

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

SSB 2121

COMMERCE: Running, Chair; Welsh and Tieden

SSB 2122

COMMERCE: Lind, Chair; Welsh and Jensen

SSB 2123

COMMERCE: Mann, Chair; Gronstal and Nystrom

SSB 2124

COMMERCE: Jensen, Chair; Palmer and Gronstal

SSB 2137

BUSINESS AND LABOR RELATIONS: Mann, Chair; Running and Fuhrman

SSB 2138

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Boswell, Chair; Scott and Hagerla

SSB 2139

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

SSB 2140

EDUCATION: Boswell, Chair; Kibbie and Tinsman

AMENDMENT FILED

S-5014

H.F.

252

John Kibbie

AFTERNOON SESSION

The Senate reconvened at 3:05 p.m., Senator 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 January 25, 1990, appointed the conference committee on **House File 685**; 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, subject to certain procedures and conditions, subjecting a bank acquired by a regional bank holding company to community reinvestment standards and disclosures as a condition of the deposit of public funds or the approval of actions of the bank by the superintendent, and other properly related matters, and making penalties applicable and providing penalties, and the members are: the Representative from Woodbury, Representative Hansen, Chair; the Representative from Clayton, Representative Halvorson; the Representative from Polk, Representative Hatch; the Representative from Grundy, Representative Renken; the Representative from Polk, Representative Sherzan.

ALSO: That the House has on January 24, 1990, passed the following bill in which the concurrence of the Senate is asked:

House File 2062, a bill for an act relating to group accident and sickness insurance, group nonprofit health service plans, and prepaid group plans of health maintenance organizations by mandating inclusion of newborn infant coverage for treatment, including routine well-baby care, under certain circumstances.

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

INTRODUCTION OF BILLS

Senate File 2143, by Murphy, a bill for an act relating to the service of notice of expiration of the right of redemption from tax sales on certain persons with an interest in the real estate.

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

Senate File 2144, by Hagerla, a bill for an act relating to arson in the first degree.

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

Senate File 2145, by Hagerla, a bill for an act relating to the offense of operating a motor vehicle while under the influence of alcohol or a drug and making existing penalties applicable.

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

Senate File 2146, by Hultman, a bill for an act allowing an employer to conduct random drug testing of employees in sensitive positions.

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

Senate File 2147, by Hultman, Lind, Corning, Goodwin, Tinsman, Pate, Hagerla and Tieden, a bill for an act relating to the deposit of lottery revenues into the general fund of the state and exempting lottery sales from the state sales, services, and use tax.

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

Senate File 2148, by Hultman, Corning, Fuhrman, Pate and Hagerla, a bill for an act relating to the reallocation of the moneys in the Iowa plan fund and providing an effective date.

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

Senate File 2149, by committee on Local Government, a bill for an act relating to reporting requirements for certain cities receiving road use tax funds.

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

Senate File 2150, by committee on Local Government, a bill for an act relating to procedures for the delivery of persons to the Iowa medical and classification center.

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

Senate File 2151, by committee on Local Government, a bill for an act adding marijuana to the list of secondary noxious weeds.

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

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 110, by Hester and Sturgeon, a concurrent resolution relating to an endorsement by the General Assembly for full federal funding for fish and wildlife mitigation on the Missouri River.

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

QUORUM CALL

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

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

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

The Senate resumed session, Senator Kibbie presiding.

INTRODUCTION OF BILL

Senate File 2152, by Szymoniak, a bill for an act relating to the definition of child abuse and to the testing of young children for the presence of certain drugs.

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

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

The Senate resumed session, Senator Coleman presiding.

QUORUM CALL

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

The vote revealed 40 present, 10 absent and a quorum present.

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

The Senate resumed session, Senator Dieleman presiding.

INTRODUCTION OF BILL

Senate File 2153, by committee on Appropriations, a bill for an act relating to and making a commitment to the environment, agriculture, and natural resources by making appropriations from Iowa lottery revenues and providing for an income tax credit for establishing permanent grass and buffer zones including erosion control structures, and providing effective and applicability dates.

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

APPENDIX

SUBCOMMITTEE ASSIGNMENT

SSB 2141

EDUCATION: Boswell, Chair; Kibbie and Tinsman

COMMUNICATION FROM THE GOVERNOR

The following communication from the office of the Governor has been received and placed on file in the office of the Secretary of the Senate:

January 25, 1990

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

Dear Mr. Dwyer:

Recently we received notification of resignation of Virginia Garnjobst, serving on the Iowa Board of Education Examiners.

Since Ms. Garnjobst is currently in the process of Senate confirmation, I wanted to notify you so her name can be deleted from your list. If you have any questions, please don't hesitate to call me.

Sincerely,

PHILLIP STANHOPE
Administrative Assistant

BILLS ASSIGNED TO COMMITTEE

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

S. C. R.	110	Natural Resources
S. F.	2140	Small Business & Economic Development
S. F.	2141	Judiciary
S. F.	2142	Judiciary
S. F.	2143	Local Government
S. F.	2144	Judiciary
S. F.	2145	Judiciary

S. F.	2146	Business & Labor Relations
S. F.	2147	Appropriations
S. F.	2148	Appropriations
S. F.	2152	Human Resources
H. F.	2062	Commerce

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 2153 (SSB 2120), a bill for an act relating to and making a commitment to the environment, agriculture, and natural resources by making appropriations from Iowa lottery revenues and providing for an income tax credit for establishing permanent grass and buffer zones including erosion control structures, and providing effective and applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Welsh, Boswell, Fraise, Gettings, Gronstal, Husak, Jensen, Lloyd-Jones, Peterson, Riordan, Running, Sturgeon and Varn. Nays, 4: Tieden, Goodwin, Rensink and Tinsman. Absent or not voting, 4: Bruner, Corning, Lind and Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 2149 (SSB 2108), a bill for an act relating to reporting requirements for certain cities receiving road use tax funds.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Murphy, Priebe and Tinsman. Nays, none. Absent or not voting, 1: Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2150 (SSB 2109), a bill for an act relating to procedures for the delivery of persons to the Iowa medical and classification center.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Murphy, Priebe and Tinsman. Nays, none. Absent or not voting, 1: Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2151 (SSB 2088), a bill for an act adding marijuana to the list of secondary noxious weeds.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Murphy and Tinsman. Nays, 1: Priebe. Absent or not voting, 1: Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: SENATE FILE 2048, a bill for an act to prohibit the discharge of firearms near a feedlot and subjecting violators to existing penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5015.

Final Vote: Ayes, 12: Scott, Kibbie, Goodwin, Doyle, Hedge, Hester, Husak, Miller, Peterson, Priebe, Rensink and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2114, a bill for an act removing certain limitations on the issuance of nonresident deer hunting licenses and wild turkey hunting licenses and on the use of license revenues and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5016.

Final Vote: Ayes, 12: Scott, Kibbie, Goodwin, Doyle, Hedge, Hester, Husak, Miller, Peterson, Priebe, Rensink and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 2154, by Doyle, Gronstal and Taylor, a bill for an act delaying the repeal of the Iowa boundary commission and providing an effective date.

Read first time under Rule 28 and **passed on file**.

Senate File 2155, by Szymoniak and Miller, a bill for an act relating to the computation of workers' compensation benefits for elected and appointed officials.

Read first time under Rule 28 and **passed on file**.

AMENDMENTS FILED

S—5015	S. F.	2048	Natural Resources
S—5016	H. F.	2114	Natural Resources

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:40 p.m., until 9:00 a.m., Friday, January 26, 1990.

JOURNAL OF THE SENATE

NINETEENTH CALENDAR DAY
THIRTEENTH SESSION DAY
Senate Chamber
Des Moines, Iowa, Friday, January 26, 1990

The Senate met in regular session at 9:04 a.m., President Zimmerman presiding.

Prayer was offered by the Honorable Ray Taylor, member of the Senate from Hardin County, Steamboat Rock, Iowa.

The Journal of Thursday, January 25, 1990, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Soorholtz for the day on request of Senator Fuhrman.

INTRODUCTION OF BILL

Senate File 2156, by Welsh, a bill for an act giving federal law enforcement officials peace officer status in certain instances.

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.

COMMITTEE OF THE WHOLE

Senator Hutchins moved that the Senate resolve itself into a committee of the whole to discuss Senate File 2153, a bill for an act relating to and making a commitment to the environment, agriculture, and natural resources by making appropriations from Iowa lottery revenues and providing for an income tax credit for establishing permanent grass and buffer zones including erosion control structures, and providing effective and applicability dates, and that Senators Deluhery and Boswell serve as co-chairs of the committee.

The motion prevailed by a voice vote.

Senator Boswell took the chair at 10:48 a.m.

QUORUM CALL

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

The vote revealed 40 present, 10 absent and a quorum present.

Senator Deluhery took the chair at 11:30 a.m.

On motion of Senator Hutchins, the Senate arose from the committee from the whole at 12:25 p.m., and resumed regular session, President Zimmerman presiding.

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate Resolution 103** be referred from the Regular Calendar to the committee on **Rules and Administration**, **Senate File 2093** be referred from the Regular Calendar to the committee on **Ways and Means** and that **Senate File 2113** be referred from the Regular Calendar to the committee on **Agriculture**.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Eagle Discount Supermarkets — For contributing funds for apple computers to the schools program. Senator Murphy (January 25, 1990).

Eric Dickinson, Oskaloosa — For achieving the rank of Eagle Scout. Senator Hedge (January 27, 1990).

STUDY BILLS RECEIVED

SSB 2142 Human Resources

Relating to health care facilities and providing a penalty.

SSB 2143 State Government

Relating to the composition and election of county agricultural extension councils, enacting transitional provisions, and providing an effective date.

SSB 2144 Education

To prohibit holders of nonprofessional permits to carry weapons from carrying or transporting weapons on school grounds or in school buildings.

SSB 2145 Transportation

Relating to arbitration agreements between manufacturers, distributors, or importers of motor vehicles and motor vehicle dealers.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: January 25, 1990, 9:45 a.m.

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

Members Absent: none.

Committee Business: Discussed solid waste issues with Cindy Turkle of the Scott County Landfill and John Konefes, Waste Reduction Center, UNI.

Adjourned: 11:12 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

Convened: January 25, 1990, 9:50 a.m.

Members Present: Boswell, Chair; Kibbie, Vice Chair; Rife, Ranking Member; Lloyd-Jones and Hagerla.

Members Absent: none.

Committee Business: Presentations for programs for older Iowans.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 25, 1990, 9:50 a.m.

Members Present: Sturgeon, Chair; Tinsman, Ranking Member and Gentleman.

Members Absent: Miller, Vice Chair and Hannon.

Committee Business: Subcommittee approved LSB 8124 as amended.

Adjourned: 11:21 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 25, 1990, 9:55 a.m.

Members Present: Bruner, Chair; Szymoniak, Vice Chair; Deluhery and Fuhrman.

Members Absent: Corning, Ranking Member (excused).

Committee Business: Presentation by the juvenile court and discussed 5-year plan.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 25, 1990, 9:50 a.m.

Members Present: Fraise, Chair; Doyle, Vice Chair; Vande Hoef, Ranking Member and Connolly.

Members Absent: Taylor.

Committee Business: Super subcommittees gave reports and met upon adjournment.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: January 25, 1990, 9:45 a.m.

Members Present: Running, Chair; Peterson, Vice Chair; Hedge, Ranking Member and Goodwin.

Members Absent: Palmer.

Committee Business: Department of Employment Services appeared before the subcommittee; approved some appropriations and FTE levels.

Adjourned: 11:40 a.m.

APPROPRIATIONS

Convened: January 25, 1990, 1:06 p.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Bruner, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lloyd-Jones, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn.

Members Absent: Corning, Lind and Pate (all excused).

Committee Business: Discussed and amended SSB 2120.

Recessed: 1:36 p.m.

Reconvened: January 25, 1990, 4:31 p.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lloyd-Jones, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn.

Members Absent: Bruner, Corning, Lind and Pate (all excused).

Committee Business: Approved SSB 2120 as amended as a committee bill.

Adjourned: 4:36 p.m.

LOCAL GOVERNMENT

Convened: January 25, 1990, 8:20 a.m.

Members Present: Miller, Chair; Szymoniak, Vice Chair; Vande Hoef, Ranking Member; Fraise, Goodwin, Jensen, Murphy, Priebe and Tinsman.

Members Absent: Kinley.

Committee Business: Assigned bills to subcommittees; approved SSBs 2109, 2108 and 2088 as committee bills; approved SSB 2023 as amended and ordered redrafted for final approval as a committee bill; discussed and deferred action on Senate File 136.

Adjourned: 9:07 a.m.

NATURAL RESOURCES

Convened: January 25, 1990, 3:30 p.m.

Members Present: Scott, Chair; Kibbie, Vice Chair; Goodwin, Ranking Member; Doyle, Hedge, Hester, Husak, Miller, Peterson, Priebe, Rensink and Tieden.

Members Absent: none.

Committee Business: Recommended passage of Senate File 2048 and House File 2114 as amended.

Adjourned: 3:45 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2117

STATE GOVERNMENT: Dieleman, Chair; Running and Vande Hoef

Senate File 2118

STATE GOVERNMENT: Horn, Chair; Rife and Kibbie

Senate File 2125

STATE GOVERNMENT: Hannon, Chair; Fraise and Nystrom

House File 2016

STATE GOVERNMENT: Fraise, Chair; Gronstal and Drake

SSB 2143

STATE GOVERNMENT: Kibbie, Chair; Soorholtz and Vande Hoef

SSB 2144

EDUCATION: Murphy, Chair; Lloyd-Jones and Lind

BILLS ASSIGNED TO COMMITTEE

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

- S.F. 2154 State Government
- S.F. 2155 Business & Labor Relations
- S.F. 2156 Judiciary

AMENDMENTS FILED

- S-5017 S.F. 2153 John Peterson
Donald Doyle
- S-5018 S.F. 2153 Alvin Miller

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 12:30 p.m., until 10:00 a.m., Monday, January 29, 1990.

JOURNAL OF THE SENATE

TWENTY-SECOND CALENDAR DAY
FOURTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 29, 1990

The Senate met in regular session at 10:02 a.m., President pro tempore Mann presiding.

Prayer was offered by the Honorable John Jensen, member of the Senate from Bremer County, Plainfield, Iowa.

The Journal of Friday, January 26, 1990, 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 January 19, 1990, passed the following bill in which the concurrence of the Senate is asked:

House File 209, a bill for an act relating to the limitations on smoking, and providing penalties.

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

ALSO: That the House has on January 24, 1990, passed the following bills in which the concurrence of the Senate is asked:

House File 2001, a bill for an act relating to elections by revising provisions governing voting booth requirements.

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

House File 2104, a bill for an act requiring the Iowa department of public health to enter the name of the father on the certificate of birth upon a determination of paternity by a court of competent jurisdiction.

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

House File 2119, a bill for an act relating to violations involving disobedience of the warning lamps, signal lamps, and stop arms of school buses.

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

ALSO: That the House has on January 25, 1990, passed the following bill in which the concurrence of the House was asked:

Senate File 385, a bill for an act relating to the scope of negotiations for purposes of public employment collective bargaining.

ALSO: That the House has on January 25, 1990, receded from the House amendment to the Senate amendment, and passed the following bill in which the concurrence of the Senate is asked:

House File 2103, a bill for an act relating to missing person reports to law enforcement agencies by amending the definition of missing person to conform with a definition used by the national crime information center.

ALSO: That the House has on January 25, 1990, passed the following bill in which the concurrence of the Senate is asked:

House File 2113, a bill for an act requiring name change petitioners to attach certified copies of birth certificates for each person seeking a name change to the name change petition.

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

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Tieden for the morning on request of Senator Hultman and Senator Peterson for the day on request of Senator Hutchins.

CONFERENCE COMMITTEE REPORT CONSIDERED

Senate File 199

Senator Lloyd-Jones called up the conference committee report on Senate File 199, a bill for an act relating to child day care

by amending certain definitions and certain requirements for group day care homes, filed January 18, 1990, 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 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. 199) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

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

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 2114.

House File 2114

On motion of Senator Priebe, House File 2114, a bill for an act removing certain limitations on the issuance of nonresident deer hunting licenses and wild turkey hunting licenses and on the use of license revenues and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Priebe withdrew amendment S—5021 filed by him from the floor to pages 1 and 2 of the bill.

Senator Scott offered amendment S—5016 filed by the committee on Natural Resources on January 25, 1990, to pages 1 and 2 of the bill.

Senator Kibbie called for a division of amendment S—5016: lines 3 through 15 as division S—5016A and lines 16 through 35 as division S—5016B.

Senator Scott moved the adoption of division S—5016A.

A non record roll call was requested.

The ayes were 28, nays 14.

Division S—5016A was adopted.

Senator Scott moved the adoption of division S—5016B.

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 24.

Division S—5016B lost.

Senator Priebe asked and received unanimous consent that action on **House File 2114** be **deferred**.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senate File 2153

On motion of Senator Boswell, Senate File 2153, a bill for an act relating to and making a commitment to the environment, agriculture, and natural resources by making appropriations from Iowa lottery revenues and providing for an income tax credit for establishing permanent grass and buffer zones including erosion control structures, and providing effective and applicability dates, was taken up for consideration.

(Action on Senate File 2153 was temporarily deferred).

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

The Senate resumed session, President pro tempore Mann presiding.

QUORUM CALL

Senator Lloyd-Jones requested a non record roll call to determine that a quorum was present.

The vote revealed 42 present, 8 absent and a quorum present.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on January 26, 1990, passed the following bill in which the concurrence of the Senate is asked:

House File 2009, a bill for an act relating to elections, providing that an eligible elector residing in a precinct may register to vote at the polling place on election day, providing verification procedures, providing a durational residency requirement for voting, and increasing the penalty for improper voting.

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

INTRODUCTION OF BILL

Senate File 2157, by Vande Hoef, a bill for an act restricting the burning of vegetation or debris within rights-of-way of public roads and providing a penalty.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:48 a.m., until 4:00 p.m.

APPENDIX**STUDY BILLS RECEIVED****SSB 2146 State Government**

Relating to the date of publication of the report of state employee salaries.

SSB 2147 Human Resources

Relating to the eligibility of certain children for medical assistance and of certain persons for transitional medical coverage comparable to medical assistance.

SSB 2148 State Government

Relating to regulation of fireworks and making a penalty applicable.

SSB 2149 Human Resources

Restricting the conditions under which a third-party payor of medical benefits may limit coverage for prescription drugs.

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 110**

NATURAL RESOURCES: Hester, Chair; Miller and Doyle

Senate File 2078

WAYS AND MEANS: Husak, Chair; Fraise and Hester

Senate File 2079

WAYS AND MEANS: Dieleman, Chair; Riordan and Fuhrman

Senate File 2092

WAYS AND MEANS: Szymoniak, Chair; Dieleman and Drake

Senate File 2093

WAYS AND MEANS: Dieleman, Chair; Bruner and Fuhrman

Senate File 2096

WAYS AND MEANS: Husak, Chair; Riordan and Drake

Senate File 2103

WAYS AND MEANS: Dieleman, Chair; Murphy and Soorholtz

Senate File 2113

AGRICULTURE: Miller, Chair; Husak and Soorholtz

Senate File 2119

WAYS AND MEANS: Dieleman, Chair; Husak, Riordan, Hester and Soorholtz

Senate File 2120

WAYS AND MEANS: Dieleman, Chair; Husak, Riordan, Hultman and Drake

Senate File 2136

WAYS AND MEANS: Dieleman, Chair; Husak, Riordan, Hultman and Drake

Senate File 2154

STATE GOVERNMENT: Gronstal, Chair; Hannon and Vande Hoef

SSB 2146

STATE GOVERNMENT: Coleman, Chair; Fraise and Gentleman

SSB 2148

STATE GOVERNMENT: Fraise, Chair; Running and Nystrom

LSB 7952

TRANSPORTATION: Drake, Chair; Coleman and Gettings

COMMITTEE REPORTS

BUSINESS AND LABOR RELATIONS

Final Bill Action: SENATE FILE 2159 (SSB 2090), a bill for an act relating to this state's labor laws administered by the labor commissioner by amending provisions of the Code regulating occupational safety and health, amusement ride and boiler inspections, asbestos removal and encapsulation, the division of labor

services, wage payment collection, and construction contractors, and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Peterson, Sturgeon, Fuhrman, Gettings, Mann, Running, Taylor and Vande Hoef. Nays, none. Absent or not voting, 2: Hultman and Palmer.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 49, a bill for an act relating to benefits provided to permanent, part-time public employees.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Peterson, Sturgeon, Gettings, Mann, Palmer and Running. Nays, 4: Fuhrman, Hultman, Taylor and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5019	S. F.	2153	Jim Riordan
S—5020	S. F.	2153	John P. Kibbie
			Don E. Gettings
S—5021	H. F.	2114	Berl Priebe
S—5022	H. F.	2114	Berl Priebe
S—5023	S. F.	2149	Larry Murphy
			Berl Priebe
S—5024	H. F.	2114	Joe Welsh
S—5025	S. F.	2153	Calvin O. Hultman
			Paul Pate
			Maggie Tinsman
			H. Kay Hedge
			Richard Vande Hoef
			Jack Hester
			Mark Hagerla
			Ray Taylor
			Julia Gentleman
			Wilmer Rensink
S—5026	S. F.	2153	Paul Pate
			Calvin O. Hultman

S—5027	S. F.	2153	Richard Vande Hoef Joy Corning Jack Rife John E. Soorholtz Maggie Tinsman Calvin Hultman Joy Corning Linn Fuhrman Julia Gentleman Jack Hester Richard Vande Hoef H. Kay Hedge Ray Taylor
S—5028	S. F.	2153	Jack Rife Wilmer Rensink Norman Goodwin Julia Gentleman Paul Pate John Soorholtz H. Kay Hedge Richard Vande Hoef John Jensen Calvin Hultman Jack Hester Maggie Tinsman Ray Taylor
S—5029	S. F.	2153	Calvin Hultman John Jensen Richard Vande Hoef Mark Hagerla Jack Hester Maggie Tinsman Wilmer Rensink Norman Goodwin H. Kay Hedge Paul Pate
S—5030	S. F.	2153	Julia Gentleman Ray Taylor Mark Hagerla Linn Fuhrman
S—5031	S. F.	2153	Calvin O. Hultman Joh Jensen

			Maggie Tinsman
			Richard Vande Hoef
			H. Kay Hedge
			Jack Hester
			Wilmer Rensink
			Norman Goodwin
			Paul Pate
			Ray Taylor
			Linn Fuhrman
			Mark Hagerla
S—5032	S. F.	2153	Calvin Hultman
			Ray Taylor
			Richard Vande Hoef
			Joy Corning
			Mark Hagerla
			John Soorholtz
			Linn Fuhrman
S—5033	S. F.	2153	Linn Fuhrman
			John Jensen
			Richard Vande Hoef
S—5034	S. F.	2072	Mark Hagerla

AFTERNOON SESSION

The Senate reconvened at 4:02 p.m., President pro tempore Mann 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 25, 1990, passed the following bill in which the concurrence of the Senate is asked:

House File 2118, a bill for an act relating to vehicle accident reports.

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

INTRODUCTION OF BILLS

Senate File 2158, by Gettings, a bill for an act permitting the shared ownership, operation, or cooperative use of publicly owned petroleum storage facilities by more than one public agency or political subdivision.

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

Senate File 2159, by committee on Business and Labor Relations, a bill for an act relating to this state's labor laws administered by the labor commissioner by amending provisions of the Code regulating occupational safety and health, amusement ride and boiler inspections, asbestos removal and encapsulation, the division of labor services, wage payment collection, and construction contractors, and providing a penalty.

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

QUORUM CALL

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

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

BUSINESS PENDING**Senate File 2153**

The Senate resumed consideration of Senate File 2153, a bill for an act relating to and making a commitment to the environment, agriculture, and natural resources by making appropriations from Iowa lottery revenues and providing for an income tax credit for establishing permanent grass and buffer zones including erosion control structures, and providing effective and applicability dates, pending on recess.

Senator Hultman offered amendment S—5029 filed by Senators Hultman, et al., from the floor to strike everything after the enacting clause and to the title page of the bill.

Senator Hutchins raised the point of order that amendment S—5029 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5029 out of order.

Senator Hultman offered amendment S—5031 filed by Senators Hultman, et al., from the floor to strike everything after the enacting clause and to the title page of the bill.

Senator Hutchins raised the point of order that amendment S—5031 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5031 out of order.

Senator Doyle offered amendment S—5017 filed by Senators Peterson and Doyle on January 26, 1990, to pages 1 through 3 of the bill.

Senator Boswell raised the point of order that amendment S—5017 was not germane.

Senator Doyle raised the point of order that Senator Boswell's point was not in order because Senator Boswell had spoken on amendment S—5017.

The Chair ruled the point by Senator Doyle well taken and the point of order raised by Senator Boswell out of order.

Senator Hutchins raised the point of order that amendment S—5017 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5017 out of order.

Senator Miller withdrew amendment S—5018 filed by him on January 26, 1990, to pages 1 through 3 of the bill.

Senator Gentleman offered amendment S—5030 filed by Senators Gentleman, et al., from the floor to pages 3 and 8 of the bill and moved its adoption.

A non record roll call was requested.

A record roll call was requested.

On the question “Shall amendment S—5030 be adopted?” (S.F. 2153) the vote was:

Ayes, 20:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Nystrom
Pate	Rensink	Rife	Soorholtz
Taylor	Tieden	Tinsman	Vande Hoef

Nays, 30:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Peterson	Priebe	Riordan
Running	Scott	Sturgeon	Szymoniak
Varn	Welsh		

Amendment S—5030 lost.

Senator Hultman offered amendment S—5032 filed by Senators Hultman, et al., from the floor to pages 3 and 8 of the bill, moved its adoption and requested a record roll call.

On the question “Shall amendment S—5032 be adopted?” (S.F. 2153) the vote was:

Ayes, 20:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Nystrom
Pate	Rensink	Rife	Soorholtz
Taylor	Tieden	Tinsman	Vande Hoef

Nays, 30:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Peterson	Priebe	Riordan
Running	Scott	Sturgeon	Szymoniak
Varn	Welsh		

Amendment S—5032 lost.

Senator Fuhrman offered amendment S—5033 filed by Senators Fuhrman, Jensen and Vande Hoef from the floor to pages 3 and 8 of the bill, moved its adoption and requested a record roll call.

On the question “Shall amendment S—5033 be adopted?” (S.F. 2153) the vote was:

Ayes, 21:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Nystrom
Pate	Rensink	Rife	Soorholtz
Taylor	Tieden	Tinsman	Vande Hoef
Varn			

Nays, 29:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Peterson	Priebe	Riordan
Running	Scott	Sturgeon	Szymoniak
Welsh			

Amendment S—5033 lost.

Senator Rife offered amendment S—5028 filed by Senators Rife, et al., from the floor to page 3 of the bill, moved its adoption and requested a record roll call.

On the question “Shall amendment S—5028 be adopted?” (S.F. 2153) 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	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Nystrom
Pate	Peterson	Priebe	Rensink
Rife	Soorholtz	Taylor	Tieden
Tinsman	Vande Hoef		

Nays, 28:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Riordan	Running	Scott
Sturgeon	Szymoniak	Varn	Welsh

Amendment S—5028 lost.

Senator Hultman offered amendment S—5025 filed by Senators Hultman, et al., from the floor to page 5 of the bill and moved its adoption.

Amendment S—5025 lost by a voice vote.

Senator Taylor offered amendment S—5035 filed by Senators Taylor and Vande Hoef from the floor to page 5 of the bill, moved its adoption and requested a record roll call.

On the question “Shall amendment S—5035 be adopted?” (S.F. 2153) 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
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Nystrom
Pate	Peterson	Priebe	Rensink
Rife	Scott	Soorholtz	Taylor
Tieden	Tinsman	Vande Hoef	

Nays, 27:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Riordan	Running	Sturgeon
Szymoniak	Varn	Welsh	

Amendment S—5035 lost.

Senator Riordan offered amendment S—5019 filed by him from the floor to pages 5 and 6 of the bill and moved its adoption.

Amendment S—5019 was adopted by a voice vote.

Senator Tinsman offered amendment S—5027 filed by Senators Tinsman, et al., 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—5027 be adopted?” (S.F. 2153) the vote was:

Ayes, 20:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Nystrom
Pate	Rensink	Rife	Soorholtz
Taylor	Tieden	Tinsman	Vande Hoef

Nays, 30:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley

Lloyd-Jones	Mann	Miller	Murphy
Palmer	Peterson	Priebe	Riordan
Running	Scott	Sturgeon	Szymoniak
Varn	Welsh		

Amendment S—5027 lost.

Senator Kibbie offered amendment S—5020 filed by Senators Kibbie and Gettings from the floor to page 12 of the bill and moved its adoption.

Amendment S—5020 was adopted by a voice vote.

Senator Pate offered amendment S—5026 filed by Senators Pate, et al., from the floor to page 12 of the bill.

Senator Hutchins 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 Pate moved the adoption of amendment S—5026, which motion prevailed by a voice vote.

Senator Hultman offered amendment S—5036 filed by Senators Hultman and Hagerla from the floor to page 13 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 19, nays 26.

Amendment S—5036 lost.

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. 2153) the vote was:

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

Ayes, 40:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Doyle	Fraise

Gentleman	Gettings	Gronstal	Hannon
Hedge	Hester	Horn	Husak
Hutchins	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Vande Hoef	Varn	Welsh

Nays, 10:

Corning	Drake	Fuhrman	Goodwin
Hagerla	Hultman	Jensen	Nystrom
Tieden	Tinsman		

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 2153 and 199** be **immediately messaged** to the House.

INTRODUCTION OF BILLS

Senate File 2160, by Vande Hoef, Taylor, Hagerla, and Corning, a bill for an act relating to juvenile justice by establishing certain dispositional requirements concerning the state juvenile institutions and their administration, and providing effective dates.

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

Senate File 2161, by Vande Hoef, a bill for an act restricting consideration of certain violations in connection with the operation of a motor vehicle under a school license as a basis in establishing rates for automobile insurance, and prohibiting cancellation or nonrenewal for the same violations.

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

Senate File 2162, by Vande Hoef, a bill for an act relating to placement of children upon termination of parental rights.

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

Senate File 2163, by the committee on State Government, a bill for an act relating to the composition and election of county agricultural extension councils, enacting transitional provisions, and providing an effective date.

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

APPENDIX

REPORT OF STANDING COMMITTEE (Place nominee on En Bloc Confirmation Calendar)

NATURAL RESOURCES

Pursuant to Senate Rule 59, the committee on Natural Resources assigned to investigate the Governor's appointment of Elwyn T. Gaskill as a member of the Natural Resource Commission, completed its investigation on January 29, 1990, and recommended the appointee be confirmed.

CONFERENCE COMMITTEE REPORT RECEIVED (House File 685)

A conference committee report signed by the following Senate and House members was filed January 29, 1990, on House File 685, 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, subject to certain procedures and conditions, subjecting a bank acquired by a regional bank holding company to community reinvestment standards and disclosures as a condition of the deposit of public funds or the approval of actions of the bank by the superintendent, and other properly related matters, and making penalties applicable and providing penalties:

On the Part of the Senate:

MICHAEL E. GRONSTAL, Chair
WILLIAM D. PALMER
GEORGE R. KINLEY
CALVIN O. HULTMAN
JACK RIFE

On the Part of the House:

STEVEN D. HANSEN, Chair
JACK HATCH
GARY SHERZAN

COMMITTEE REPORT

STATE GOVERNMENT

Final Bill Action: SENATE FILE 2163 (SSB 2143), a bill for an act relating to the composition and election of county agricultural extension councils, enacting transitional provisions, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes. 13: Kibbie, Lloyd-Jones, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 2: Nystrom and Rife.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	2157	Transportation
S. F.	2158	Environment & Energy Utilities
S. F.	2160	Judiciary
S. F.	2161	Commerce
S. F.	2162	Human Resources
H. F.	209	Human Resources
H. F.	2001	State Government
H. F.	2009	State Government
H. F.	2103	Judiciary
H. F.	2104	Human Resources
H. F.	2113	Human Resources
H. F.	2119	Transportation

AMENDMENTS FILED

S-5035	S. F.	2153	Ray Taylor Richard Vande Hoef
S-5036	S. F.	2153	Calvin Hultman Mark Hagerla

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 7:15 p.m., until 9:00 a.m., Tuesday, January 30, 1990.

JOURNAL OF THE SENATE

TWENTY-THIRD CALENDAR DAY
FIFTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 30, 1990

The Senate met in regular session at 9:01 a.m., President pro tempore Mann presiding.

Prayer was offered by the Reverend Eldon Kuiper, pastor of the Hope Christian Reformed Church, Hull, Iowa.

The Journal of Monday, January 29, 1990, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Pate for the day on request of Senator Hultman.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on January 26, 1990, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 280, a bill for an act relating to the provision of economic development assistance to communities by authorizing certain property tax exemptions. (S—5037)

ALSO: That the House has on January 26, 1990, passed the following bill in which the concurrence of the Senate is asked:

House File 2120, a bill for an act to repeal a Code chapter relating to the organization, support, and functions of poultry associations.

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

INTRODUCTION OF BILLS

Senate File 2164, by committee on State Government, a bill for an act relating to the date of publication of the report of state employee salaries.

Read first time and placed on calendar.

Senate File 2165, by committee on State Government, a bill for an act abolishing the duty of the treasurer of state to approve increases in the maximum deposit limit of a local government in a depository financial institution.

Read first time and placed on calendar.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:17 a.m., until 4:00 p.m.

APPENDIX**STUDY BILLS RECEIVED****SSB 2150 Business & Labor Relations**

To establish a liability fund and advisory organization for individual employers which self-insure for workers' compensation liability.

SSB 2151 Commerce

Authorizing expedited merit review for small issues under the state securities law and authorizing certain administrative relief from merit review for certain security issues satisfying minimum share price standards and other qualifications.

SSB 2152 Commerce

Relating to permissible annual charges for consumer line of credit accounts with financial institutions.

SSB 2153 Commerce

Changing the Iowa consumer credit Code definition of supervised financial organization and providing effective and retroactive applicability dates.

SSB 2154 Commerce

Relating to the rental of motor vehicles for a period of four months or less from a location in this state, and authorizing civil and criminal penalties and remedies.

SSB 2155 Business & Labor Relations

Relating to unfair representation by a bargaining representative of a public employee in an employment dispute and providing a penalty.

SSB 2156 Business & Labor Relations

Relating to workers' compensation benefits for persons domiciled in this state but injured outside of the state.

REPORTS OF COMMITTEE MEETINGS

BUSINESS AND LABOR RELATIONS

Convened: January 25, 1990, 3:40 p.m.

Members Present: Peterson, Chair; Sturgeon, Vice Chair; Fuhrman, Ranking Member; Gettings, Hultman, Mann, Palmer, Running, Taylor and Vande Hoef.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved SSB 2090 as a committee bill; amended SSBs 2091 and 2098 and ordered redrafted for final approval as committee bills; recommended passage of House File 49.

Adjourned: 4:17 p.m.

HUMAN RESOURCES

Convened: January 29, 1990, 2:26 p.m.

Members Present: Hannon, Chair; Bruner, Vice Chair; Connolly, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman.

Members Absent: Corning, Ranking Member (excused).

Committee Business: Assigned bills to subcommittees; amended and discussed Senate File 307.

Adjourned: 3:10 p.m.

JUDICIARY

Convened: January 29, 1990, 1:30 p.m.

Members Present: Varn, Chair; Mann, Vice Chair; Gentleman, Ranking Member; Coleman, Deluhery, Hagerla, Hester, Horn, Murphy, Taylor and Welsh.

Members Absent: Drake, Fuhrman, Gettings and Gronstal (all excused).

Committee Business: There was no business to come before the committee.

Adjourned: 1:32 p.m.

NATURAL RESOURCES

Convened: January 29, 1990, 2:15 p.m.

Members Present: Scott, Chair; Kibbie, Vice Chair; Goodwin, Ranking Member; Doyle, Hedge, Hester, Husak, Miller, Priebe, Rensink and Tieden.

Members Absent: Peterson (excused).

Committee Business: Recommended confirmation of Governor's appointee; presentation by Daryl Frey, Department of Agriculture.

Adjourned: 2:40 p.m.

STATE GOVERNMENT

Convened: January 29, 1990, 11:48 a.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Dieleman, Drake, Gentleman, Hannon, Rife and Soorholtz.

Members Absent: Coleman, Fraise, Gronstal, Horn, Running and Vande Hoef (all excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 11:52 a.m.

WAYS AND MEANS

Convened: January 29, 1990, 3:10 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hester, Ranking Member; Bruner, Drake, Fraise, Fuhrman, Gentleman, Murphy, Palmer, Riordan, Soorholtz and Szymoniak.

Members Absent: Connolly and Hultman.

Committee Business: Assigned bills to subcommittees.

Adjourned: 3:15 p.m.

EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on January 29, 1990: Had I been present, I would have voted "aye" on Senate File 199.

MIKE CONNOLLY

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 30th day of January, 1990:

Senate File 255.

JOHN F. DWYER
Secretary of the Senate

CERTIFICATE OF RECOGNITION

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

Fredericksburg High School — For receiving the National Secondary Schools Award. Senator Murphy (January 30, 1990).

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: *SENATE CONCURRENT RESOLUTION 111 (SSB 2020), a concurrent resolution to urge the Congress of the United States, The President of the United States, and the United States Secretary of Agriculture, to enact and implement legislation to ensure that the United States is the world's preeminent supplier of grains.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 14: Priebe, Riordan, Soorholtz, Boswell, Coleman, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 1: Palmer.

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 Agriculture Committee on Senate Concurrent Resolution 111 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 457, a bill for an act relating to the definition of agricultural purpose as applied to certain commercial transactions and providing for the Act's applicability.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5038.

Final Vote: Ayes, 14: Priebe, Riordan, Soorholtz, Boswell, Coleman, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 1: Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 476, a bill for an act relating to barter exchanges, by requiring the registration and regulation of barter exchanges, and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Kibbie, Lloyd-Jones, Coleman, Dieleman, Drake, Fraise, Gentleman, Hannon, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 4: Nystrom, Gronstal, Horn and Rife.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2164 (SSB 2146), a bill for an act relating to the date of publication of the report of state employee salaries.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Kibbie, Lloyd-Jones, Coleman, Dieleman, Drake, Fraise, Gentleman, Hannon, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 4: Nystrom, Gronstal, Horn and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2165 (SSB 2014), a bill for an act abolishing the duty of the treasurer of state to approve increases in the maximum deposit limit of a local government in a depository financial institution.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes. 13: Kibbie, Lloyd-Jones, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 2: Nystrom and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2016, a bill for an act relating to the maximum age of amateur boxing participants and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes. 11: Kibbie, Lloyd-Jones, Coleman, Dieleman, Drake, Fraise, Gentleman, Hannon, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 4: Nystrom, Gronstal, Horn and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2146

BUSINESS AND LABOR RELATIONS: Hultman, Chair; Running and Sturgeon

Senate File 2152

HUMAN RESOURCES: Riordan, Chair; Bruner, Hannon, Corning and Gentleman

Senate File 2155

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

Senate File 2157

TRANSPORTATION: Coleman, Chair; Scott and Nystrom

House File 2105

HUMAN RESOURCES: Gentleman, Chair; Riordan and Hannon

House File 2119

TRANSPORTATION: Doyle, Chair; Gettings and Jensen

SSB 2142

HUMAN RESOURCES: Riordan, Chair; Hannon and Tinsman

SSB 2147

HUMAN RESOURCES: Bruner, Chair; Horn and Taylor

SSB 2149

HUMAN RESOURCES: Horn, Chair; Murphy and Corning

SSB 2150

BUSINESS AND LABOR RELATIONS: Gettings, Chair; Peterson and Taylor

REPORTS OF STANDING COMMITTEE
(Place nominees on En Bloc Confirmation Calendar)

AGRICULTURE

Pursuant to Senate Rule 59, the committee on Agriculture assigned to investigate the Governor's appointments of Charles D. Messer and Bruce A. Yungclas as members of the Iowa Grain Indemnity Fund Board, completed its investigation on January 30, 1990, and recommended the appointees be confirmed.

AMENDMENTS FILED

S—5037	S. F.	280	House amendment
S—5038	S. F.	457	Agriculture

AFTERNOON SESSION

The Senate reconvened at 4:27 p.m., President pro tempore Mann presiding.

QUORUM CALL

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

The vote revealed 39 present, 11 absent and a quorum present.

HOUSE 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 29, 1990, passed the following bills in which the concurrence of the Senate is asked:

House File 2142, a bill for an act relating to reporting requirements for certain cities receiving road use tax funds.

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

House File 2143, a bill for an act regulating the parking of motor vehicles on snow routes, and providing a penalty.

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

House File 2156, a bill for an act relating to membership of members and part-time employees of the general assembly in the state group insurance plan, and providing effective and retroactive applicability dates.

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

House File 2166, a bill for an act adding marijuana to the list of secondary noxious weeds.

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

INTRODUCTION OF BILLS

Senate File 2166, by Taylor, Rensink, Hedge, Vande Hoef and Hagerla, a bill for an act relating to school instruction and attendance of children of compulsory school attendance age.

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

Senate File 2167, by Taylor, Hester, Pate, Corning, Goodwin, Tinsman, Vande Hoef, Hagerla and Rensink, a bill for an act relating to the violation of operating a motor vehicle while under the influence of an alcoholic beverage by reducing the per se alcohol concentration level.

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

Senate File 2168, by Boswell, a bill for an act relating to temporary permits issued to practice cosmetology or barbering.

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

Senate File 2169, by Sturgeon, a bill for an act relating to actions by employers by prohibiting employers from taking certain deductions from employees' wages and requiring employers to provide certain services for non-English speaking employees.

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

Senate File 2170, by Hultman, Tieden, Taylor, Vande Hoef, Hagerla and Rensink, a bill for an act relating to minimum sentences for certain controlled substance offenses committed in the vicinity of schools and public parks.

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

Senate File 2171, by Pate, Fuhrman, Goodwin, Vande Hoef, Jensen, Hagerla, Tieden and Rensink, a bill for an act relating to the issuance of general permits for environmental quality control purposes by the department of natural resources, and subjecting violators to existing penalties.

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

Senate File 2172, by Szymoniak, a bill for an act relating to a child hearsay exception and amending the Iowa rules of evidence.

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

Senate File 2173, by Szymoniak, a bill for an act relating to the competency of a witness by amending the Iowa rules of evidence.

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

Senate File 2174, by Corning, Pate, Hester, Taylor, Goodwin, Tinsman, Vande Hoef, Hagerla and Rensink, a bill for an act relating to the operation of motor vehicles by persons under age twenty-one, enacting provisions governing implied consent to chemical testing and the use of a test result as a basis for a license revocation, providing penalties, and providing for other properly related matters.

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

Senate File 2175, by Corning, a bill for an act relating to juvenile justice by amending Code provisions regarding department of human services records, children in need of assistance, the child abuse information registry, and adoption.

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

Senate File 2176, by Corning, Lind, Pate and Hagerla, a bill for an act requiring licensed professional and occupational disciplinary hearings to be open to the public.

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

Senate File 2177, by Corning, Pate, Fuhrman, Vande Hoef and Hagerla, a bill for an act authorizing expedited merit review for small issues under the state securities law and authorizing certain administrative relief from merit review for certain security issues satisfying minimum share price standards and other qualifications.

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

Senate File 2178, by Priebe, a bill for an act relating to the hunting of coyotes, establishing a season and license fee, and providing a bounty.

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

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 111, by committee on Agriculture, a concurrent resolution to urge the Congress of the United States, the President of the United States, and the United States Secretary of Agriculture, to enact and implement legislation to ensure that the United States is the world's preeminent supplier of grains.

Read first time and placed on calendar.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Peterson for the remainder of the day on request of Senator Hutchins and Senator Hultman for the remainder of the day on request of Senator Mann.

UNFINISHED BUSINESS

(Deferred January 29, 1990)

House File 2114

The Senate resumed consideration of House File 2114, a bill for an act removing certain limitations on the issuance of nonresident deer hunting licenses and wild turkey hunting licenses and on the use of license revenues and providing an effective date, deferred January 29, 1990.

Senator Priebe withdrew amendment S—5022 filed by him on January 29, 1990, to pages 1 and 2 of the bill.

Senator Welsh offered amendment S—5024 filed by him on January 29, 1990, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

A record roll call was requested.

On the question "Shall amendment S—5024 be adopted?" (H.F. 2114) the vote was:

Ayes, 18:

Bruner	Connolly	Deluhery	Dieleman
Doyle	Gronstal	Hannon	Horn
Husak	Lloyd-Jones	Miller	Nystrom
Riordan	Scott	Sturgeon	Szymoniak
Varn	Welsh		

Nays, 27:

Boswell	Coleman	Corning	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Hagerla	Hedge	Hester
Hutchins	Jensen	Kibbie	Kinley
Lind	Mann	Palmer	Priebe
Rensink	Rife	Soorholtz	Taylor
Tieden	Tinsman	Vande Hoef	

Absent or not voting, 5:

Hultman	Murphy	Pate	Peterson
Running			

Amendment S—5024 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 division S—5016B to House File 2114 failed to be adopted by the Senate on January 29, 1990.

A non record roll call was requested.

The ayes were 27, nays 15.

The motion prevailed and division S—5016B by the committee on Natural Resources to page 2 of the bill was taken up for reconsideration.

Senator Scott moved the adoption of division S—5016B, 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?” (H.F. 2114) the vote was:

Ayes, 45:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Nystrom	Palmer	Priebe
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 5:

Hultman	Murphy	Pate	Peterson
Running			

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

COMMITTEE OF THE WHOLE

Senator Welsh moved to resolve into a committee of the whole on Appropriations.

Senator Corning moved to adjourn the committee on Appropriations, which motion prevailed by a voice vote.

On motion of Senator Hutchins, the Senate arose from the committee of the whole.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S.F.	2166	Education
S.F.	2167	Judiciary
S.F.	2168	State Government
S.F.	2169	Business & Labor Relations
S.F.	2170	Judiciary
S.F.	2171	Environment & Energy Utilities
S.F.	2172	Judiciary
S.F.	2173	Judiciary
S.F.	2174	Judiciary
S.F.	2175	Human Resources
S.F.	2176	State Government
S.F.	2177	Small Business & Economic Development
S.F.	2178	Natural Resources
H.F.	2118	Transportation
H.F.	2143	Transportation
H.F.	2156	Rules and Administration

COMMITTEE REPORT

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: SENATE FILE 2181 (SSB 2071), a bill for an act altering the penalty for late payment of the solid waste tonnage fee.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Deluhery, Gronstal, Connolly, Hedge, Miller, Rife, Soorholtz, Sturgeon and Varn. Nays, none. Absent or not voting, 1: Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 2179, by Dieleman, a bill for an act relating to recorded and live performances by requiring certain warning

labels, by prohibiting certain performances before minors, by allowing certain civil actions, and by providing penalties.

Read first time under Rule 28 and **passed on file.**

Senate File 2180, by Lind, a bill for an act to authorize the payment of real property taxes on a monthly basis.

Read first time under Rule 28 and **passed on file.**

Senate File 2181, by committee on Environment and Energy Utilities, a bill for an act altering the penalty for late payment of the solid waste tonnage fee.

Read first time under Rule 28 and **placed on calendar.**

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which House File 2114 passed the Senate on January 30, 1990.

EMIL J. HUSAK

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:05 p.m., until 9:00 a.m., Wednesday, January 31, 1990.

JOURNAL OF THE SENATE

TWENTY-FOURTH CALENDAR DAY
SIXTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 31, 1990

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 Tuesday, January 30, 1990, was approved.

INTRODUCTION OF BILLS

Senate File 2182, by Vande Hoef, a bill for an act relating to the annual financial reports of counties.

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

Senate File 2183, by Vande Hoef, a bill for an act relating to the transfer of assets between family members and establishing a presumption of fraud.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:17 a.m., until 4:00 p.m.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION**

Convened: January 30, 1990, 9:55 a.m.

Members Present: Gronstal, Chair; Dieleman, Vice Chair and Soorholtz.

Members Absent: Jensen, Ranking Member and Mann.

Committee Business: Discussed proposed committee bill.

Adjourned: 10:27 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 30, 1990, 10:08 a.m.

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

Members Absent: none.

Committee Business: Discussed proposed appropriations for programs.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 30, 1990, 10:03 a.m.

Members Present: Bruner, Chair; Szymoniak, Vice Chair; Corning, Ranking Member; Deluhery and Fuhrman.

Members Absent: none.

Committee Business: Discussed financing construction of juvenile facilities; presentation on electronic benefit transfers.

Adjourned: 11:51 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 30, 1990, 9:55 a.m.

Members Present: Fraise, Chair; Doyle, Vice Chair; Vande Hoef, Ranking Member; Taylor and Connolly.

Members Absent: none.

Committee Business: Reports from super subcommittees; Marilyn Sales, Nursing Supervisor at Oakdale, spoke on health care positions in the institutions.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: January 30, 1990, 10:05 a.m.

Members Present: Running, Chair; Peterson, Vice Chair; Hedge, Ranking Member; Goodwin and Palmer.

Members Absent: none.

Committee Business: Savings and Loan Division, State Auditor's Office and Division of Labor appeared before the committee, and appropriations and FTE levels were approved for same.

Adjourned: 11:45 a.m.

AGRICULTURE

Convened: January 30, 1990, 8:00 a.m.

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

Members Absent: Palmer.

Committee Business: Assigned bills to subcommittees; recommended confirmation of Governor's appointees; amended and approved SSB 2020 as a committee resolution; recommended passage of Senate File 457 as amended; presentations by the Iowa Pork Producers Association and the Cattle Producers Association.

Adjourned: 9:00 a.m.

APPROPRIATIONS

Convened: January 30, 1990, 3:43 p.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn.

Members Absent: Pate and Peterson (both excused).

Committee Business: Discussed LSB 8252, supplemental appropriations bill; assigned bills to subcommittees.

Recessed: 4:28 p.m.

Reconvened: 5:03 p.m.

Adjourned: 5:04 p.m.

EDUCATION

Convened: January 30, 1990, 1:36 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Bruner, Corning, Deluhery, Dieleman, Hedge, Kibbie, Lind, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn.

Members Absent: Boswell (excused).

Committee Business: Assigned bills to subcommittees; presentation on teacher effectiveness of phase III.

Adjourned: 2:15 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: January 30, 1990, 2:20 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Connolly, Hedge, Miller, Rife, Soorholtz, Sturgeon and Varn.

Members Absent: Pate, Ranking Member (excused).

Committee Business: Approved SSB 2071 as a committee bill; discussed and deferred action on Senate File 2010; recommended confirmation of Governor's appointee.

Adjourned: 2:48 p.m.

TRANSPORTATION

Convened: January 30, 1990, 2:15 p.m.

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

Members Absent: none.

Committee Business: Announced subcommittees for bills and Governor's appointees; recommended confirmation of Governor's appointees; amended and approved LSB 7952 and ordered redrafted for final approval as a committee bill; presentation by Walter A. McDonald of the D.O.T. on commercial driver's licenses.

Adjourned: 3:35 p.m.

COMMUNICATIONS

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

BOARD OF REGENTS

The 1991-2000 Ten Year Building Program, pursuant to Section 262A.3, Code of Iowa.

DEPARTMENT OF EDUCATION

A report and recommendations of the Youth 2000 Coordinating Council as required by H.F. 780.

The Study of Minority Students' Postsecondary Educational Needs, pursuant to Section 66, H.F. 774, 1989 Session of the 73rd General Assembly.

A report of the "Strengthening Community Colleges Linkages" approved by the State Board of Education, pursuant to Section 256.7(7), Code of Iowa Supplement 1987.

DEPARTMENT OF PERSONNEL

A report summarizing the South Africa related investments held within the IPERS portfolio, pursuant to Chapter 12A.4(2.a), Code of Iowa.

DEPARTMENT OF PUBLIC HEALTH

Annual Report of the Certificate of Need (CON) Program for the year ending June 30, 1989, pursuant to Chapter 135.77, Code of Iowa.

Annual reports of the professional licensing boards, pursuant to Section 258A.4(2), Code of Iowa.

DEPARTMENT OF REVENUE AND FINANCE

Audit Report and financial statements of the Lottery Division for the year ending June 30, 1989, pursuant to Chapter 99E.20(3), Code of Iowa.

DEPARTMENT OF TRANSPORTATION

The "Report of Recycling Efforts" as required by House File 753, 1989 Session of the 73rd General Assembly.

A report of "The Impacts of Floodplain Requirements on Bridge Costs", pursuant to Chapter 293, Section 22, 1989 Acts of the 73rd General Assembly.

A report of the needs assessment study of the DOT's maintenance facilities construction needs, pursuant to Chapter 1278, Section 17, 1988 Acts of the 72nd General Assembly.

RAILWAY FINANCE AUTHORITY

Annual report, pursuant to Section 307B.8(6), Code of Iowa.

STATE PSEUDORABIES ADVISORY COMMITTEE

Official 1990 Report to the legislature, pursuant to Senate File 474, 1989 Acts of the 73rd General Assembly.

TREASURER OF STATE

A report listing South Africa related investments, pursuant to Section 12A.4(2)(a), Code of Iowa.

CERTIFICATE OF RECOGNITION

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

J. Dean Hemphill, Dubuque — For attaining the rank of Eagle Scout. Senator Welsh (January 31, 1990).

REPORTS OF STANDING COMMITTEES
(Place nominees on En Bloc Confirmation Calendar)

SMALL BUSINESS & ECONOMIC DEVELOPMENT

Pursuant to Senate Rule 59, the committee on Small Business and Economic Development assigned to investigate the Governor's appointment of Varel G. Bailey as a member of the Wallace Technology Transfer Foundation of Iowa, completed its investigation on January 31, 1990, and recommended the appointee be confirmed.

TRANSPORTATION

Pursuant to Senate Rule 59, the committee on Transportation assigned to investigate the following Governor's appointments, completed its investigations on January 30, 1990, and recommended the appointees be confirmed:

Donald A. Anderson, Shirley Ellen Andre, Frances Antonovitz, Mona Rae Bond, J. Michael Dooley, Ruth Hardin, Billy M. McCall, Clarence Charles Perry, Richard C. Ransom, Maryann L. Shinrock and James W. Stoner as members of the Iowa Highway Research Board.

STUDY BILLS RECEIVED

SSB 2157 State Government

Revising provisions relating to the operation and administration of political campaigns and campaign finance disclosure.

SSB 2158 Natural Resources

Relating to hunting on private property, by requiring written permission of landowners or tenants, and subjecting violators to an existing penalty.

SSB 2159 Human Resources

Providing authority under certain conditions for the release of information by the child support recovery unit to certain persons and to other units of the department of human services.

SSB 2160 Human Resources

Relating to child support payments by providing for immediate withholding of an obligor's income and providing a penalty.

SSB 2161 State Government

Relating to weighing and measuring devices, and establishing fees.

SSB 2162 State Government

Relating to medical examiners' certifications prior to cremations.

SSB 2163 State Government

Establishing a state fair challenge grant foundation.

SSB 2164 Small Business/Economic Development

Relating to income taxation by providing a new jobs tax credit for small businesses and providing a retroactive applicability date.

SSB 2165 Natural Resources

Relating to the operation of a watercraft by a person who is intoxicated and providing penalties.

SSB 2166 Education

Repealing a requirement that area education agencies utilize federally funded health care programs for services provided to certain children requiring special education and providing effective dates.

SSB 2167 Ways & Means

Providing an additional individual income tax credit for individuals who are deaf and providing for retroactive application.

SSB 2168 Small Business/Economic Development

Relating to the Iowa logo program and the use of the logo.

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 107**

ENVIRONMENT AND ENERGY UTILITIES: Deluhery, Chair; Gronstal and Pate

Senate File 2024

APPROPRIATIONS: Gronstal, Chair; Tinsman and Riordan

Senate File 2061

JUDICIARY: Mann, Chair; Varn and Fuhrman

Senate File 2066

JUDICIARY: Drake, Chair; Varn and Gronstal

Senate File 2088

JUDICIARY: Mann, Chair; Horn and Drake

Senate File 2095

ENVIRONMENT AND ENERGY UTILITIES: Miller, Chair; Sturgeon and Hedge

Senate File 2107

ENVIRONMENT AND ENERGY UTILITIES: Deluhery, Chair; Varn and Pate

Senate File 2123

ENVIRONMENT AND ENERGY UTILITIES: Miller, Chair; Sturgeon and Hedge

Senate File 2128

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Connolly, Chair; Peterson and Vande Hoef

Senate File 2133

ENVIRONMENT AND ENERGY UTILITIES: Deluhery, Chair; Gronstal and Pate

Senate File 2134

ENVIRONMENT AND ENERGY UTILITIES: Deluhery, Chair; Gronstal and Pate

Senate File 2140

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Connolly, Chair; Peterson and Vande Hoef

Senate File 2147

APPROPRIATIONS: Gronstal, Chair; Pate and Riordan

Senate File 2148

APPROPRIATIONS: Gronstal, Chair; Corning and Riordan

Senate File 2158

ENVIRONMENT AND ENERGY UTILITIES: Miller, Chair; Sturgeon and Hedge

Senate File 2168

STATE GOVERNMENT: Dieleman, Chair; Hannon and Vande Hoef

Senate File 2169

BUSINESS AND LABOR RELATIONS: Sturgeon, Chair; Peterson and Vande Hoef

Senate File 2176

STATE GOVERNMENT: Lloyd-Jones, Chair; Nystrom and Vande Hoef

House File 2001

STATE GOVERNMENT: Gronstal, Chair; Running and Gentleman

House File 2009

STATE GOVERNMENT: Gronstal, Chair; Horn and Nystrom

House File 2045

JUDICIARY: Horn, Chair; Gettings and Taylor

SSB 25

JUDICIARY: Varn, Chair; Murphy and Hester

SSB 26

JUDICIARY: Varn, Chair; Murphy and Hester

SSB 48

JUDICIARY: Varn, Chair; Murphy and Hester

SSB 123

JUDICIARY: Varn, Chair; Coleman and Hagerla

SSB 126

JUDICIARY: Varn, Chair; Murphy and Hester

SSB 138

JUDICIARY: Varn, Chair; Murphy and Hester

SSB 219

JUDICIARY: Varn, Chair; Murphy and Hester

SSB 249

JUDICIARY: Varn, Chair; Horn and Fuhrman

SSB 361

JUDICIARY: Varn, Chair; Murphy and Hester

SSB 371

JUDICIARY: Varn, Chair; Mann and Gentleman

SSB 2145

TRANSPORTATION: Gettings, Chair; Coleman and Jensen

SSB 2155

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

SSB 2156

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

SSB 2157

STATE GOVERNMENT: Gronstal, Chair; Horn, Lloyd-Jones, Nystrom and Drake

SSB 2158

NATURAL RESOURCES: Kibbie, Chair; Husak and Tieden

SSB 2161

STATE GOVERNMENT: Fraise, Chair; Kibbie and Rife

SSB 2162

STATE GOVERNMENT: Horn, Chair; Running and Gentleman

SSB 2163

STATE GOVERNMENT: Hannon, Chair; Dieleman and Soorholtz

SSB 2164

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Kibbie, Chair;
Szymoniak and Pate

SSB 2071

ENVIRONMENT AND ENERGY UTILITIES: Connolly, Chair; Sturgeon and
Hedge

AFTERNOON SESSION

The Senate reconvened at 4:10 p.m., Senator Welsh presiding.

INTRODUCTION OF BILLS

Senate File 2184, by Hultman and Taylor, a bill for an act relating to the use of blue flashing lights on privately owned motor vehicles of certain emergency medical care providers and making penalties applicable.

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

Senate File 2185, by Lind, a bill for an act relating to allocating certain fines and forfeitures to the road use tax fund.

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

Senate File 2186, by committee on Small Business and Economic Development, a bill for an act relating to the receipt of assistance under certain economic development programs and providing civil penalties for certain violations.

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

Senate File 2187, by committee on Business and Labor Relations, a bill for an act relating to workers' health, safety, and welfare, and effecting funding for the second injury fund.

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

Senate File 2188, by Lind, Pate, Fuhrman, Taylor, Corning, Goodwin, Tinsman, Vande Hoef, Jensen, Hagerla, Tieden and Rensink, a bill for an act relating to denial of bail for persons convicted of controlled substance felonies.

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

Senate File 2189, by Lind, Pate, Goodwin, Fuhrman, Taylor, Corning, Vande Hoef, Hagerla and Rensink, a bill for an act prohibiting the entry of deferred judgments and sentences and suspended sentences for controlled substance offenders.

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

APPENDIX

COMMITTEE REPORTS

BUSINESS AND LABOR RELATIONS

Final Bill Action: SENATE FILE 2187 (SSB 2098), a bill for an act relating to workers' health, safety, and welfare, by providing funding for the second injury fund and providing applicability and effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Peterson, Sturgeon, Hultman, Palmer, Running, Taylor and Vande Hoef. Nays, none. Absent or not voting, 3: Fuhrman, Gettings and Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: SENATE FILE 2186 (SSB 2036), a bill for an act relating to the receipt of assistance under certain economic development programs and providing civil penalties for certain violations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Boswell, Hannon, Hagerla, Connolly, Kibbie, Lind, Scott and Vande Hoef. Nays, 1: Peterson. Absent or not voting, 3: Pate, Rife and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILL

Senate File 2190, by Hultman, a bill for an act to remove the prohibition against superintendents employed by a school or school district from also serving as a principal.

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.	2179	Judiciary
S. F.	2180	Local Government

S. F.	2182	Local Government
S. F.	2183	Judiciary
S. F.	2184	Transportation
S. F.	2185	Transportation
S. F.	2188	Judiciary
S. F.	2189	Judiciary

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:11 p.m., until 9:00 a.m., Thursday, February 1, 1990.

JOURNAL OF THE SENATE

TWENTY-FIFTH CALENDAR DAY
SEVENTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 1, 1990

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

Prayer was offered by the Reverend Rich Harken, pastor of the First Presbyterian Church, Boone, Iowa.

The Journal of Wednesday, January 31, 1990, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Gettings for the day 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 January 31, 1990, adopted the conference committee report and passed **House File 685**, 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, subject to certain procedures and conditions, subjecting a bank acquired by a regional bank holding company to community reinvestment standards and disclosures as a condition of the deposit of public funds or the approval of actions of the bank by the superintendent, and other properly related matters, and making penalties applicable and providing penalties.

INTRODUCTION OF BILLS

Senate File 2191, by Gronstal, a bill for an act providing for a ballot question relating to the mandatory seat belt law.

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

Senate File 2192, by Lloyd-Jones, a bill for an act relating to licensure of clinical laboratories, and providing an effective date.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:12 a.m., until 3:00 p.m.

APPENDIX**STUDY BILLS RECEIVED****SSB 2169 Education**

To require that public and nonpublic identify for the county commissioner of elections those students who have reached voting age or will reach voting age within six months.

SSB 2170 State Government

Relating to licensure to practice veterinary medicine without an examination.

SSB 2171 Judiciary

Relating to satisfaction of a support order by direct payment to the person who is to receive the payment.

SSB 2172 Judiciary

Relating to the computation of net income regarding certain property transactions and providing a retroactive applicability date.

SSB 2173 Judiciary

Relating to the deductibility of liabilities for state inheritance tax purposes.

SSB 2174 Judiciary

Establishing civil penalties for certain civil rights violations.

SSB 2175 Judiciary

Relating to violations of civil rights involving physical, emotional, or financial harm, providing for the collection and dissemination of information relating to such violations.

SSB 2176 Judiciary

Relating to the cost of detention or confinement in the county jail for violation of a city ordinance.

SSB 2177 State Government

Relating to access to official meetings open to the public by persons with disabilities.

SSB 2178 State Government

Relating to the commission and division of the department of human rights designated for Spanish-speaking people.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: January 31, 1990, 9:50 a.m.

Members Present: Gronstal, Chair; Dieleman, Vice Chair; Jensen, Ranking Member and Soorholtz.

Members Absent: Mann (excused).

Committee Business: Subcommittee approved final Appropriations bill and submitted it to the full Appropriations Committee.

Adjourned: 10:31 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: January 31, 1990, 9:40 a.m.

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

Members Absent: none.

Committee Business: Prioritizing budget requests.

Adjourned: 11:43 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

Convened: January 31, 1990, 9:50 a.m.

Members Present: Boswell, Chair; Kibbie, Vice Chair; Rife, Ranking Member; Lloyd-Jones and Hagerla.

Members Absent: none.

Committee Business: Reviewed budget.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 31, 1990, 9:49 a.m.

Members Present: Sturgeon, Chair; Miller, Vice Chair; Tinsman, Ranking Member; Gentleman and Hannon.

Members Absent: none.

Committee Business: Discussed proposed appropriations bill; amended and approved the block grant bill.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 31, 1990, 9:45 a.m.

Members Present: Fraise, Chair; Doyle, Vice Chair; Vande Hoef, Ranking Member; Taylor and Connolly.

Members Absent: none.

Committee Business: Discussed and voted on super subcommittee reports.

Adjourned: 10:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: January 31, 1990, 9:40 a.m.

Members Present: Running, Chair; Peterson, Vice Chair; Hedge, Ranking Member; Goodwin and Palmer.

Members Absent: none.

Committee Business: Greg Barcus, Savings and Loans, appeared before the subcommittee; subcommittee amended and approved and submitted LSB 8246 to the full Appropriations Committee.

Adjourned: 10:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: January 31, 1990, 9:46 a.m.

Members Present: Gettings, Chair; Coleman, Vice Chair; Lind, Ranking Member and Husak.

Members Absent: Pate (excused).

Committee Business: Reviewed appropriations bill.

Adjourned: 11:45 a.m.

BUSINESS AND LABOR RELATIONS

Convened: January 31, 1990, 2:20 p.m.

Members Present: Peterson, Chair; Sturgeon, Vice Chair; Hultman, Palmer, Running, Taylor and Vande Hoef.

Members Absent: Fuhrman, Ranking Member; Gettings (both excused) and Mann.

Committee Business: Assigned bills to subcommittees; approved SSB 2098 as a committee bill; deferred action on SSB 2091 and House File 736.

Adjourned: 2:52 p.m.

COMMERCE

Convened: January 31, 1990, 1:30 p.m.

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

Members Absent: Kinley, Mann and Pate (all excused).

Committee Business: SSB 2122 failed committee approval; discussed and deferred action on Senate File 252; assigned bills to subcommittees.

Adjourned: 1:55 p.m.

ETHICS

Convened: January 31, 1990, 8:07 a.m.

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

Members Absent: Kibbie.

Committee Business: Assigned subcommittees.

Adjourned: 8:16 a.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: January 31, 1990, 8:06 a.m.

Members Present: Boswell, Chair; Hannon, Vice Chair; Hagerla, Ranking Member; Connolly, Kibbie, Lind, Peterson, Scott and Vande Hoef.

Members Absent: Pate (excused), Rife and Szymoniak (excused).

Committee Business: Recommended confirmation of Governor's appointee; approved SSB 2036 as a committee bill; assigned bills to subcommittees.

Adjourned: 8:26 a.m.

STATE GOVERNMENT

Convened: January 31, 1990, 3:08 p.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended confirmation of Governor's appointees; deferred action on Senate Files 2125 and 2057; deferred action on Senate File 2112 as amended; recommended passage of Senate Files 2097 and 2154 and House File 2001.

Adjourned: 4:23 p.m.

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MADAM PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Varel G. Bailey be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar".

KENNETH SCOTT

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 William A. Ehm as a member of the Environmental Protection Commission, completed its investigation on January 30, 1990, and recommended the appointee be confirmed.

STATE GOVERNMENT

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the following Governor's appointments, completed its investigations on January 31, 1990, and recommended the appointees be confirmed:

Dorothy L. Votroubek as a member of the Accountancy Examining Board.

Paul John Frank as a member of the Investment Board of the IPERS.

Susan D. Albright, John L. Felderman, Arthur J. Frahm, Pat A. Hastings, Earlis C. Rohret and Arne F. Waldstein as members of the Real Estate Appraiser Examining Board.

Michael D. Ralston as a member of the Speech Pathology and Audiology Examining Board.

Sally A. Mathis as a member of the State Board of Examiners for Nursing Home Administrators.

COMMITTEE REPORTS**LOCAL GOVERNMENT**

Final Bill Action: SENATE FILE 2104, a bill for an act relating to service of process in an action brought against a county.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Miller, Szymoniak, Vande Hoef, Fraise, Jensen, Kinley, Priebe and Tinsman. Nays, 1: Goodwin. Absent or not voting, 1: Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2200 (SSB 2024), a bill for an act relating to the tax levy for the assessment expense fund of assessment areas.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Miller, Szymoniak, Vande Hoef, Fraise, Jensen, Kinley and Priebe. Nays, 1: Tinsman. Absent or not voting, 2: Goodwin and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 2097, a bill for an act relating to the mediation of disputes between dentists and patients by the board of dental examiners.

Recommendation: DO PASS.

Final Vote: Ayes. 11: Kibbie, Lloyd-Jones, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn and Running. Nays, none. Absent or not voting, 4: Nystrom, Rife, Soorholtz and Vande Hoef.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2154, a bill for an act delaying the repeal of the Iowa boundary commission and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes. 11: Kibbie, Lloyd-Jones, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn and Running. Nays, none. Absent or not voting, 4: Nystrom, Rife, Soorholtz and Vande Hoef.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2001, a bill for an act relating to elections by revising provisions governing voting booth requirements.

Recommendation: DO PASS.

Final Vote: Ayes. 11: Kibbie, Lloyd-Jones, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn and Running. Nays, none. Absent or not voting, 4: Nystrom, Rife, Soorholtz and Vande Hoef.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2121

COMMERCE: Priebe, Chair; Welsh and Tieden

Senate File 2122

COMMERCE: Running, Chair; Kinley and Pate

Senate File 2143

LOCAL GOVERNMENT: Murphy, Chair; Fraise and Tinsman

Senate File 2161

COMMERCE: Palmer, Chair; Mann and Nystrom

Senate File 2166

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

Senate File 2178

NATURAL RESOURCES: Priebe, Chair; Kibbie and Hedge

Senate File 2182

LOCAL GOVERNMENT: Fraise, Chair; Vande Hoef and Szymoniak

House File 2062

COMMERCE: Hannon, Chair; Palmer and Jensen

House File 2118

TRANSPORTATION: Doyle, Chair; Gettings and Goodwin

House File 2143

TRANSPORTATION: Nystrom, Chair; Scott and Dieleman

SSB 2151

COMMERCE: Rife, Chair; Gronstal and Running

SSB 2152

COMMERCE: Gronstal, Chair; Welsh and Tieden

SSB 2153

COMMERCE: Deluhery, Chair; Hannon and Pate

SSB 2154

COMMERCE: Hannon, Chair; Gronstal and Nystrom

SSB 2165

NATURAL RESOURCES: Doyle, Chair; Kibbie and Hedge

SSB 2166

EDUCATION: Murphy, Chair; Horn and Taylor

SSB 2168

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Hannon, Chair; Kibbie and Vande Hoef

SSB 2169

EDUCATION: Kibbie, Chair; Bruner and Lind

AMENDMENTS FILED

S—5039	S. F.	2163	John Kibbie
S—5040	S. F.	2163	John Kibbie

AFTERNOON SESSION

The Senate reconvened at 3:14 p.m., President Zimmerman presiding.

INTRODUCTION OF BILLS

Senate File 2193, by Hester, a bill for an act relating to eligibility of certain educators for unemployment compensation benefits between successive academic years or terms.

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

Senate File 2194, by Riordan, a bill for an act relating to mediation assistance, by expanding the responsibilities of the farm mediation service, granting additional authority to the farm mediation service, extending the date of repeal for certain provisions, and providing an effective date.

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

Senate File 2195, by Vande Hoef, a bill for an act increasing the penalties for interference with and unlawful possession of traffic devices, signs, or signals.

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

Senate File 2196, by Priebe, a bill for an act relating to the taking of deer and wild turkey, increasing license fees, providing a redemption payment for landowners or tenants, and subjecting violators to a penalty.

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

Senate File 2197, by Running, a bill for an act relating to violations of an individual's rights, by prohibiting interference with the contractual or business relations of another person, by prohibiting acts of assault and criminal mischief, providing victims actionable civil relief against offenders, establishing a program to monitor rights violations, and providing a penalty.

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

Senate File 2198, by Running, a bill for an act relating to the sale of the United States flag in Iowa.

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

Senate File 2199, by Deluhery, a bill for an act relating to the election of directors of a local school district, area education agency, and merged areas, and providing an effective date.

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

Senate File 2200, by committee on Local Government, a bill for an act relating to the tax levy for the assessment expense fund of assessment areas.

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

Senate File 2201, by Deluhery, a bill for an act relating to the family support subsidy program.

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

Senate File 2202, by Hagerla, a bill for an act relating to the notification of parents or guardians of persons under eighteen years of age apprehended with controlled substances, counterfeit substances, or simulated controlled substances in their possession.

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

Senate File 2203, by Hultman, a bill for an act to allow for special registration plates for qualified organizations.

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

Senate File 2204, by Jensen, a bill for an act establishing a state fair challenge grant foundation.

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

Senate File 2205, by Corning, 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 2206, by Gronstal, a bill for an act relating to campaign finance by specifying that restrictions on corporate campaign activities do not apply to certain political corporations.

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

INTRODUCTION OF RESOLUTION

Senate Resolution 104, by committee on Rules and Administration, a senate resolution to amend Senate Rule 37 by advancing the deadline dates for appropriations subcommittees for the 1990 Session of the Seventy-third General Assembly only.

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

COMMITTEE REPORT

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 104, a resolution to amend Senate Rule 37 by advancing the deadline dates for appropriations subcommittees for the 1990 Session of the Seventy-third General Assembly only.

Recommendation: APPROVED COMMITTEE RESOLUTION.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ADOPTION OF RESOLUTION

Senator Hutchins asked and received unanimous consent to take up for immediate consideration Senate Resolution 104.

Senate Resolution 104

On motion of Senator Hutchins, Senate Resolution 104, a senate resolution to amend Senate Rule 37 by advancing the deadline dates for appropriations subcommittees for the 1990 Session of the Seventy-third General Assembly only, was taken up for consideration.

Senator Hutchins moved the adoption of Senate Resolution 104, which motion prevailed by a voice vote.

MOTION TO RECONSIDER WITHDRAWN

House File 2114

Senator Husak withdrew the motion to reconsider House File

2114, a bill for an act removing certain limitations on the issuance of nonresident deer hunting licenses and wild turkey hunting licenses and on the use of license revenues and providing an effective date, filed by him on January 30, 1990, and found on page 286 of the Senate Journal.

Senator Hutchins asked and received unanimous consent that **House File 2114** be **immediately messaged** to the House.

QUORUM CALL

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

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

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 42 present, 8 absent and a quorum present.

CONFERENCE COMMITTEE REPORT ADOPTED

House File 685

Senator Gronstal called up the conference committee report on House File 685, 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, subject to certain procedures and conditions, subjecting a bank acquired by a regional bank holding company to community reinvestment standards and disclosures as a condition of the deposit of public funds or the approval of actions of the bank by the superintendent, and other properly related matters, and making penalties applicable and providing penalties, filed January 29, 1990, and moved its adoption.

A non record roll call was requested.

The ayes were 30, nays 17.

The motion prevailed and the conference committee report and the recommendations and amendments contained therein was adopted.

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. 685) the vote was:

Ayes, 28:

Bruner	Coleman	Connolly	Corning
Deluhery	Dieleman	Fuhrman	Gentleman
Goodwin	Gronstal	Horn	Hultman
Hutchins	Kibbie	Kinley	Lind
Mann	Miller	Nystrom	Palmer
Pate	Riordan	Running	Sturgeon
Szymoniak	Tinsman	Vande Hoef	Welsh

Nays, 21:

Boswell	Doyle	Drake	Fraise
Hagerla	Hannon	Hedge	Hester
Husak	Jensen	Lloyd-Jones	Murphy
Peterson	Priebe	Rensink	Rife
Scott	Soorholtz	Taylor	Tieden
Varn			

Absent or not voting, 1:

Gettings

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

INTRODUCTION OF BILL

Senate File 2207, by Pate and Horn, a bill for an act relating to the game of bingo.

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

APPENDIX

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: HOUSE FILE 18, a bill for an act relating to the possession and delivery of alcoholic liquor, wine, or beer by a person under legal age.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Varn, Gentleman, Coleman, Deluhery, Drake, Gronstal, Hagerla, Hester and Taylor. Nays, 2: Horn and Murphy. Absent or not voting, 4: Mann, Fuhrman, Gettings and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2208, a bill for an act relating to confidential autopsy records of the state medical examiner or a county medical examiner.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes 10: Varn, Gentleman, Coleman, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn and Taylor. Nays, none. Absent or not voting, 5: Mann, Fuhrman, Gettings, Murphy and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILL

Senate File 2208, by committee on Judiciary, a bill for an act relating to confidential autopsy records of the state medical examiner or a county medical examiner.

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. 2190 Education
- S. F. 2191 State Government
- S. F. 2192 State Government

S. F.	2193	Education
S. F.	2194	Agriculture
S. F.	2195	Transportation
S. F.	2196	Natural Resources
S. F.	2197	Judiciary
S. F.	2198	State Government
S. F.	2199	Education
S. F.	2201	Human Resources
S. F.	2202	Judiciary
S. F.	2203	Transportation
S. F.	2204	State Government
S. F.	2205	Natural Resources
S. F.	2206	State Government
S. F.	2207	State Government

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:40 p.m., until 9:00 a.m., Friday, February 2, 1990.

JOURNAL OF THE SENATE

TWENTY-SIXTH CALENDAR DAY
EIGHTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, February 2, 1990

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

Prayer was offered by the Honorable Wilmer Rensink, member of the Senate from Sioux County, Sioux Center, Iowa.

The Journal of Thursday, February 1, 1990, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Gettings for the day on request of Senator Hutchins and Senator Pate for the day on request of Senator Jensen.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 2081, 2149, 2151, House File 2016, Senate Files 2018 and 2094, and House Files 252 and 730.

Senate File 2081

On motion of Senator Coleman, Senate File 2081, a bill for an act to repeal a Code chapter relating to the organization, support, and functions of poultry associations, was taken up for consideration.

Senator Coleman asked and received unanimous consent that **House File 2120** be substituted for Senate File 2081.

Senator Coleman asked and received unanimous consent that action on **House File 2120** be deferred.

Senate File 2149

On motion of Senator Jensen, Senate File 2149, a bill for an act relating to reporting requirements for certain cities receiving road use tax funds, was taken up for consideration.

Senator Jensen asked and received unanimous consent that **House File 2142** be substituted for Senate File 2149.

Senator Jensen asked and received unanimous consent that action on **House File 2142** be **deferred**.

Senate File 2151

On motion of Senator Vande Hoef, Senate File 2151, a bill for an act adding marijuana to the list of secondary noxious weeds, was taken up for consideration.

Senator Vande Hoef asked and received unanimous consent that **House File 2166** be substituted for Senate File 2151.

Senator Jensen asked and received unanimous consent that action on **House File 2166** be **deferred**.

House File 2016

On motion of Senator Fraise, House File 2016, a bill for an act relating to the maximum age of amateur boxing participants and providing an effective date, 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. 2016) the vote was:

Ayes, 40:

Boswell	Bruner	Coleman	Connolly
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Peterson	Resink

Rife	Soorholtz	Sturgeon	Szymoniak
Taylor	Tinsman	Vande Hoef	Welsh

Nays, none:

Absent or not voting, 10:

Deluhery	Gettings	Hester	Pate
Priebe	Riordan	Running	Scott
Tieden	Varn		

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

Senate File 2018

On motion of Senator Vande Hoef, Senate File 2018, a bill for an act relating to the membership of the public safety commission of a unified law enforcement district, 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. 2018) the vote was:

Ayes, 43:

Boswell	Bruner	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Peterson	Priebe
Rensink	Rife	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	

Nays, 1:

Welsh

Absent or not voting, 6:

Coleman	Gettings	Hester	Pate
Riordan	Running		

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

Senate File 2094

On motion of Senator Gronstal, Senate File 2094, a bill for an act providing rulemaking authority to the auditor of state to establish a fee schedule for certain services, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that further action on **Senate File 2094** be deferred.

House File 252

On motion of Senator Fraise, House File 252, a bill for an act relating to leave for a chief deputy sheriff, second deputy sheriff, or other officer or employee subject to civil service who becomes a candidate for elective office, with report of committee recommending passage, was taken up for consideration.

Senator Kibbie offered amendment S—5014 filed by him on January 25, 1990, to page 2 of the bill and moved its adoption.

Amendment S—5014 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. 252) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Peterson	Priebe	Rensink	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Gettings

Pate

Rife

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

House File 730

On motion of Senator Running, House File 730, a bill for an act relating to the adoption of rules by the real estate commission imposing certain requirements on real estate brokers and salespersons, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Palmer asked and received unanimous consent that further action on **House File 730** be deferred.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House File 2016** be **immediately messaged** to the House.

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

The Senate resumed session, Senator Doyle presiding.

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

The Senate resumed session, President Zimmerman presiding.

INTRODUCTION OF BILLS

Senate File 2209, by Rensink, a bill for an act providing an income tax credit for certain physicians and providing a retroactive applicability date.

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

Senate File 2210, by committee on Education, a bill for an act relating to student teaching in accredited school districts or private schools.

Read first time and placed on calendar.

Senate File 2211, by Husak, Priebe, Boswell, Soorholtz, Rife, Tieden, Scott, Fraise, Hultman, Jensen, Hester, Riordan, Taylor, Fuhrman, Vande Hoef, Miller, Coleman, Nystrom, Hedge, Drake, Goodwin, Rensink, Hagerla, Gettings, Peterson, Doyle, Kibbie, Lind, Pate and Welsh, a bill for an act relating to property tax by limiting the supplemental levy for certain mental health services, creating a mental health levy fund and making an appropriation, increasing the homestead tax credit and the agricultural land tax credit, and providing certain applicability dates.

Read first time and passed on file.

Senate File 2212, by committee on Appropriations, a bill for an act relating to and making supplemental appropriations or decreasing appropriations to the department of human services, Iowa department of public health, state board of regents, department of general services, department of inspections and appeals, department of employment services, department of commerce, state department of transportation, department of corrections, department of public safety, department of justice, judicial department, department of elder affairs, department of agriculture and land stewardship, department of natural resources, department of cultural affairs, department of education, and college aid commission for the remainder of the fiscal year ending June 30, 1990, and providing an effective date.

Read first time and placed on Appropriations calendar.

APPENDIX**STUDY BILLS RECEIVED****SSB 2179 Transportation**

Relating to private farm railway crossings.

SSB 2180 Transportation

Relating to jurisdictional transfers of roads to cities and counties.

SSB 2181 Judiciary

Relating to the possession of alcohol by a person age eighteen.

SSB 2182 Judiciary

Relating to the ability of one spouse to relinquish inchoate dower rights and homestead rights as an attorney in fact for the other spouse.

SSB 2183 Judiciary

Relating to making certain settlements public records.

SSB 2184 Judiciary

Relating to workers' compensation by permitting the receipt of benefits by certain employees injured outside of this state and by imposing certain benefit payment requirements and penalties for unreasonable denial or nonpayment of medical benefits.

SSB 2185 Judiciary

Relating to the subrogation rights of a person against another who initiates an action for damages resulting from personal injury, providing for the establishment of a lien, and providing for the applicability of the Act.

SSB 2186 Judiciary

Relating to voluntary petitions for conservatorships and their required contents.

SSB 2187 Judiciary

Relating to establishing title where a surviving spouse is a joint tenant of real estate with a deceased spouse.

SSB 2188 Judiciary

Relating to regulation of fireworks.

SSB 2189 Judiciary

Relating to a tax assessment dispute and providing an effective date.

SSB 2190 Judiciary

Relating to juvenile justice by establishing certain dispositional requirements concerning the state juvenile institutions and their administration, and providing effective dates.

SSB 2191 Human Resources

Applying certain standards to hospital services reimbursed as skilled nursing or intermediate care facility services and providing an effective date.

SSB 2192 State Government

Relating to political campaigns, providing limitations on certain contributions, restricting the use of campaign funds, providing additional disclosure requirements, increasing the income tax checkoff for political parties, providing a political contribution tax credit, providing certain prohibitions, providing that the candidate for lieutenant governor is not considered a separate candidate for campaign finance purposes, providing penalties, and providing a retroactive applicability date.

SSB 2193 State Government

Relating to the posting of signs by holders of liquor control licenses, retail wine permits, and retail beer permits regarding the effects of alcohol on a pregnant woman.

SSB 2194 State Government

Relating to the department of human rights.

SSB 2195 Human Resources

Relating to certain advertising by a hearing aid dealer.

SSB 2196 Education

Establishing a professional development program for faculty at merged area schools.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: February 1, 1990, 9:42 a.m.

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

Members Absent: none.

Committee Business: Preliminary decision packages voted on.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

Convened: February 1, 1990, 9:45 a.m.

Members Present: Boswell, Chair; Kibbie, Vice Chair; Rife, Ranking Member; Lloyd-Jones and Hagerla.

Members Absent: none.

Committee Business: Subcommittee approved appropriations bill and submitted it to the full Appropriations Committee.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 1, 1990, 10:08 a.m.

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

Members Absent: none.

Committee Business: Subcommittee approved appropriations bill and submitted it to the full Appropriations Committee; approved study on contract formula hours.

Adjourned: 10:22 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 1, 1990, 9:49 a.m.

Members Present: Sturgeon, Chair; Miller, Vice Chair; Tinsman, Ranking Member; Gentleman and Hannon.

Members Absent: Subcommittee approved appropriations bill as amended.

Adjourned: 11:23 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 1, 1990, 9:55 a.m.

Members Present: Bruner, Chair; Szymoniak, Vice Chair; Corning, Ranking Member; Deluhery and Fuhrman.

Members Absent: none.

Committee Business: Reviewed line-item decision packages and approved proposed Senate Concurrent Resolution.

Adjourned: 11:29 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 1, 1990, 9:58 a.m.

Members Present: Fraise, Chair; Doyle, Vice Chair; Vande Hoef, Ranking Member; Taylor and Connolly.

Members Absent: none.

Committee Business: Subcommittee amended and approved appropriations bill.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: February 1, 1990, 10:35 a.m.

Members Present: Running, Chair; Peterson, Vice Chair; Hedge, Ranking Member; Goodwin and Palmer.

Members Absent: none.

Committee Business: Subcommittee amended and approved appropriations bill.

Adjourned: 10:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: February 1, 1990, 9:40 a.m.

Members Present: Coleman, Vice Chair; Lind, Ranking Member and Husak.

Members Absent: Gettings, Chair (excused) and Pate (excused).

Committee Business: Subcommittee amended and approved appropriations bill and submitted it to the full Appropriations Committee.

Adjourned: 10:25 a.m.

APPROPRIATIONS

Convened: February 1, 1990, 3:31 p.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Bruner, Corning, Fraise, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn.

Members Absent: Gettings and Pate (both excused).

Committee Business: Amended LSB 8252 and ordered redrafted for final approval as a committee bill.

Recessed: 4:11 p.m.

Reconvened: 4:44 p.m., same membership present.

Adjourned: 4:45 p.m.

EDUCATION

Convened: February 1, 1990, 2:35 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Boswell, Bruner, Corning, Deluhery, Dieleman, Kibbie, Lind, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn.

Members Absent: Hedge (excused).

Committee Business: Assigned bills to subcommittees; amended and approved SSBs 2011 and 2043 as committee bills; recommended passage of House File 2068.

Adjourned: 3:12 p.m.

JUDICIARY

Convened: February 1, 1990, 1:48 p.m.

Members Present: Varn, Chair; Gentleman, Ranking Member; Coleman, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy and Taylor.

Members Absent: Mann, Vice Chair; Fuhrman, Gettings and Welsh (all excused).

Committee Business: Recommended passage of House File 18; approved SSB 2061 as a committee bill; recommended confirmation of Governor's appointees; assigned bills to subcommittees.

Adjourned: 2:25 p.m.

LOCAL GOVERNMENT

Convened: February 1, 1990, 8:09 a.m.

Members Present: Miller, Chair; Szymoniak, Vice Chair (arrived 8:11); Vande Hoef, Ranking Member; Fraise, Goodwin, Jensen, Kinley (arrived 8:18), Priebe and Tinsman.

Members Absent: Murphy.

Committee Business: Assigned bills to subcommittees; presentation by Allan E. Stokes, Department of Natural Resources; amended and approved SSB 2023 and ordered redrafted for final approval as a committee bill; recommended passage of Senate File 2104; discussed and deferred action on SSB 2022; approved SSB 2024 as a committee bill.

Adjourned: 9:08 a.m.

RULES AND ADMINISTRATION

Convened: February 1, 1990, 2:45 p.m.

Members Present: Hutchins, Chair; Hultman, Ranking Member; Jensen and Lloyd-Jones.

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

Committee Business: Approved senate resolution amending Senate Rule 37.

Adjourned: 2:48 p.m.

**CONFERENCE COMMITTEE REPORT RECEIVED
(House File 178)**

A conference committee report signed by the following Senate and House members was filed February 2, 1990, on House File 178, a bill for an act relating to the department of inspections and appeals and its licensing, rulemaking, and enforcement authority with respect to health and human resources matters, and providing properly related matters:

On the Part of the Senate:

JOHN P. KIBBIE, Chair
WILLIAM W. DIELEMAN
JULIA GENTLEMAN
BEVERLY A. HANNON
RAY TAYLOR

On the Part of the House:

THOMAS H. FEY, Chair
BETTY JEAN CLARK
JOHNNIE HAMMOND
MARK A. HAVERLAND
LEE J. PLASIER

**REPORTS OF STANDING COMMITTEE
(Place nominees on En Bloc Confirmation Calendar)**

JUDICIARY

Pursuant to Senate Rule 59, the committee on Judiciary assigned to investigate the following Governor's appointments, completed its investigations on February 1, 1990, and recommended the appointees be confirmed:

Loras A. Jaeger and Jean M. Sturtevant as members of the Drug Abuse Prevention and Education Advisory Council.

Douglas W. Book and Lori Lewis as members of the Narcotics Enforcement Advisory Council.

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: *SENATE FILE 2212, a bill for an act relating to and making supplemental appropriations or decreasing appropriations to the department of human services, Iowa department of public health, state board of regents, department of general services, department of inspections and appeals, department of employment services, department of commerce, state department of transportation, department of corrections, department of public safety, department of justice, judicial department, department of elder affairs, department of agriculture and land stewardship, department of natural resources, department of cultural affairs, department of education, and college aid commission for the remainder of the fiscal year ending June 30, 1990, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL WITH COMMITTEE AMENDMENT S—5041.

Final Vote: Ayes, 13: Welsh, Boswell, Bruner, Fraise, Gronstal, Husak, Jensen, Lloyd-Jones, Peterson, Riordan, Running, Sturgeon and Varn. Nays, 5: Tieden, Corning, Goodwin, Lind and Tinsman. Absent or not voting, 3: Gettings, Pate and Rensink.

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 Appropriations Committee on Senate File 2212 and they were attached to the committee report.

EDUCATION

Final Bill Action: SENATE FILE 2210 (SSB 2043), a bill for an act relating to student teaching in accredited school districts or private schools.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Murphy, Horn, Taylor, Boswell, Bruner, Corning, Deluhery, Dieleman, Kibbie, Lind, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn. Nays, none. Absent or not voting, 1: Hedge.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 2213 (SSB 2011), a bill for an act relating to the appointment of administrative law judges for the board of educational examiners for certain administrative hearings.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Murphy, Horn, Taylor, Boswell, Bruner, Corning, Deluhery, Dieleman, Kibbie, Lind, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn. Nays, none. Absent or not voting, 1: Hedge.

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 Education Committee on Senate File 2213 and they were attached to the committee report.

ALSO:

Final Bill Action: HOUSE FILE 2068, a bill for an act providing technical changes to the financing of education programs of school districts and providing a retroactive effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 16: Murphy, Horn, Taylor, Boswell, Bruner, Corning, Deluhery, Dieleman, Kibbie, Lind, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn. Nays, none. Absent or not voting, 1: Hedge.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on February 2, 1990, the Governor approved and transmitted to the Secretary of State the following bill:

Senate File 255 — Relating to the priority of advances under line-of-credit mortgages.

CERTIFICATE OF RECOGNITION

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

Gerrit and Jenny Roseboom — For commemoration of Gerrit reaching the age of 100 on January 14, 1990, Jenny reaching the age of 96 on April 10, 1989, and seventy-seven years of marriage. Senator Rensink (February 1, 1990).

BILLS ASSIGNED TO COMMITTEE

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

S. F.	2209	Ways and Means
S. F.	2211	Ways and Means

INTRODUCTION OF BILL

Senate File 2213, by committee on Education, a bill for an act relating to the appointment of administrative law judges for the board of educational examiners for certain administrative hearings.

Read first time under Rule 28 and **placed on calendar.**

SUBCOMMITTEE ASSIGNMENTS

Senate File 2196

NATURAL RESOURCES: Priebe, Chair; Husak and Tieden

Senate File 2205

NATURAL RESOURCES: Doyle, Chair; Kibbie and Hedge

SSB 2170

STATE GOVERNMENT: Soorholtz, Chair; Fraise and Vande Hoef

SSB 2171

JUDICIARY: Varn, Chair; Horn and Fuhrman

SSB 2172

JUDICIARY: Drake, Chair; Coleman and Murphy

SSB 2173

JUDICIARY: Hester, Chair; Mann and Horn

SSB 2174

JUDICIARY: Mann, Chair; Murphy and Fuhrman

SSB 2175

JUDICIARY: Mann, Chair; Murphy and Fuhrman

SSB 2176

JUDICIARY: Gronstal, Chair; Deluhery and Gentleman

SSB 2177

STATE GOVERNMENT: Hannon, Chair; Horn and Vande Hoef

SSB 2178

STATE GOVERNMENT: Gentleman, Chair; Hannon and Lloyd-Jones

AMENDMENT FILED

S—5041 S.F. 2212 Appropriations

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 11:24 a.m., until 10:00 a.m., Monday, February 5, 1990.

JOURNAL OF THE SENATE

TWENTY-NINTH CALENDAR DAY
NINETEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 5, 1990

The Senate met in regular session at 10:00 a.m., Senator Kinley presiding.

Prayer was offered by Robert Shreve, pastor of the United Methodist Churches of Marble Rock and Rockford, Iowa.

The Journal of Friday, February 2, 1990, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Murphy for the morning on request of Senator Hutchins.

INTRODUCTION OF BILLS

Senate File 2214, by Fuhrman, Drake, Jensen, Taylor and Vande Hoef, a bill for an act relating to operation of a motor vehicle while intoxicated by providing for surrender of registration plates and certificates, providing for the testing of certain operators, and requiring certain records to be kept relating to alcohol concentration.

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

Senate File 2215, by Fuhrman, a bill for an act providing a disabled veteran tax credit to certain taxpayers and providing an applicability date.

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

Senate File 2216, by Fuhrman and Vande Hoef, a bill for an act relating to the purchase and possession of weapons, and enhanced criminal penalties for certain offenses involving weapons and providing an effective date.

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

Senate File 2217, by Hester, a bill for an act relating to the illegal taking or possession of certain animals and providing an increased civil penalty.

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

SPECIAL GUESTS

Senator Boswell presented a group of students from Taiwan, who were attending Graceland College for two weeks while visiting the United States. They were accompanied by Barbara Higdon, President of the college.

The students presented Senator Boswell on behalf of the Senate with a handmade engraved "good luck" tray.

President Zimmerman took the chair at 10:17 a.m.

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked unanimous consent that House File 2166 be referred from the Unfinished Business Calendar to the committee on Agriculture.

Objection was raised by Senator Vande Hoef.

Senator Vande Hoef withdrew his objection.

Senator Hutchins asked unanimous consent that House File 2166 be referred from the Unfinished Business Calendar to the committee on Agriculture and returned to the Senate Calendar by 5:00 p.m., Wednesday, February 7, 1990.

Objection was raised by Senator Priebe to the time certain.

Senator Hutchins asked and received unanimous consent that **House File 2166** be referred from the Unfinished Business Calendar to the committee on **Agriculture** and returned to the Senate Calendar by 9:00 a.m., Tuesday, February 13, 1990.

Senator Hutchins asked and received unanimous consent that **Senate File 2181** be referred from the Regular Calendar to the committee on **Ways and Means**.

UNFINISHED BUSINESS
(Deferred February 2, 1990)

House File 2120

On motion of Senator Coleman, House File 2120, a bill for an act to repeal a Code chapter relating to the organization, support, and functions of poultry associations, was taken up for further consideration (substituted for Senate File 2081 and deferred on February 2, 1990.

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. 2120) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Nystrom	Palmer	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Mann	Murphy	Pate
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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 Coleman asked and received unanimous consent that **Senate File 2081** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS (Deferred February 2, 1990)

House File 2142

On motion of Senator Jensen, House File 2142, a bill for an act relating to reporting requirements for certain cities receiving road use tax funds, was taken up for further consideration (substituted for Senate File 2149 and deferred on February 2, 1990).

Senator Jensen asked and received unanimous consent that further action on **House File 2142** be **deferred**.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Joint Resolution 2002.

Senate Joint Resolution 2002

On motion of Senator Jensen, Senate Joint Resolution 2002, a joint resolution suspending for a limited period of time the enforcement of state banking laws, including branch banking restrictions, to the extent such law may conflict or interfere with the administration of the federal Financial Institutions Reform, Recovery, and Enforcement Act of 1989, and providing an effective date, was taken up for consideration.

Senator Jensen 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 pass?" (S.J.R. 2002) the vote was:

Ayes, 42:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Nystrom	Palmer	Priebe	Rensink
Rife	Riordan	Running	Soorholtz
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn		

Nays, 6:

Gronstal	Mann	Peterson	Scott
Sturgeon	Welsh		

Absent or not voting, 2:

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

Senator Hutchins asked and received unanimous consent that **Senate Joint Resolution 2002** be **immediately messaged** to the House.

HOUSE MESSAGE RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 2, 1990, 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 2114, a bill for an act removing certain limitations on the issuance of nonresident deer hunting licenses and wild turkey hunting licenses and on the use of license revenues and providing an effective date (S—5042).

HOUSE AMENDMENT TO SENATE AMENDMENT

House File 2114

Senator Priebe called up for consideration House File 2114, a bill for an act removing certain limitations on the issuance of nonresident deer hunting licenses and wild turkey hunting licenses and on the use of license revenues and providing an effective date, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5042 to Senate amendment H—5075 filed February 5, 1990.

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

Senator Priebe 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. 2114) the vote was:

Ayes, 45:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Nystrom	Palmer	Peterson	Priebe
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 2:

Doyle	Running
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Absent or not voting, 3:

Miller	Murphy	Pate
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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 Files 2139, 2163 and 2186.

Senate File 2139

On motion of Senator Fuhrman, Senate File 2139, a bill for an act relating to the appeal process for certain postconviction procedures, 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?" (S.F. 2139) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Nystrom	Palmer	Pate
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 2:

Mann Peterson

Absent or not voting, 1:

Murphy

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

Senate File 2163

On motion of Senator Kibbie, Senate File 2163, a bill for an act relating to the composition and election of county agricultural extension councils, enacting transitional provisions, and providing an effective date, was taken up for consideration.

Senator Kibbie offered amendment S—5040 filed by him on February 1, 1990, to page 1 of the bill and moved its adoption.

Amendment S—5040 was adopted by a voice vote.

Senator Kibbie offered amendment S—5039 filed by him on February 1, 1990, to page 1 of the bill and moved its adoption.

Amendment S—5039 was adopted by a voice vote.

Senator Hagerla asked and received unanimous consent that action on **Senate File 2163** be deferred.

Senate File 2186

On motion of Senator Connolly, Senate File 2186, a bill for an act relating to the receipt of assistance under certain economic development programs and providing civil penalties for certain violations, was taken up for consideration.

Senator Welsh asked and received unanimous consent that action on **Senate File 2186** be deferred.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House File 2114** be **immediately messaged** to the House.

INTRODUCTION OF BILLS

Senate File 2218, by Riordan, a bill for an act requiring replacement of topsoil after the development of certain land and providing penalties.

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

Senate File 2219, by Lind, a bill for an act relating to privileged information obtained by reporters, and providing a civil remedy for disclosure under appropriate circumstances.

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

Senate File 2220, by Sturgeon, a bill for an act relating to domestic abuse, providing penalties, and appropriating state funds for related services.

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

RECESS

On motion of Senator Hutchins the Senate recessed at 11:57 a.m., until 3:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: February 2, 1990, 8:45 a.m.

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

Members Absent: none.

Committee Business: Subcommittee approved and submitted proposed appropriations bill to the full Appropriations Committee.

Adjourned: 11:11 a.m.

APPROPRIATIONS

Convened: February 2, 1990, 9:50 a.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Bruner, Corning, Fraise, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn.

Members Absent: Gettings and Pate (both excused).

Committee Business: Approved LSB 8252 as a committee bill with committee amendment.

Adjourned: 10:19 a.m.

CERTIFICATES OF RECOGNITION

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

William True, II, Avoca — For achieving the level of Eagle Scout. Senator Hester (February 4, 1990).

The Cedar Rapids Gazette — For their commitment to the future of Iowa: promoting agriculture by printing with soybean ink, using recycled newsprint, and encouraging readers to collect newspapers for recycling through central collection sites. Senator Pate (February 5, 1990).

STUDY BILLS RECEIVED**SSB 2197 Ways & Means**

Relating to the taxation of pensions, annuities, and retirement allowances received for the purposes of state individual income tax and providing a retroactive applicability date.

SSB 2198 Local Government

Establishing councils of governments and providing certain duties.

SSB 2199 Natural Resources

Relating to financing projects for rural water districts.

SSB 2200 Ways & Means

Relating to the maximum fee to be charged for providing escort service for the movement of buildings or vehicles of excessive size and weight.

SSB 2201 Human Resources

Designating an operator employee of a child day care resource and referral agency as a mandatory reporter of child abuse.

SSB 2202 Human Resources

Relating to dental prosthesis identification.

SSB 2203 Human Resources

Relating to intermediate care facility requirements for admission, medical assistance certification, and certificate of need, and providing penalties and an effective date.

SSB 2204 Human Resources

Relating to the sale of cigarettes in vending machines.

SSB 2205 Human Resources

Relating to the sale of tobacco and tobacco products to minors.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2105

JUDICIARY: Deluhery, Chair; Horn and Gentleman

Senate File 2109

JUDICIARY: Mann, Chair; Murphy and Hagerla

Senate File 2116

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Scott, Chair; Kibbie and Hagerla

Senate File 2124

JUDICIARY: Welsh, Chair; Gronstal and Taylor

Senate File 2130

JUDICIARY: Mann, Chair; Coleman and Gentleman

Senate File 2142

JUDICIARY: Mann, Chair; Murphy and Hagerla

Senate File 2144

JUDICIARY: Mann, Chair; Gronstal and Hester

Senate File 2145

JUDICIARY: Mann, Chair; Coleman and Gentleman

Senate File 2156

JUDICIARY: Welsh, Chair; Gettings and Drake

Senate File 2160

JUDICIARY: Deluhery, Chair; Murphy and Fuhrman

Senate File 2162

HUMAN RESOURCES: Murphy, Chair; Bruner and Taylor

Senate File 2167

JUDICIARY: Mann, Chair; Coleman and Gentleman

Senate File 2172

JUDICIARY: Mann, Chair; Varn and Drake

Senate File 2173

JUDICIARY: Mann, Chair; Varn and Drake

Senate File 2175

HUMAN RESOURCES: Corning, Chair; Horn and Murphy

Senate File 2177

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Scott, Chair; Kibbie and Pate

Senate File 2179

JUDICIARY: Mann, Chair; Murphy and Gentleman

Senate File 2181

WAYS AND MEANS: Connolly, Chair; Riordan and Soorholtz

Senate File 2183

JUDICIARY: Drake, Chair; Mann and Varn

Senate File 2184

TRANSPORTATION: Coleman, Chair; Gettings and Jensen

Senate File 2185

TRANSPORTATION: Coleman, Chair; Gettings and Jensen

Senate File 2190

EDUCATION: Varn, Chair; Horn and Taylor

Senate File 2191

STATE GOVERNMENT: Running, Chair; Lloyd-Jones and Drake

Senate File 2192

STATE GOVERNMENT: Hannon, Chair; Gronstal and Gentleman

Senate File 2193

EDUCATION: Horn, Chair; Deluhery and Corning

Senate File 2194

AGRICULTURE: Riordan, Chair; Coleman and Rensink

Senate File 2195

TRANSPORTATION: Gettings, Chair; Doyle and Goodwin

Senate File 2198

STATE GOVERNMENT: Kibbie, Chair; Fraise and Gentleman

Senate File 2199

EDUCATION: Bruner, Chair; Deluhery and Rensink

Senate File 2201

HUMAN RESOURCES: Connolly, Chair; Murphy and Corning

Senate File 2203

TRANSPORTATION: Gettings, Chair; Doyle and Goodwin

Senate File 2204

STATE GOVERNMENT: Hannon, Chair; Dieleman and Soorholtz

Senate File 2206

STATE GOVERNMENT: Lloyd-Jones, Chair; Gronstal, Horn, Nystrom and Drake

Senate File 2207

STATE GOVERNMENT: Running, Chair; Kibbie and Soorholtz

Senate File 2209

WAYS AND MEANS: Murphy, Chair; Palmer and Fuhrman

Senate File 2211

WAYS AND MEANS: Dieleman, Chair; Riordan, Husak, Szymoniak, Hultman, Gentleman and Drake

House File 209

HUMAN RESOURCES: Sturgeon, Chair; Hannon and Riordan

House File 2104

HUMAN RESOURCES: Corning, Chair; Murphy and Riordan

House File 2113

HUMAN RESOURCES: Tinsman, Chair; Bruner and Hannon

House File 2166

AGRICULTURE: Miller, Chair; Palmer and Vande Hoef

SSB 2007

STATE GOVERNMENT: Lloyd-Jones, Chair; Dieleman and Gentleman

SSB 2008

STATE GOVERNMENT: Hannon, Chair; Coleman and Vande Hoef

SSB 2159

HUMAN RESOURCES: Connolly, Chair; Murphy and Tinsman

SSB 2160

HUMAN RESOURCES: Bruner, Chair; Riordan and Gentleman

SSB 2167

WAYS AND MEANS: Murphy, Chair; Connolly and Soorholtz

SSB 2179

TRANSPORTATION: Lloyd-Jones, Chair; Doyle and Nystrom

SSB 2180

TRANSPORTATION: Dieleman, Chair; Gettings and Goodwin

SSB 2181

JUDICIARY: Varn, Chair; Horn and Fuhrman

SSB 2182

JUDICIARY: Hagerla, Chair; Horn and Coleman

SSB 2183

JUDICIARY: Varn, Chair; Horn and Fuhrman

SSB 2184

JUDICIARY: Horn, Chair; Gettings and Hester

SSB 2185

JUDICIARY: Gronstal, Chair; Varn and Drake

SSB 2186

JUDICIARY: Hester, Chair; Deluhery and Gronstal

SSB 2187

JUDICIARY: Drake, Chair; Hester and Varn

SSB 2188

JUDICIARY: Deluhery, Chair; Horn and Fuhrman

SSB 2189

JUDICIARY: Drake, Chair; Coleman and Gronstal

SSB 2190

JUDICIARY: Deluhery, Chair; Murphy and Fuhrman

SSB 2191

HUMAN RESOURCES: Bruner, Chair; Horn and Taylor

SSB 2192

STATE GOVERNMENT: Gronstal, Chair; Lloyd-Jones, Horn, Nystrom and Drake

SSB 2193

STATE GOVERNMENT: Horn, Chair; Rife and Kibbie

SSB 2194

STATE GOVERNMENT: Gentleman, Chair; Dieleman and Lloyd-Jones

SSB 2195

HUMAN RESOURCES: Hannon, Chair; Horn and Tinsman

SSB 2196

EDUCATION: Varn, Chair; Boswell, Corning, Horn, Kibbie, Rensink and Tieden

SSB 2197

WAYS AND MEANS: Palmer, Chair; Connolly and Gentleman

SSB 2199

NATURAL RESOURCES: Hedge, Chair; Kibbie and Peterson

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 5th day of February, 1990:

Senate File 385.

JOHN F. DWYER
Secretary of the Senate

COMMITTEE REPORT**WAYS AND MEANS**

Final Bill Action: SENATE FILE 2078, a bill for an act regulating certain pesticide dealers, by modifying licensure fees and certain reporting requirements.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Dieleman, Husak, Hester, Bruner, Connolly, Drake, Fraise, Fuhrman, Gentleman, Hultman, Palmer, Riordan and Szymoniak. Nays, none. Absent or not voting, 2: Murphy and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5042	H.F.	2114	House amendment
S—5043	H.F.	2142	Leonard Boswell John Jensen
S—5044	S.F.	2080	Richard Vande Hoef
S—5045	S.F.	2178	Berl Priebe
S—5046	S.F.	2212	Calvin Hultman

AFTERNOON SESSION

The Senate reconvened at 3:35 p.m., Senator Husak presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 2, 1990, passed the following bills in which the concurrence of the Senate is asked:

House File 2132, a bill for an act to change the effective date for programs for at-risk children and providing an effective date.

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

House File 2178, a bill for an act relating to state and local substitute medical decision-making boards.

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

House File 2199, a bill for an act relating to agricultural drainage wells and providing an effective date.

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

House File 2213, a bill for an act relating to the regulation of banks to conform to changes in federal law contained in the Financial Institutions Reform, Recovery and Enforcement Act of 1989.

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

INTRODUCTION OF BILLS

Senate File 2221, by Running, a bill for an act requiring licensing of intermediate care facility units for residents with Alzheimer's disease and related disorders and providing an effective date.

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

Senate File 2222, by Husak, a bill for an act providing an increase in the homestead tax credit and providing an effective date.

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

Senate File 2223, by Husak, a bill for an act relating to property tax by limiting the supplemental levy for certain mental health services, increasing the appropriation for the agricultural land tax credit, establishing and appropriating funds for a commercial property tax credit, and providing an applicability date.

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

Senate File 2224, by Vande Hoef, a bill for an act defining a political subdivision for participation in rural community 2000 programs.

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

Senate File 2225, by Hagerla, a bill for an act increasing the permitted percentage of compensation on agreements to recover or assist in the recovery of abandoned property more than two years after the initial report to the treasurer of state.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Tinsman for the remainder of the afternoon and February 6, 1990, 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 46 present, 4 absent and a quorum present.

BUSINESS PENDING

Senate File 2186

The Senate resumed consideration of Senate File 2186, a bill for an act relating to the receipt of assistance under certain economic development programs and providing civil penalties for certain violations, previously deferred.

Senator Connolly moved that the bill be read the last time now and placed upon its passage, 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, 28:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Palmer	Riordan	Running	Sturgeon
Szymoniak	Tieden	Varn	Welsh

Nays, 19:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Nystrom	Pate
Peterson	Priebe	Rensink	Rife
Scott	Taylor	Vande Hoef	

Absent or not voting, 3:

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

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S.F.	2214	Judiciary
S.F.	2215	Ways and Means
S.F.	2216	Judiciary
S.F.	2217	Natural Resources
S.F.	2218	Natural Resources
S.F.	2219	Judiciary
S.F.	2220	Appropriations
S.F.	2221	Human Resources
S.F.	2222	Ways and Means
S.F.	2223	Ways and Means
S.F.	2224	Small Business & Economic Development
S.F.	2225	State Government
H.F.	2132	Education
H.F.	2178	Human Resources
H.F.	2199	Agriculture
H.F.	2213	Commerce

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: SENATE FILE 307, a bill for an act relating to the establishment of a hospital cost control board, making an appropriation and providing a civil penalty.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-5047.

Final Vote: Ayes, 7: Hannon, Bruner, Connolly, Horn, Murphy, Riordan and Sturgeon. Nays, 5: Corning, Gentleman, Hagerla, Taylor and Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2113, a bill for an act requiring name change petitioners to attach certified copies of birth certificates for each person seeking a name change to the name change petition.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Hannon, Bruner, Corning, Connolly, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENT FILED

S—5047

S.F.

307

Human Resources

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 3:55 p.m., until 9:00 a.m., Tuesday, February 6, 1990.

JOURNAL OF THE SENATE

THIRTIETH CALENDAR DAY
TWENTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 6, 1990

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

Prayer was offered by Dr. Robert Domokos, President of Faith Baptist Bible College, Ankeny, Iowa.

The Journal of Monday, February 5, 1990, was approved.

INTRODUCTION OF BILL

Senate File 2226, by Connolly, a bill for an act relating to phase III funding plans under the educational excellence program, including the plans as a subject for mandatory collective bargaining, and reducing money available for plans.

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

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2048.

Senate File 2048

On motion of Senator Priebe, Senate File 2048, a bill for an act to prohibit the discharge of firearms near a feedlot and subjecting violators to existing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Scott offered amendment S—5015 filed by the committee on Natural Resources on January 25, 1990, to page 1 of the bill and moved its adoption.

Amendment S—5015 was adopted by a voice vote.

Senator Scott offered amendment S—5011 filed by him on January 23, 1990, to page 1 of the bill and moved its adoption.

Amendment S—5011 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. 2048) the vote was:

Ayes, 44:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Lind	Lloyd-Jones	Mann
Miller	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden

Nays, none.

Absent or not voting, 6:

Kinley	Murphy	Tinsman	Vande Hoef
Varn	Welsh		

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

Senate File 2150

On motion of Senator Fraise, Senate File 2150, a bill for an act relating to procedures for the delivery of persons to the Iowa medical and classification center, 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. 2150) the vote was:

Ayes, 44:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tiedon	Vande Hoef

Nays, none.

Absent or not voting, 6:

Drake	Hester	Kinley	Tinsman
Varn	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 2164.

Senate File 2164

On motion of Senator Coleman, Senate File 2164, a bill for an act relating to the date of publication of report of state employee salaries, was taken up for consideration.

Senator Coleman asked and received unanimous consent that action on **Senate File 2164** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order Senate Concurrent Resolution 111.

Senate Concurrent Resolution 111

On motion of Senator Boswell, Senate Concurrent Resolution 111, a concurrent resolution to urge the Congress of the United States, the President of the United States, and the United States Secretary of Agriculture, to enact and implement legislation to ensure that the United States is the world's preeminent supplier of grains, was taken up for consideration.

Senator Boswell moved the adoption of Senate Concurrent Resolution 111, which motion prevailed by a voice vote.

UNFINISHED BUSINESS
(Deferred February 5, 1990)

House File 2142

The Senate resumed consideration of House File 2142, a bill for an act relating to reporting requirements for certain cities receiving road use tax funds, deferred on February 5, 1990.

Senator Boswell offered amendment S—5043 filed by Senators Boswell and Jensen on February 5, 1990, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5043 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. 2142) the vote was:

Ayes, 45:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn			

Nays, none.

Absent or not voting, 5:

Hultman	Kinley	Szymoniak	Tinsman
Welsh			

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

WITHDRAWN

Senator Jensen asked and received unanimous consent that **Senate File 2149** be **withdrawn** from further consideration of the Senate.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Murphy for the afternoon on request of Senator Hutchins.

RECESS

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

APPENDIX

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: February 5, 1990, 2:39 p.m.

Members Present: Hannon, Chair; Bruner, Vice Chair; Corning, Ranking Member; Connolly, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman.

Members Absent: none.

Committee Business: Recommended passage of Senate File 307 as amended; recommended passage of Senate File 2011 and House File 2113; approved SSBs 2029, 2093 and 2195 as committee bills; recommended confirmation of Governor's appointees.

Adjourned: 3:06 p.m.

NATURAL RESOURCES

Convened: February 5, 1990, 2:30 p.m.

Members Present: Scott, Chair; Kibbie, Vice Chair; Goodwin, Ranking Member; Doyle, Hedge, Husak, Miller, Peterson, Priebe, Rensink and Tieden.

Members Absent: Hester (excused).

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 2064 as amended; deferred action on Senate File 2032.

Adjourned: 2:45 p.m.

WAYS AND MEANS

Convened: February 5, 1990, 1:40 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hester, Ranking Member; Bruner, Connolly, Drake, Fraise, Fuhrman, Gentleman, Hultman, Murphy, Palmer, Riordan, Soorholtz and Szymoniak.

Members Absent: Murphy (excused) and Soorholtz.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 2078; recommended confirmation of Governor's appointee.

Adjourned: 1:47 p.m.

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Foreign exchange students attending Schaller Crestland High School, Schaller, Iowa, accompanied by Alan Meyer. Senator Fuhrman.

CERTIFICATE OF RECOGNITION

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

Wonder & Son Publishing, Onawa — The Centennial Celebration of the Onawa Democrat, 1890-1990. Senator Doyle (February 5, 1990).

STUDY BILLS RECEIVED

SSB 2206 Ways & Means

Providing for a homeowners and renters credit for state individual income tax purposes and providing an effective and applicability date.

SSB 2207 Ways & Means

Relating to sale and use taxation of certain museums by providing certain refunds and exemptions.

SSB 2208 Ways & Means

Providing a disabled veteran tax credit to certain taxpayers and providing an applicability date.

SSB 2209 Ways & Means

Relating to the premium taxation on certain health maintenance organization payments.

SSB 2210 Ways & Means

Relating to the salaries paid to chaplains employed in state institutions.

SSB 2211 State Government

Relating to the issuance of class "A" liquor licenses to veterans organizations.

SSB 2212 Education

Requiring the department of education to develop and maintain nutrition guidelines for food and beverages sold on public school grounds.

SSB 2213 Education

To permit eleventh and twelfth grade pupils enrolled in accredited nonpublic schools to enroll in nonsectarian courses in eligible postsecondary institutions under the postsecondary enrollment options Act.

SSB 2214 Education

Relating to participation in extracurricular interscholastic contests and competitions by certain children.

SSB 2215 Commerce

Authorizing expedited merit review for small issues under the state securities law.

SSB 2216 Commerce

Relating to the sale of funeral services and merchandise.

SSB 2217 Commerce

Permitting certain disabled persons to purchase gasoline at self-service prices and making existing penalties applicable.

SSB 2218 Education

Relating to open enrollment, including the general intent, notification dates, exceptions to notification dates, board action on requests, counting of pupils for state foundation aid purposes, student expulsion or suspension, qualification for transportation, and participation of laboratory schools, and providing an effective date.

SSB 2219 Appropriations

Relating to and making appropriations to the department of human services and the Iowa department of public health and providing other properly related matters.

REPORTS OF STANDING COMMITTEES (Place nominees on En Bloc Confirmation Calendar)

HUMAN RESOURCES

Pursuant to Senate Rule 59, the committee on Human Resources assigned to investigate the following Governor's appointments, completed its investigations on February 5, 1990, and recommended the appointees be confirmed:

Robert A. Witt as a member of the Board of Physician Assistant Examiners.

Dennis D. Killion as a member of the Council on Human Services.

Almo J. Hawkins as Department Coordinator of the Department of Human Rights.

JUDICIARY

Pursuant to Senate Rule 59, the committee on Judiciary assigned to investigate the following Governor's appointments, completed its investigations on February 6, 1990, and recommended the appointees be confirmed:

Judy Bradshaw, Dennis L. Fiser, Jackie Kenniker and William M. McCarthy as members of the Narcotics Enforcement Advisory Council.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 456, a bill for an act relating to grain held by grain warehouse operators for the payment of charges.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Priebe, Riordan, Soorholtz, Boswell, Coleman, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 2011, a bill for an act providing for a minimum number of toilets for women and men in public buildings and private buildings intended for use by the general public.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Hannon, Bruner, Corning, Connolly, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 2015, a bill for an act relating to training requirements for reserve peace officers and providing for the Act's applicability.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5051.

Final Vote: Ayes, 12: Varn, Mann, Gentleman, Deluhery, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Taylor and Welsh. Nays, none. Absent or not voting, 3: Coleman, Drake and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2156, a bill for an act giving federal law enforcement officials peace officer status in certain instances.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Varn, Mann, Gentleman, Deluhery, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Taylor and Welsh. Nays, none. Absent or not voting, 3: Coleman, Drake and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 2230 (SSB 2023), a bill for an act relating to membership qualifications of the board of review.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Kinley, Priebe and Tinsman. Nays, none. Absent or not voting, 1: Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2231 (SSB 2089), a bill for an act relating to the duties of the county recorder by imposing a fee for recording and indexing certain instruments, and by providing for the issuance of certain transcripts.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Kinley and Priebe. Nays, none. Absent or not voting, 1: Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: SENATE FILE 2064, a bill for an act to provide free fishing licenses to military veterans who are disabled or were prisoners of war.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5049.

Final Vote: Ayes, 11: Scott, Kibbie, Goodwin, Doyle, Hedge, Hester, Husak, Miller, Peterson, Priebe, Rensink and Tieden. Nays, none. Absent or not voting, 1: Hester.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 2168, a bill for an act relating to temporary permits issued to practice cosmetology or barbering.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Kibbie, Lloyd-Jones, Nystrom, Drake, Fraise, Gronstal, Horn, Running, Soorholtz and Vande Hoef. Nays, 2: Gentleman and Rife. Absent or not voting, 3: Coleman, Dieleman and Hannon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2198, a bill for an act relating to the sale of the United States flag in Iowa.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Kibbie, Lloyd-Jones, Nystrom, Dieleman, Drake, Fraise, Gentleman, Gronstal, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 2: Coleman and Hannon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2206, a bill for an act relating to campaign finance by specifying that restrictions on corporate campaign activities do not apply to certain political corporations.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Kibbie, Lloyd-Jones, Dieleman, Fraise, Gronstal, Horn, Rife, Running and Soorholtz. Nays, 1: Gentleman. Absent or not voting, 5: Nystrom, Coleman, Drake, Hannon and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2232 (SSB 2007), a bill for an act relating to indemnification of art exhibitors by the Iowa arts council.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Kibbie, Lloyd-Jones, Nystrom, Dieleman, Fraise, Gentleman, Gronstal, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 3: Coleman, Drake and Hannon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS

Senate Resolution 17

BUSINESS AND LABOR RELATIONS: Peterson, Chair; Palmer and Taylor

Senate Resolution 103

RULES AND ADMINISTRATION: Gettings, Chair; Jensen and Hutchins

Senate Concurrent Resolution 106

RULES AND ADMINISTRATION: Lloyd-Jones, Chair; Hutchins and Jensen

Senate Concurrent Resolution 108

RULES AND ADMINISTRATION: Lloyd-Jones, Chair; Hutchins and Jensen

Senate Concurrent Resolution 109

RULES AND ADMINISTRATION: Hutchins, Chair; Jensen and Gettings

Senate Joint Resolution 4

BUSINESS AND LABOR RELATIONS: Peterson, Chair; Vande Hoef and Running

Senate File 207

BUSINESS AND LABOR RELATIONS: Running, Chair; Mann and Fuhrman

Senate File 211

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

Senate File 222

BUSINESS AND LABOR RELATIONS: Vande Hoef, Chair; Fuhrman and Running

Senate File 247

BUSINESS AND LABOR RELATIONS: Gettings, Chair; Taylor and Sturgeon

Senate File 251

BUSINESS AND LABOR RELATIONS: Sturgeon, Chair; Vande Hoef and Running

Senate File 271

BUSINESS AND LABOR RELATIONS: Peterson, Chair; Sturgeon and Taylor

Senate File 322

BUSINESS AND LABOR RELATIONS: Peterson, Chair; Taylor and Vande Hoef

Senate File 454

BUSINESS AND LABOR RELATIONS: Palmer, Chair; Sturgeon and Taylor

Senate File 2007

BUSINESS AND LABOR RELATIONS: Fuhrman, Chair; Hultman and Peterson

Senate File 2106

RULES AND ADMINISTRATION: Hutchins, Chair; Hultman and Gettings

Senate File 2126

JUDICIARY: Mann, Chair; Varn and Gentleman

Senate File 2129

JUDICIARY: Mann, Chair; Horn and Hester

Senate File 2132

JUDICIARY: Mann, Chair; Coleman and Fuhrman

Senate File 2135

JUDICIARY: Mann, Chair; Coleman and Hester

Senate File 2137

JUDICIARY: Varn, Chair; Murphy and Hester

Senate File 2141

JUDICIARY: Mann, Chair; Murphy and Hester

Senate File 2170

JUDICIARY: Mann, Chair; Gronstal and Fuhrman

Senate File 2174

JUDICIARY: Mann, Chair; Gronstal and Fuhrman

Senate File 2180

LOCAL GOVERNMENT: Miller, Chair; Priebe and Vande Hoef

Senate File 2188

JUDICIARY: Varn, Chair; Murphy and Hester

Senate File 2189

JUDICIARY: Mann, Chair; Gronstal and Drake

Senate File 2202

JUDICIARY: Mann, Chair; Murphy and Fuhrman

Senate File 2225

STATE GOVERNMENT: Dieleman, Chair; Hannon and Soorholtz

House File 501

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

House File 2103

JUDICIARY: Gettings, Chair; Deluhery and Hagerla

House File 2156

RULES AND ADMINISTRATION: Lloyd-Jones, Chair; Hultman and Hutchins

SSB 2198

LOCAL GOVERNMENT: Murphy, Chair; Miller and Tinsman

SSB 2201

HUMAN RESOURCES: Bruner, Chair; Murphy and Taylor

SSB 2202

HUMAN RESOURCES: Sturgeon, Chair; Hannon and Corning

SSB 2203

HUMAN RESOURCES: Sturgeon, Chair; Murphy and Hagerla

SSB 2204

HUMAN RESOURCES: Sturgeon, Chair; Hannon and Taylor

SSB 2205

HUMAN RESOURCES: Hannon, Chair; Sturgeon and Corning

SSB 2211

STATE GOVERNMENT: Fraise, Chair; Kibbie and Rife

SSB 2212

EDUCATION: Lloyd-Jones, Chair; Szymoniak and Tinsman

SSB 2213

EDUCATION: Murphy, Chair; Horn and Lind

SSB 2214

EDUCATION: Horn, Chair; Lloyd-Jones and Lind

AMENDMENTS FILED

S—5048	S. F.	2164	Jean Lloyd-Jones C. Joseph Coleman
S—5049	S. F.	2064	Natural Resources
S—5050	S. F.	2094	Michael E. Gronstal
S—5051	S. F.	2015	Judiciary
S—5052	H. F.	730	William Palmer Alvin Miller C. Joseph Coleman

AFTERNOON SESSION

The Senate reconvened at 4:50 p.m., Senator Scott 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 2, 1990, passed the following bills in which the concurrence of the Senate is asked:

House File 512, a bill for an act relating to the payment of a support obligation out of garnished funds.

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

House File 2048, a bill for an act relating to the licensing of marital and family therapists and mental health counselors, by establishing the board of behavioral science examiners, prohibiting the practice of marital and family therapy or mental health counseling without a license, providing exemptions, redefining "mental health professional" for purposes of confidential communications, making penalties applicable, imposing penalties for sexual exploitation by a counselor or therapist, providing for a temporary waiver of certain licensing requirements, and providing other properly related matters.

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

House File 2057, a bill for an act relating to prohibited interests in public contracts.

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

House File 2165, a bill for an act relating to indemnification for odometer fraud from a motor vehicle dealer's surety bond and increasing the amount of the bond.

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

ALSO: That the House has on February 5, 1990, passed the following bills in which the concurrence of the Senate is asked:

House File 2177, a bill for an act relating to the operation of state hospital-schools under the control of the department of human services by authorizing the offering of goods and services to the public as part of client training programs and by deleting the requirement of maintaining daily records of time worked by institutional staff.

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

House File 2233, a bill for an act relating to the installation of fire extinguishing systems in open parking garages.

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

House File 2236, a bill for an act to increase the percentage of the state ceiling allocated to qualified small issue bonds issued for first-time farmers, and providing an effective date.

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

INTRODUCTION OF BILLS

Senate File 2227, by Szymoniak, a bill for an act relating to public improvements, by authorizing counties to create special assessment districts in areas of the county outside cities or within cities for certain public improvements, to assess the cost of the improvements to the benefited property within the districts, to establish and collect rates and charges to maintain and operate the improvements, and by providing an effective date.

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

Senate File 2228, by Sturgeon, a bill for an act relating to the closure of the state hospital-schools.

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

Senate File 2229, by Rensink, a bill for an act relating to the licensure of abortion facilities and civil remedies for noncompliance with certain licensure requirements.

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

Senate File 2230, by committee on Local Government, a bill for an act relating to membership qualifications of the board of review.

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

Senate File 2231, by committee on Local Government, a bill for an act relating to disposition of instruments filed with the county recorder, and providing for the applicability of certain provisions.

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

Senate File 2232, by committee on State Government, a bill for an act relating to indemnification of art exhibitors by the Iowa arts council.

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

INTRODUCTION OF RESOLUTION

Senate Resolution 105, by Connolly and Welsh, a resolution relating to the sesquicentennial of Loras College.

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

APPENDIX

REPORTS OF STANDING COMMITTEES (Place nominees on En Bloc Confirmation Calendar)

ENVIRONMENT AND ENERGY UTILITIES

Pursuant to Senate Rule 59, the committee on Environment and Energy Utilities assigned to investigate the following Governor's appointment, completed its investigation on February 6, 1990, and recommended the appointee be confirmed:

Rozanne E. King as a member of the Environmental Protection Commission.

STATE GOVERNMENT

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the following Governor's appointments, completed its investigations on February 6, 1990, and recommended the appointees be confirmed:

Molly Kay Pelzer as a member of the Dietetic Examining Board.

Lynn M. Feldmann and Cindy Raspiller as members of the Iowa Emergency Response Commission.

Mary P. Mitchell as a member of the Real Estate Appraiser Examining Board.

Warren D. Rippey as a member of the State Board of Examiners for Nursing Home Administrators.

Rita Dolores Sealock as a member of the State Racing and Gaming Commission.

COMMITTEE REPORTS

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: SENATE FILE 2010, a bill for an act relating to disposal of solid waste on agricultural land and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Deluhery, Gronstal, Pate, Hedge, Miller, Rife, Soorholtz and Sturgeon. Nays, 1: Connolly. Absent or not voting, 1: Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2041, a bill for an act permitting aboveground storage tanks for retail motor vehicle fuel outlets to be installed anywhere other than in cities of a certain size.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Deluhery, Gronstal, Connolly, Hedge, Miller, Rife, Soorholtz and Sturgeon. Nays, none. Absent or not voting, 2: Pate and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2158, a bill for an act permitting the shared ownership, operation, or cooperative use of publicly owned petroleum storage facilities by more than one public agency or political subdivision.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Deluhery, Gronstal, Pate, Connolly, Hedge, Miller, Rife, Soorholtz, Sturgeon and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 2057, a bill for an act relating to the conduct of pari-mutuel racing by simultaneous telecast.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Kibbie, Coleman, Drake, Fraise, Gentleman, Gronstal, Horn, Rife, Running and Soorholtz. Nays, 2: Lloyd-Jones and Dieleman. Absent or not voting, 3: Nystrom, Hannon and Vande Hoef.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

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

- S. R. 105 Rules and Administration
- S. F. 2226 Education
- S. F. 2227 Local Government
- S. F. 2228 State Government
- S. F. 2229 Human Resources

H.F.	512	Judiciary
H.F.	2048	State Government
H.F.	2057	Local Government
H.F.	2165	Transportation
H.F.	2177	Human Resources
H.F.	2233	State Government
H.F.	2236	Agriculture

AMENDMENT FILED

S—5053	S.F.	2064	Donald Doyle Kenneth Scott
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ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:59 p.m., until 9:00 a.m., Wednesday, February 7, 1990.

JOURNAL OF THE SENATE

THIRTY-FIRST CALENDAR DAY
TWENTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 7, 1990

The Senate met in regular session at 9:10 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Phillip Schmitt, pastor of the Immaculate Conception Church, Cedar Rapids, Iowa.

The Journal of Tuesday, February 6, 1990, was approved.

INTRODUCTION OF BILLS

Senate File 2233, by Rensink, a bill for an act relating to the prosecution of persons violating provisions regulating grain dealers or warehouse operators.

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

Senate File 2234, by Hagerla, a bill for an act relating to the state mental health institute and the correctional facility at Mount Pleasant and making an appropriation.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Tinsman 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.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 2138** be referred from the Regular Calendar to the committee on **Judiciary**.

UNFINISHED BUSINESS (Deferred February 6, 1990)

Senate File 2164

The Senate resumed consideration of Senate File 2164, a bill for an act relating to the date of publication of the report of state employee salaries, deferred February 6, 1990.

Senator Coleman offered amendment S—5048 filed by Senators Lloyd-Jones and Coleman on February 6, 1990, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5048 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. 2164) the vote was:

Ayes, 46:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Nystrom	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Vande Hoef	Varn		

Nays, none.

Absent or not voting, 4:

Murphy

Palmer

Tinsman

Welsh

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

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2165.

Senate File 2165

On motion of Senator Fraise, Senate File 2165, a bill for an act abolishing the duty of the treasurer of state to approve increases in the maximum deposit limit of a local government in a depository financial institution, 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. 2165) the vote was:

Ayes, 48:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Murphy

Tinsman

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

CONSIDERATION OF BILL
(Appropriations Calendar)

Senate File 2212

On motion of Senator Welsh, Senate File 2212, a bill for an act relating to and making supplemental appropriations or decreasing appropriations to the department of human services, Iowa department of public health, state board of regents, department of general services, department of inspections and appeals, department of employment services, department of commerce, state department of transportation, department of corrections, department of public safety, department of justice, judicial department, department of elder affairs, department of agriculture and land stewardship, department of natural resources, department of cultural affairs, department of education, and college aid commission for the remainder of the fiscal year ending June 30, 1990, and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Action on **Senate File 2212** was **deferred**.

HOUSE MESSAGE RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 5, 1990, adopted the conference committee report and passed **Senate File 199**, a bill for an act relating to child day care by amending certain definitions and certain requirements for group day care homes.

INTRODUCTION OF BILLS

Senate File 2235, by Kinley, a bill for an act relating to reassignment of certificates of title and providing an effective date.

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

Senate File 2236, by Kinley, a bill for an act relating to construction or repair contracts in connection with preexisting residential dwellings by providing for specific performance as a remedy in an action in district court or small claims court and providing for the Act's applicability.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:47 a.m., until 4:30 p.m.

APPENDIX**STUDY BILLS RECEIVED****SSB 2119.1 Human Resources**

Relating to the authority of physician assistants and advanced registered nurse practitioners to prescribe and supply prescription drugs and controlled substances.

SSB 2220 State Government

Relating to the percent of receipts from games of skill and games of chance dedicated and distributed by a qualified organization.

SSB 2221 State Government

Authorizing a board of trustees of certain public hospitals to establish a separate fund for depreciation.

SSB 2222 State Government

Relating to state chartered legal entities, especially nonprofit corporations and cooperative associations, by altering requirements and procedure for filing corporate documents in the office of the secretary of state and by requiring corporations organized under or subject to Iowa Code chapter 504 to convert to chapter 504A within a certain period of time.

SSB 2223 Ways & Means

Relating to penalty and interest on cigarette, tobacco, motor fuel, individual income, withholding, corporation income, franchise, sales, use, retailer's use, environmental protection charge, inheritance, generation skipping transfer, and estate taxes, and providing effective and applicability dates.

SSB 2224 Appropriations

Relating to allocating certain fines and forfeitures to the road use tax fund.

SSB 2225 State Government

Relating to the licensing of marital and family therapists and mental health counselors, by establishing the board of behavioral

science examiners, prohibiting the practice of marital and family therapy or mental health counseling without a license, providing exemptions, redefining "mental health professional" for purposes of confidential communications, making penalties applicable, providing for a temporary waiver of certain licensing requirements, and providing other properly related matters.

SSB 2226 Small Business/Economic Development

Relating to area agencies on aging competing with private enterprise in providing goods and services.

SSB 2227 Small Business/Economic Development

Relating to technology enterprise zones, making an appropriation, and providing an effective date.

SSB 2228 Small Business/Economic Development

Providing a venture capital income tax credit and providing a retroactive applicability date.

SSB 2229 Small Business/Economic Development

Relating to tourist-oriented signs.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: February 6, 1990, 8:00 a.m.

Members Present: Priebe, Chair; Riordan, Vice Chair; Soorholtz, Ranking Member; Boswell, Coleman, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 456; approved LSBs 7764, 7495, 7499 and 7500 as committee bills; Jim Kirk, Farm Credit Bank of Omaha, Gale Cameron, PCA and Federal Land Bank Assn. of Omaha and Charley Caldwell, Assistant General Council and Legislative Officer, appeared before the committee.

Adjourned: 9:00 a.m.

APPROPRIATIONS

Convened: February 6, 1990, 3:41 p.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Pate, Peterson, Rensink, Riordan, Running, Sturgeon and Varn.

Members Absent: Tinsman (excused).

Committee Business: Approved LSB 7298 as a committee bill and ordered redrafted for final approval as a committee bill.

Adjourned: 4:49 p.m.

EDUCATION

Convened: February 6, 1990, 1:35 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Boswell, Bruner, Corning, Deluhery, Dieleman, Hedge, Kibbie, Lind, Lloyd-Jones, Rensink, Szymoniak, Tieden and Varn.

Members Absent: Tinsman (excused).

Committee Business: Assigned bills to subcommittees and discussed bills.

Adjourned: 2:30 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: February 6, 1990, 2:35 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Pate, Ranking Member; Connolly, Hedge, Miller, Rife, Soorholtz, Sturgeon and Varn.

Members Absent: none.

Committee Business: Recommended passage of Senate Files 2158, 2010 and 2041; recommended confirmation of Governor's appointee; assigned bills to subcommittees.

Adjourned: 2:55 p.m.

JUDICIARY

Convened: February 6, 1990, 9:46 a.m.

Members Present: Varn, Chair; Mann, Vice Chair; Gentleman, Ranking Member; Deluhery, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Taylor and Welsh.

Members Absent: Coleman, Drake and Murphy.

Committee Business: Recommended confirmation of Governor's appointees; recommended passage of Senate File 2015 as amended; recommended passage of Senate File 2156; approved SSB 2171 as a committee bill.

Adjourned: 10:17 a.m.

LOCAL GOVERNMENT

Convened: February 6, 1990, 9:46 a.m.

Members Present: Miller, Chair; Szymoniak, Vice Chair; Vande Hoef, Ranking Member; Fraise, Goodwin, Jensen, Kinley and Priebe.

Members Absent: Murphy and Tinsman (excused).

Committee Business: Assigned bills to subcommittees; approved SSBs 2023 and 2089 as committee bills; amended and approved SSB 2021 as a committee bill; discussed Senate File 2111 and SSB 2110.

Adjourned: 10:32 a.m.

STATE GOVERNMENT

Convened: February 6, 1990, 10:36 a.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Horn, Rife, Running, Soorholtz and Vande Hoef.

Members Absent: Hannon (excused).

Committee Business: Recommended confirmation of Governor's appointees; recommended passage of Senate Files 2168, 2198, 2057 and 2206; approved SSBs 2007 and 2148 as committee bills; amended SSB 2016 and ordered redrafted for final approval as a committee bill; deferred action on Senate File 2207.

Adjourned: 11:50 a.m.

TRANSPORTATION

Convened: February 6, 1990, 2:35 p.m.

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

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of House File 2143; approved LSB 7952 and SSBs 2180 and 2136 as committee bills; recommended passage of Senate Files 2036 and 2056 as amended; recommended confirmation of Governor's appointees; discussed and deferred action on Senate Files 2036 and 2184.

Adjourned: 3:25 p.m.

REPORTS OF STANDING COMMITTEES
(Place nominees 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 following Governor's appointments, completed its investigations on February 7, 1990, and recommended the appointees be confirmed:

Richard L. Timmerman as Director of the Iowa Department of Economic Development.

James L. Churchill, Merlin Plagge and Rose Rennekamp as members of the Wallace Technology Transfer Foundation of Iowa.

TRANSPORTATION

Pursuant to Senate Rule 59, the committee on Transportation assigned to investigate the following Governor's appointments, completed its investigations on February 6, 1990, and recommended the appointees be confirmed:

Ann Marie Rhodes, Leland A. Thomson and Janet Kathleen Yates as members of the Iowa Highway Research Board.

WAYS AND MEANS

Pursuant to Senate Rule 59, the committee on Ways and Means assigned to investigate the Governor's appointment of Noral D. Johnson as a member of the Iowa Railway Finance Authority, completed its investigation on February 5, 1990, and recommended the appointee be confirmed:

SUBCOMMITTEE ASSIGNMENTS

Senate File 2215

WAYS & MEANS: Palmer, Chair; Murphy and Hester

Senate File 2221

HUMAN RESOURCES: Sturgeon, Chair; Connolly and Hagerla

Senate File 2222

WAYS AND MEANS: Dieleman, Chair; Riordan, Husak, Szymoniak, Hultman, Gentleman and Drake

Senate File 2223

WAYS AND MEANS: Dieleman, Chair; Riordan, Husak, Szymoniak, Hultman, Gentleman and Drake

Senate File 2228

STATE GOVERNMENT: Coleman, Chair; Hannon and Nystrom

Senate File 2229

HUMAN RESOURCES: Horn, Chair; Hannon and Gentleman

House File 2048

STATE GOVERNMENT: Horn, Chair; Fraise and Soorholtz

House File 2177

HUMAN RESOURCES: Tinsman, Chair; Hannon and Bruner

House File 2178

HUMAN RESOURCES: Hannon, Chair; Riordan and Tinsman

House File 2213

COMMERCE: Gronstal, Chair; Rife and Running

House File 2233

STATE GOVERNMENT: Running, Chair; Dieleman and Gentleman

SSB 2200

WAYS & MEANS: Husak, Chair; Fraise, Palmer, Hester and Drake

SSB 2206

WAYS & MEANS: Dieleman, Chair; Riordan, Husak, Szymoniak, Hultman, Gentleman and Drake

SSB 2207

WAYS & MEANS: Dieleman, Chair; Connolly and Hester

SSB 2208

WAYS & MEANS: Bruner, Chair; Palmer and Gentleman

SSB 2209

WAYS & MEANS: Connolly, Chair; Szymoniak and Soorholtz

SSB 2210

WAYS & MEANS: Dieleman, Chair; Murphy and Hester

SSB 2215

COMMERCE: Rife, Chair; Gronstal and Running

SSB 2216

COMMERCE: Palmer, Chair; Gronstal and Nystrom

SSB 2217

COMMERCE: Gronstal, Chair; Lind and Hannon

SSB 2218

EDUCATION: Murphy, Chair; Horn and Lind

SSB 2220

STATE GOVERNMENT: Running, Chair; Kibbie and Soorholtz

SSB 2221

STATE GOVERNMENT: Kibbie, Chair; Coleman and Soorholtz

SSB 2222

STATE GOVERNMENT: Fraise, Chair; Gronstal and Gentleman

SSB 2223

WAYS & MEANS: Szymoniak, Chair; Dieleman and Hester

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Final Bill Action: Senate File 2237, a bill for an act regulating certain sales of agricultural property, and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Priebe, Riordan, Soorholtz, Boswell, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 1: Coleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 2239, a bill for an act to increase the percentage of the state ceiling allocated to qualified small issue bonds issued for first-time farmers, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Priebe, Riordan, Soorholtz, Boswell, Coleman, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, none.

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 Agriculture Committee on Senate File 2239 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 2240, a bill for an act relating to the transfer of racing dogs.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Priebe, Riordan, Soorholtz, Boswell, Coleman, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, none.

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 Agriculture Committee on Senate File 2240 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 2241, a bill for an act relating to the importation of bees and bee-related items, increasing certain fees, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Priebe, Riordan, Soorholtz, Boswell, Coleman, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BUSINESS AND LABOR RELATIONS

Final Bill Action: SENATE FILE 2169, a bill for an act relating to actions by employers by prohibiting employers from taking certain deductions from employees' wages and requiring employers to provide certain services for non-English speaking employees.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Peterson, Sturgeon, Gettings, Mann, Palmer and Running. Nays, 2: Hultman and Vande Hoef. Absent or not voting, 2: Fuhrman and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2249 (SSB 2091), a bill for an act relating to workers' health, safety, and welfare, by providing an expedited hearing process for certain contested cases, requiring payment of medical expenses of an injured employee in certain circumstances, staying debt collection proceedings against an employee by a person providing treatment pending resolution of a contested case before the industrial commissioner, altering certain formulas for the calculation of benefits, establishing initial hearing deadlines, requiring certain unannounced inspections, authorizing certain administrative search warrants, and imposing certain benefit payment requirements and penalties for unreasonable

denial or nonpayment of medical benefits, exempting union agents and employees from certain tort liability, and providing applicability and effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Peterson, Sturgeon, Gettings, Mann, Palmer and Running. Nays, 4: Fuhrman, Hultman, Taylor and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 29, a bill for an act relating to the recovery of unemployment compensation overpayments.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Peterson, Sturgeon, Gettings, Mann, Palmer and Running. Nays, 4: Fuhrman, Hultman, Taylor and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 736, a bill for an act relating to the use of integrity tests as a condition of employment and providing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Peterson, Sturgeon, Gettings, Mann, Palmer and Running. Nays, 4: Fuhrman, Hultman, Taylor and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 2246 (SSB 2029), a bill for an act relating to persons authorized to certify information for a birth certificate.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hannon, Bruner, Corning, Connolly, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2247 (SSB 2093), a bill for an act relating to schedule II controlled substances.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hannon, Bruner, Corning, Connolly, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2248 (SSB 2195), a bill for an act relating to certain advertising by a hearing aid dealer.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hannon, Bruner, Corning, Connolly, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 103, a senate resolution relating to the Honorable Donald V. Doyle.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Hutchins, Gettings, Hultman, Jensen, Kinley and Lloyd-Jones. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE RESOLUTION 105, a senate resolution relating to the sesquicentennial of Loras College.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Hutchins, Gettings, Hultman, Jensen, Kinley and Lloyd-Jones. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 109, a concurrent resolution recognizing the efforts of United States Army Specialist Thomas Hageman in the service of his country.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Hutchins, Gettings, Hultman, Jensen, Kinley and Lloyd-Jones. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2156, a bill for an act relating to membership of members and part-time employees of the general assembly in the state group insurance plan, and providing effective and retroactive applicability dates.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-5055.

Final Vote: Ayes, 6: Hutchins, Gettings, Hultman, Jensen, Kinley and Lloyd-Jones. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: SENATE FILE 2252 (SSB 2168), a bill for an act relating to the Iowa logo program and the use of the logo.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Boswell, Hannon, Hagerla, Connolly, Kibbie, Lind, Pate, Rife, Scott and Vande Hoef. Nays, 1: Peterson. Absent or not voting, 1: Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 2251 (SSB 2148), a bill for an act relating to regulation of fireworks and making a penalty applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Kibbie, Lloyd-Jones, Nystrom, Dieleman, Fraise, Gentleman, Gronstal, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 3: Coleman, Drake and Hannon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: HOUSE FILE 2143, a bill for an act regulating the parking of motor vehicles on snow routes, and providing a penalty.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2036, a bill for an act relating to the issuance of prisoner of war registration plates to the surviving spouse of a prisoner of war.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5057.

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

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2056, a bill for an act to provide for the erection and maintenance of wildlife reflectors along public highways.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5056.

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

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2243 (SSB 2180), a bill for an act relating to jurisdictional transfers of roads to cities and counties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Coleman, Scott, Dieleman, Doyle, Gettings, Goodwin, Jensen and Nystrom. Nays, 1: Lloyd-Jones. Absent or not voting, 1: Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2244, a bill for an act relating to parking fines, handicapped parking spaces, and handicapped identification devices.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2245 (SSB 2136), a bill for an act relating to bids for certain specialized highway or bridge construction projects.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 2181, a bill for an act altering the penalty for late payment of the solid waste tonnage fee.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Dieleman, Husak, Hester, Bruner, Connolly, Drake, Fraise, Fuhrman, Gentleman, Hultman, Palmer, Riordan, Soorholtz and Szymoniak. Nays, none. Absent or not voting, 1: Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2250 (SSB 2210), a bill for an act relating to the salaries paid to chaplains employed in state institutions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Dieleman, Husak, Hester, Bruner, Connolly, Drake, Fraise, Fuhrman, Hultman, Palmer, Riordan, Soorholtz and Szymoniak. Nays, 1: Gentleman. Absent or not voting, 1: Murphy.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5054	S. F.	2212	Michael E. Gronstal
S—5055	H. F.	2156	Rules and Administration
S—5056	S. F.	2056	Transportation
S—5057	S. F.	2036	Transportation
S—5058	S. F.	2163	Richard Vande Hoef Mark Hagerla

AFTERNOON SESSION

The Senate reconvened at 4:32 p.m., President pro tempore Mann 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 February 6, 1990, adopted the conference committee report and passed **House File 178**, a bill for an act relating to the department of inspections and appeals and its licensing, rulemaking, and enforcement authority with respect to health and human resources matters, and providing properly related matters.

INTRODUCTION OF BILLS

Senate File 2237, by committee on Agriculture, a bill for an act regulating certain sales of agricultural property, and providing a penalty.

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

Senate File 2238, by Welsh, a bill for an act relating to nonprofit corporations licensed to conduct gambling games and pari-mutuel wagering by requiring certain corporate meetings to be open to the public and by authorizing the sale of alcoholic beverages at a race track offering pari-mutuel wagering, and subjecting violators to existing enforcement proceedings and damages.

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

Senate File 2239, by committee on Agriculture, a bill for an act to increase the percentage of the state ceiling allocated to qualified small issue bonds issued for first-time farmers, and providing an effective date.

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

Senate File 2240, by committee on Agriculture, a bill for an act relating to the transfer of racing dogs.

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

Senate File 2241, by committee on Agriculture, a bill for an act relating to the importation of bees and bee-related items, increasing certain fees, and providing penalties.

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

Senate File 2242, by Priebe, a bill for an act relating to the duties of the lieutenant governor and providing an effective date.

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

Senate File 2243, by committee on Transportation, a bill for an act relating to jurisdictional transfers of roads to cities and counties.

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

Senate File 2244, by committee on Transportation, a bill for an act relating to parking fines, handicapped parking spaces, and handicapped identification devices.

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

Senate File 2245, by committee on Transportation, a bill for an act relating to bids for certain specialized highway or bridge construction projects.

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

Senate File 2246, by committee on Human Resources, a bill for an act relating to persons authorized to certify information for a birth certificate.

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

Senate File 2247, by committee on Human Resources, a bill for an act relating to schedule II controlled substances.

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

Senate File 2248, by committee on Human Resources, a bill for an act relating to certain advertising by a hearing aid dealer.

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

Senate File 2249, by committee on Business and Labor, a bill for an act relating to workers' health, safety, and welfare, by providing an expedited hearing process for certain contested cases, requiring payment of medical expenses of an injured employee in certain circumstances, staying debt collection proceedings against an employee by a person providing treatment pending resolution of a contested case before the industrial commissioner, altering certain formulas for the calculation of benefits, establishing initial hearing deadlines, requiring certain unannounced inspections, authorizing certain administrative search warrants, and imposing certain benefit payment requirements and penalties for unreasonable denial or nonpayment of medical benefits, exempting union agents and employees from certain tort liability, and providing applicability and effective dates.

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

Senate File 2250, by committee on Ways and Means, a bill for an act to the salaries paid to chaplains employed in state institutions.

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

Senate File 2251, by committee on State Government, a bill for an act relating to regulation of fireworks and making a penalty applicable.

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

Senate File 2252, by committee on Small Business and Economic Development, a bill for an act relating to the Iowa logo program and the use of the logo.

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

President Zimmerman took the chair at 4:36 p.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 106, by Vande Hoef, a resolution to request that an interim study committee be established to study practices by railroad companies delivering Iowa grain.

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

QUORUM CALL

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

The vote revealed 42 present, 8 absent and a quorum present.

BUSINESS PENDING

Senate File 2212

The Senate resumed consideration of Senate File 2212, a bill for an act relating to and making supplemental appropriations or decreasing appropriations to the department of human services, Iowa department of public health, state board of regents, department of general services, department of inspections and appeals, department of employment services, department of commerce, state department of transportation, department of corrections, department of public safety, department of justice, judicial department, department of elder affairs, department of agriculture and land stewardship, department of natural resources, department of cultural affairs, department of education, and college aid commission for the remainder of the fiscal year ending June 30, 1990, and providing an effective date, previously deferred.

Senator Welsh offered amendment S—5041 filed by the committee on Appropriations on February 2, 1990, to pages 4, 6, 19 and to the title page of the bill.

Senator Hultman withdrew amendment S—5046 filed by him on February 5, 1990, to amendment S—5041.

Senator Welsh asked and received unanimous consent to withdraw amendment S—5041.

Senator Gronstal offered amendment S—5054 filed by him from the floor to page 10 of the bill and moved its adoption.

Amendment S—5054 was adopted by a voice vote.

Senator Hutchins asked and received unanimous consent that action on **Senate File 2212** be **deferred**.

**ADOPTION OF RESOLUTION
(Regular Calendar)**

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Resolution 105.

Senate Resolution 105

On motion of Senator Connolly, Senate Resolution 105, a resolution relating to the sesquicentennial of Loras College, with report of committee recommending passage, was taken up for consideration.

Senator Connolly moved the adoption of Senate Resolution 105, which motion prevailed by a voice vote.

HOUSE AMENDMENT CONSIDERED

Senate File 280

Senator Kibbie called up for consideration Senate File 280, a bill for an act relating to the provision of economic development assistance to communities by authorizing certain property tax exemptions, amended by the House, and moved that the Senate concur in House amendment S—5037 filed January 30, 1990.

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

Senator Kibbie 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. 280) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones

Mann	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Miller	Szymoniak	Tinsman
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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 2212

The Senate resumed consideration of Senate File 2212, previously deferred.

Senator Husak offered amendment S—5064 filed by Senators Husak and Soorholtz from the floor to page 1 of the bill and moved its adoption.

Amendment S—5064 was adopted by a voice vote.

Senator Pate offered amendment S—5061 filed by him from the floor to page 5 and the title page of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5061 be adopted?” (S.F 2212) the vote was:

Ayes, 18:

Corning	Fuhrman	Gentleman	Goodwin
Hagerla	Hedge	Hester	Hultman
Jensen	Lind	Nystrom	Pate
Rensink	Rife	Soorholtz	Taylor
Tieden	Vande Hoef		

Nays, 31:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Gronstal	Hannon
Horn	Husak	Hutchins	Kibbie
Kinley	Lloyd-Jones	Mann	Miller
Murphy	Palmer	Peterson	Priebe
Riordan	Running	Scott	Sturgeon
Szymoniak	Varn	Welsh	

Absent or not voting, 1:

Tinsman

Amendment S—5061 lost.

Senator Running offered amendment S—5062 filed by Senators Running, Hultman and Drake, from the floor to page 5 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 21, nays 27.

Amendment S—5062 lost.

Senator Lind offered amendment S—5063 filed by him from the floor to page 20 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5063 be adopted?" (S.F. 2212) the vote was:

Ayes, 19:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Gronstal	Hagerla	Hedge
Hester	Hultman	Jensen	Lind
Nystrom	Pate	Rensink	Rife
Taylor	Tieden	Vande Hoef	

Nays, 30:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Doyle	Fraise
Gettings	Hannon	Horn	Husak

Hutchins	Kibbie	Kinley	Lloyd-Jones
Mann	Miller	Murphy	Palmer
Peterson	Priebe	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Varn	Welsh		

Absent or not voting, 1:

Tinsman

Amendment S—5063 lost.

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

On the question "Shall the bill pass?" (S.F. 2212) the vote was:

Ayes, 33:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Fraise	Gettings	Gronstal	Hannon
Horn	Husak	Hutchins	Jensen
Kibbie	Kinley	Lloyd-Jones	Mann
Miller	Murphy	Palmer	Peterson
Priebe	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Varn
Welsh			

Nays, 16:

Drake	Fuhrman	Gentleman	Goodwin
Hagerla	Hedge	Hester	Hultman
Lind	Nystrom	Pate	Rensink
Rife	Taylor	Tieden	Vande Hoef

Absent or not voting, 1:

Tinsman

The bill having 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 2212** be **immediately messaged** to the House.

INTRODUCTION OF BILLS

Senate File 2253, by Welsh, a bill for an act prohibiting certain driving in the left lane on controlled-access highways, interstates, and freeways.

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

Senate File 2254, by Coleman, a bill for an act relating to semiannual installment payments of registration fees for certain commercial vehicles.

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

Senate File 2255, by Welsh, a bill for an act relating to building contracts and mechanics or materialmen's liens by material suppliers against a subcontractor.

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

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. R.	106	Rules and Administration
S. F.	2233	Judiciary
S. F.	2234	Appropriations
S. F.	2235	Transportation
S. F.	2236	Judiciary
S. F.	2238	State Government
S. F.	2242	State Government
S. F.	2253	Transportation
S. F.	2254	Transportation
S. F.	2255	Commerce

COMMITTEE REPORTS

COMMERCE

Final Bill Action: SENATE FILE 2100, a bill for an act relating to fraternal benefit societies, imposing penalties, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Palmer, Deluhery, Jensen, Gronstal, Hannon, Kinley, Lind, Mann, Nystrom, Pate, Priebe, Rife, Running, Tieden and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 2201, a bill for an act relating to the family support subsidy program.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Hannon, Bruner, Corning, Connolly, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon and Taylor. Nays, none. Absent or not voting, 1: Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2256 (SSB 2119.1, a bill for an act relating to the authority of physician assistants and advanced registered nurse practitioners to prescribe and supply prescription drugs and controlled substances.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Hannon, Bruner, Connolly, Horn, Murphy, Riordan, Sturgeon and Taylor. Nays, 2: Gentleman and Hagerla. Absent or not voting, 2: Corning and Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2257 (SSB 2028), a bill for an act relating to the distribution of lists of certified ophthalmic dispensers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Hannon, Bruner, Corning, Connolly, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon and Taylor. Nays, none. Absent or not voting, 1: Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 2258, a bill for an act restricting the conditions under which a third-party payor of medical benefits may limit coverage for prescription drugs.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Hannon, Bruner, Corning, Connolly, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon and Taylor. Nays, none. Absent or not voting, 1: Tinsman.

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 Human Resources Committee on Senate File 2258 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 2259 (SSB 2032), a bill for an act relating to juvenile substance abuse programs licensed by the Iowa department of public health by requiring criminal record and child abuse registry screening of persons employed by the programs.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Hannon, Bruner, Corning, Connolly, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon and Taylor. Nays, none. Absent or not voting, 1: Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 2260 (SSB 2207), a bill for an act relating to sale and use taxation of certain museums by providing certain refunds and exemptions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Dieleman, Husak, Hester, Bruner, Connolly, Drake, Fraise, Gentleman, Hultman, Palmer, Riordan, Soorholtz and Szymoniak. Nays, 1: Fuhrman. Absent or not voting, 1: Murphy.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 2256, by the committee on Human Resources, a bill for an act relating to the authority of physician assistants and advanced registered nurse practitioners to prescribe and supply prescription drugs and controlled substances.

Read first time under Rule 28 and placed on calendar.

Senate File 2257, by the committee on Human Resources, a bill for an act relating to the distribution of lists of certified ophthalmic dispensers.

Read first time under Rule 28 and placed on calendar.

Senate File 2258, by committee on Human Resources, a bill for an act restricting the conditions under which a third-party payor of medical benefits may limit coverage for prescription drugs.

Read first time under Rule 28 and **placed on calendar.**

Senate File 2259, by committee on Human Resources, a bill for an act relating to juvenile substance abuse programs licensed by the Iowa department of public health by requiring criminal record and child abuse registry screening of persons employed by the programs.

Read first time under Rule 28 and **placed on calendar.**

Senate File 2260, by committee on Ways and Means, a bill for relating to sale and use taxation of certain museums by providing certain refunds and exemptions.

Read first time under Rule 28 and **placed on Ways and Means calendar.**

AMENDMENTS FILED

S—5059	H.F.	2156	Jean Lloyd-Jones Bill Hutchins
S—5060	S.F.	2100	Richard Running Emil J. Husak
S—5061	S.F.	2212	Paul D. Pate
S—5062	S.F.	2212	Richard Running Calvin Hultman Richard Drake
S—5063	S.F.	2212	Jim Lind
S—5064	S.F.	2212	Emil Husak John Soorholtz
S—5065	S.F.	2064	Donald Doyle Kenneth Scott
S—5066	S.F.	2114	Charles Bruner Elaine Szymoniak William Dieleman

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:40 p.m., until 9:00 a.m., Thursday, February 8, 1990.

JOURNAL OF THE SENATE

THIRTY-SECOND CALENDAR DAY
TWENTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 8, 1990

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

Prayer was offered by Monsignor James Barta, President of Loras College, Dubuque, Iowa.

President Zimmerman presented Monsignor Barta with an enrolled copy of Senate Resolution 105, a resolution relating to the sesquicentennial of Loras College, adopted by the Senate on February 7, 1990.

The Journal of Wednesday, February 7, 1990, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Riordan for the morning on request of Senator Hutchins; Senator Soorholtz for the day on request of Senator Fuhrman; and Senator Jensen for a portion of the morning on request of Senator Hultman.

INTRODUCTION OF BILLS

Senate File 2261, by committee on State Government, a bill for an act relating to the filing of uniform commercial code financing statements by permitting a filing officer to accept for filing a copy of a signature and authorizing the adoption of rules to permit electronic filing of financing statements.

Read first time and placed on calendar.

Senate File 2262, by committee on State Government, a bill for an act relating to licensure to practice veterinary medicine without an examination.

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

Senate File 2263, by committee on State Government, a bill for an act authorizing a board of trustees of certain public hospitals to establish a separate fund for depreciation.

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

Senate File 2264, by committee on State Government, a relating to the commission and division of the department of human rights designated for Spanish-speaking people.

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

UNFINISHED BUSINESS
(Deferred February 2, 1990)

Senate File 2094

The Senate resumed consideration of Senate File 2094, a bill for an act providing rulemaking authority to the auditor of state to establish a fee schedule for certain services, deferred February 2, 1990.

Senator Gronstal offered amendment S—5050 filed by him on February 6, 1990, to page 1 of the bill and moved its adoption.

Amendment S—5050 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. 2094) the vote was:

Ayes, 45:

Boswell	Bruner	Coleman	Connolly
Deluhery	Corning	Dieleman	Doyle
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Running	Scott	Sturgeon	Szymoniak

Taylor
Varn

Tieden

Tinsman

Vande Hoef

Nays, none.

Absent or not voting, 5:

Drake
Welsh

Lind

Riordan

Soorholtz

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

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2115.

Senate File 2115

On motion of Senator Fraise, Senate File 2115, a bill for an act relating to state income taxation by exempting certain bonds and notes issued by the agricultural development authority and providing a retroactive applicability date, 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. 2115) the vote was:

Ayes, 46:

Boswell
Corning
Fraise
Gronstal
Hester
Hutchins
Lind
Murphy
Peterson
Running
Taylor
Varn

Bruner
Dieleman
Fuhrman
Hagerla
Horn
Jensen
Lloyd-Jones
Nystrom
Priebe
Scott
Tieden
Welsh

Coleman
Doyle
Gettings
Hannon
Hultman
Kibbie
Mann
Palmer
Rensink
Sturgeon
Tinsman

Connolly
Drake
Goodwin
Hedge
Husak
Kinley
Miller
Pate
Rife
Szymoniak
Vande Hoef

Nays, 2:

Deluhery Gentleman

Absent or not voting, 2:

Riordan Soorholtz

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

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 2094 and 2115** be **immediately messaged** to the House.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 2246** be referred from the Regular Calendar to the committee on **Human Resources**.

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 5, 1990, passed the following bill in which the concurrence of the Senate is asked:

House File 673, a bill for an act allowing a county to allocate a portion of its secondary road fund allotment to its county conservation board for improvement, construction, or reconstruction of county conservation parkways.

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

INTRODUCTION OF BILLS

Senate Joint Resolution 2003, by Rensink, a joint resolution proposing the establishment of a state office of disability prevention activities and requiring certain state agencies to

perform various activities and to submit a report relating to coordination of disability prevention programs.

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

Senate File 2265, by committee on State Government, a bill for an act relating to medical examiners' certifications prior to cremations.

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

Senate File 2266, by Priebe, a bill for an act relating to the simultaneous telecast of greyhound dog races involving pari-mutuel wagering.

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

Senate File 2267, by committee on Small Business and Economic Development, a bill for an act relating to income taxation by providing a new jobs tax credit for small businesses and providing a retroactive applicability date.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 10:04 a.m., until 3:30 p.m.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

Senate File 2083

JUDICIARY: Varn, Chair; Murphy and Hester

Senate File 2197

JUDICIARY: Mann, Chair; Murphy and Fuhrman

Senate File 2214

JUDICIARY: Gronstal, Chair; Murphy, Varn, Hester and Drake

Senate File 2219

JUDICIARY: Varn, Chair; Murphy and Fuhrman

Senate File 2224

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Hagerla, Chair; Kibbie and Connolly

Senate File 2227

LOCAL GOVERNMENT: Szymoniak, Chair; Miller and Jensen

House File 512

JUDICIARY: Deluhery, Chair; Horn and Taylor

House File 2057

LOCAL GOVERNMENT: Tinsman, Chair; Priebe and Fraise

SSB 2226

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Rife, Chair; Peterson and Boswell

SSB 2227

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Rife, Chair; Boswell and Kibbie

SSB 2228

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Scott, Chair; Boswell and Rife

SSB 2229

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Lind, Chair; Rife and Scott

REPORTS OF COMMITTEE MEETINGS**BUSINESS AND LABOR RELATIONS**

Convened: February 7, 1990, 10:40 a.m.

Members Present: Peterson, Chair; Sturgeon, Vice Chair; Fuhrman, Ranking Member; Gettings, Hultman, Mann, Palmer, Running, Taylor and Vande Hoef.

Members Absent: none.

Committee Business: Assigned bill to subcommittee; amended and approved SSB 2091 as a committee bill; recommended passage of Senate File 2169, and House Files 736 and 29; deferred House File 156; recommended confirmation of Governor's appointee.

Adjourned: 11:25 a.m.

HUMAN RESOURCES

Convened: February 7, 1990, 2:42 p.m.

Members Present: Hannon, Chair; Bruner, Vice Chair; Corning, Ranking Member; Connolly, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon and Taylor.

Members Absent: Tinsman (excused).

Committee Business: Recommended passage of Senate File 2201; approved SSBs 2028, 2032 and 2119.1 as committee bills; amended and approved SSB 2149 as a committee bill.

Adjourned: 3:17 p.m.

RULES AND ADMINISTRATION

Convened: February 7, 1990, 8:55 a.m.

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

Members Absent: none.

Committee Business: Recommended passage of Senate Concurrent Resolution 109, Senate Resolutions 103 and 105 and House File 2156 as amended; approved staff education assistance request.

Adjourned: 9:10 a.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: February 7, 1990, 8:05 a.m.

Members Present: Boswell, Chair; Hannon, Vice Chair; Hagerla, Ranking Member; Connolly, Kibbie, Lind, Pate, Peterson, Rife, Scott and Vande Hoef.

Members Absent: Szymoniak (excused).

Committee Business: Approved SSB 2164 and 2168 as committee bills; approved Senate File 257 as amended; recommended confirmation of Governor's appointees.

Adjourned: 8:45 a.m.

STATE GOVERNMENT

Convened: February 7, 1990, 3:37 p.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running and Soorholtz.

Members Absent: Vande Hoef (excused).

Committee Business: Approved SSBs 2161, 2220, 2221, 2170, 2162, 2074, 2016 and 2178 as committee bills; assigned bills to subcommittees.

Adjourned: 4:35 p.m.

WAYS AND MEANS

Convened: February 7, 1990, 10:00 a.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hester, Ranking Member; Bruner, Connolly, Drake, Fraise, Fuhrman, Gentleman, Hultman, Palmer, Riordan, Soorholtz and Szymoniak.

Members Absent: Murphy.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 2181; approved SSBs 2210 and 2207 as committee bills; overview of SSB 2223.

Adjourned: 10:35 a.m.

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 2212, the following corrections were made:

1. Page 13, line 21, the words "section 25" were changed to the words "section 26".
2. Page 13, line 23, the words "section 25" were changed to the words "section 26".

JOHN F. DWYER
Secretary of the Senate

CERTIFICATE OF RECOGNITION

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

Edward Harlman, Burlington — For celebrating his 110th birthday on February 12. Senator Hagerla (February 6, 1990).

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 appointment, completed its investigation on February 6, 1990, and recommended the appointee be confirmed:

Lester D. Menke as a member of the Board of Educational Examiners.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the following Governor's appointment, completed its investigation on February 6, 1990, and recommended the appointee be confirmed:

Bruce Tamisiea as a member of the Iowa Product Development Corporation.

COMMITTEE REPORTS

COMMERCE

Final Bill Action: SENATE FILE 2271 (SSB 290), a bill for an act specifying the required contents of a plan for bank merger or consolidation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Palmer, Deluhery, Jensen, Gronstal, Hannon, Kinley, Lind, Mann, Nystrom, Pate, Priebe, Rife, Running, Tieden and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2272 (SSB 2123), a bill for an act relating to authorizing telegraph and telephone companies to continue to provide notice and impose limitations on liability in connection with deregulated services, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Palmer, Deluhery, Jensen, Gronstal, Hannon, Kinley, Lind, Mann, Nystrom, Pate, Priebe, Rife, Running, Tieden and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2273 (SSB 2154), a bill for an act relating to the rental of motor vehicles for a period of four months or less from a location in this state, and authorizing civil and criminal penalties and remedies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Palmer, Deluhery, Jensen, Gronstal, Hannon, Kinley, Mann, Nystrom, Pate, Priebe, Rife, Running, Tieden and Welsh. Nays, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 658, a bill for an act relating to savings and loan associations and their regulation by the superintendent of savings and loans.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5069.

Final Vote: Ayes, 15: Palmer, Deluhery, Jensen, Gronstal, Hannon, Kinley, Lind, Mann, Nystrom, Pate, Priebe, Rife, Running, Tieden and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 340, a bill for an act imposing a civil penalty and remedies for a maker of an instrument assessed a surcharge, such as a bad check fee, in excess of the amount permitted by law.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Varn, Mann, Gentleman, Coleman, Deluhery, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn and Taylor. Nays, none. Absent or not voting, 2: Murphy and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2197, a bill for an act relating to violations of an individual's rights, by prohibiting interference with the contractual or business relations of another person, by prohibiting acts of assault and criminal mischief, providing victims actionable civil relief against offenders, establishing a program to monitor rights violations, and providing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Varn, Mann, Gentleman, Coleman, Deluhery, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Murphy, Taylor and Welsh. Nays, none. Absent or not voting, 1: Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2279, a bill for an act relating to the liability of a volunteer, sports program physician.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Varn, Mann, Gentleman, Coleman, Deluhery, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn and Taylor. Nays, none. Absent or not voting, 2: Murphy and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 2275 (SSB 2021), a bill for an act relating to the duties of the county recorder by imposing a fee for recording and indexing certain instruments, and by providing for the issuance of certain transcripts.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Kinley and Priebe. Nays, none. Absent or not voting, 2: Murphy and Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: SENATE FILE 2224, a bill for an act defining a political subdivision for participation in rural community 2000 programs.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Boswell, Hannon, Hagerla, Connolly, Kibbie, Lind, Pate, Peterson, Rife, Scott, Szymoniak and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2267 (SSB 2164), a bill for an act relating to income taxation by providing a new jobs tax credit for small businesses and providing a retroactive applicability date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Boswell, Hannon, Hagerla, Connolly, Kibbie, Lind, Pate, Peterson, Rife, Scott and Vande Hoef. Nays, none. Absent or not voting, 1: Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2277 (SSB 2229), a bill for an act relating to tourist-oriented signs.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Boswell, Hannon, Hagerla, Connolly, Kibbie, Lind, Pate, Peterson, Rife, Scott, Szymoniak and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 2261 (SSB 2016), a bill for an act relating to the filing of uniform commercial code financing statements by permitting a filing officer to accept for filing a copy of a signature and authorizing the adoption of rules to permit electronic filing of financing statements.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Kibbie, Lloyd-Jones, Nystrom, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running and Soorholtz. Nays, none. Absent or not voting, 1: Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2262 (SSB 2170), a bill for an act relating to licensure to practice veterinary medicine without an examination.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Kibbie, Lloyd-Jones, Nystrom, Coleman, Dieleman, Drake, Fraise, Gentleman, Horn, Rife, Running and Soorholtz. Nays, 2: Gronstal and Hannon. Absent or not voting, 1: Vande Hoef.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2263 (SSB 2221), a bill for an act authorizing a board of trustees of certain public hospitals to establish a separate fund for depreciation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Kibbie, Lloyd-Jones, Nystrom, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running and Soorholtz. Nays, none. Absent or not voting, 1: Vande Hoef.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2264 (SSB 2178), a bill for an act relating to the commission and division of the department of human rights designated for Spanish-speaking people.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes. 14: Kibbie, Lloyd-Jones, Nystrom, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running and Soorholtz. Nays, none. Absent or not voting, 1: Vande Hoef.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2265 (SSB 2162), a bill for an act relating to medical examiners' certifications prior to cremations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes. 12: Kibbie, Lloyd-Jones, Nystrom, Coleman, Drake, Fraise, Gentleman, Gronstal, Horn, Rife, Running and Soorholtz. Nays, 2: Dieleman and Hannon. Absent or not voting, 1: Vande Hoef.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2268 (SSB 2074), a bill for an act changing the time deadlines for submission of state agency affirmative action plans and annual reports and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes. 14: Kibbie, Lloyd-Jones, Nystrom, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running and Soorholtz. Nays, none. Absent or not voting, 1: Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2269 (SSB 2220), a bill for an act relating to the percent of receipts from games of skill and games of chance dedicated and distributed by a qualified organization.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Kibbie, Nystrom, Fraise, Hannon, Horn, Rife, Running and Soorholtz. Nays, 5: Lloyd-Jones, Coleman, Dieleman, Drake and Gronstal. Absent or not voting, 2: Gentleman and Vande Hoef.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2276, a bill for an act relating to weighting and measuring devices, and establishing fees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes. 14: Kibbie, Lloyd-Jones, Nystrom, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running and Soorholtz. Nays, none. Absent or not voting, 1: Vande Hoef.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

STUDY BILLS RECEIVED

SSB 2230 Business & Labor Relations

Relating to the applicability of the annual readjustment of pensions to certain retired members of a retirement system under chapter 411, and providing an applicability date.

SSB 2231 Judiciary

Relating to juvenile justice by amending Code provisions regarding department of human services records, children in need of assistance, the child abuse information registry, and adoption.

SSB 2232 Judiciary

Relating to violations of civil rights involving physical, emotional, or financial harm, providing for the collection and dissemination of information relating to such violations, providing for recovery of reasonable attorney fees, and providing penalties.

SSB 2233 Judiciary

Relating to the requirements for establishing a power of attorney authorized to make decisions.

SSB 2234 Judiciary

Relating to state administrative rules, providing for style and form and for the assignment of identification numbers, specifying official citations, providing a pilot project for the separate publication of certain rules, and making an appropriation.

SSB 2235 Judiciary

Relating to notarial officers and notarial acts and providing effective and applicability dates.

SSB 2236 Judiciary

Relating to the uniform management of institutional funds Act.

SSB 2237 Judiciary

Relating to the release of privileged information.

SSB 2238 Judiciary

Relating to expert witness fees.

SSB 2239 Judiciary

Relating to surcharges imposed upon the makers of dishonored negotiable instruments.

SSB 2240 Judiciary

Relating to rejection of an appointed lawyer or lawyers by a client of an attorney who has died or been suspended or disbarred.

SSB 2241 Judiciary

Relating to medical support for children receiving child support and certain dependents.

SSB 2242 Education

A concurrent resolution to welcome and encourage diverse cultures and diverse languages in business, government, and private affairs in Iowa.

SSB 2243 Environment & Energy Utilities

Relating to energy efficiency.

SSB 2244 Environment & Energy Utilities

Relating to the prohibition of the use of certain pesticides, and making a penalty applicable.

SSB 2245 Education

Relating to open enrollment of students attending public schools.

SSB 2246 Education

Relating to the allocation of moneys between phases II and III in the educational excellence program.

SSB 2247 Transportation

Relating to the acquisition of rights-of-way for highways.

AMENDMENTS FILED

S-5067	S.F.	2104	Richard Vande Hoef
S-5068	S.F.	2097	Jean Lloyd-Jones
S-5069	H.F.	658	Commerce
S-5070	S.F.	2268	Jean Lloyd-Jones
S-5071	S.F.	138	House amendment
S-5072	S.F.	81	House amendment

AFTERNOON SESSION

The Senate reconvened at 3:32 p.m., Senator Welsh presiding.

QUORUM CALL

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

The vote revealed 48 present, 2 absent and a quorum present.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Horn asked and received unanimous consent to take up out of order Senate File 2097.

Senate File 2097

On motion of Senator Gronstal, Senate File 2097, a bill for an act relating to the mediation of disputes between dentists and patients by the board of dental examiners, with report of committee recommending passage, was taken up for consideration.

Senator Lloyd-Jones withdrew amendment S—5068 filed by her 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. 2097) the vote was:

Ayes, 49:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Sturgeon	Szymoniak	Taylor

Tieden
Welsh

Tinsman

Vande Hoef

Varn

Nays, none.

Absent or not voting, 1:

Soorholtz

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

Senator Horn asked and received unanimous consent to take up out of order House File 2001.

House File 2001

On motion of Senator Gronstal, House File 2001, a bill for an act relating to elections by revising provisions governing voting booth requirements, 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. 2001) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Drake

Jensen

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 to take up out of order Senate File 2210.

Senate File 2210

On motion of Senator Horn, Senate File 2210, a bill for an act relating to student teaching in accredited school districts or private schools, 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. 2210) the vote was:

Ayes, 48:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

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

Senator Horn asked and received unanimous consent to take up for consideration House File 2156.

House File 2156

On motion of Senator Lloyd-Jones, House File 2156, a bill for an act relating to membership of members and part-time employees of the general assembly in the state group insurance plan, and providing effective and retroactive applicability dates, with report of committee recommending passage, was taken up for consideration.

Senator Hutchins offered amendment S—5055 filed by the committee on Rules and Administration on February 7, 1990, to page 1 of the bill and moved its adoption.

Amendment S—5055 was adopted by a voice vote.

Senator Lloyd-Jones offered amendment S—5059 filed by Senators Lloyd-Jones and Hutchins on February 7, 1990, to page 2 of the bill and moved its adoption.

Amendment S—5059 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. 2156) the vote was:

Ayes, 44:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Hagerla	Hannon	Hedge
Hester	Horn	Husak	Hutchins
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Varn	Welsh

Nays, none.

Absent or not voting, 6:

Drake	Gronstal	Hultman	Jensen
Soorholtz	Vande Hoef		

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 2156** be **immediately messaged** to the House.

Senator Horn asked and received unanimous consent to take up out of order Senate File 2078.

Senate File 2078

On motion of Senator Riordan, Senate File 2078, a bill for an act regulating certain pesticide dealers, by modifying licensure fees and certain reporting requirements, with report of committee on Ways and Means recommending passage, was taken up for consideration.

President pro tempore Mann took the chair at 4:05 p.m.

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. 2078) the vote was:

Ayes, 43:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Hagerla	Hannon	Hedge
Hester	Horn	Husak	Hutchins
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Running	Scott
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Varn	Welsh	

Nays, 1:

Peterson

Absent or not voting, 6:

Drake	Gronstal	Hultman	Jensen
Soorholtz	Vande Hoef		

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 2137.

Senate File 2137

On motion of Senator Gettings, Senate File 2137, a bill for an act providing for the disposal of forfeited weapons, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2137) the vote was:

Ayes, 44:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Hagerla	Hannon	Hedge
Hester	Horn	Husak	Hutchins
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Varn	Welsh

Nays, none.

Absent or not voting, 6:

Drake	Gronstal	Hultman	Jensen
Soorholtz	Vande Hoef		

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

UNFINISHED BUSINESS
(Deferred February 5, 1990)

Senate File 2163

The Senate resumed consideration of Senate File 2163, a bill for an act relating to the composition and election of county agricultural extension councils, enacting transitional provisions, and providing an effective date, deferred on February 5, 1990.

Senator Vande Hoef offered amendment S—5058 filed by Senators Vande Hoef and Hagerla on February 7, 1990, to page 3 of the bill and moved its adoption.

Amendment S—5058 was adopted by a voice vote.

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

On the question “Shall the bill pass?” (S.F. 2163) the vote was:

Ayes, 46:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Sturgeon
Szymoniak	Taylor	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 1:

Tieden

Absent or not voting, 3:

Drake	Jensen	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.

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 6, 1990, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 81, a bill for an act relating to consumer transactions involving the performance of repairs or service upon a motor vehicle, and imposing penalties (S—5072).

Senate File 138, a bill for an act to change the name of the county board of supervisors to the board of commissioners (S—5071).

ALSO: That the House has on February 6, 1990, passed the following bill in which the concurrence of the Senate is asked:

House File 2056, a bill for an act relating to boxing and wrestling matches by imposing certain admission fees and requiring the proceeds from the fees collected to be used to promote amateur boxing in this state.

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

INTRODUCTION OF BILLS

Senate File 2268, by committee on State Government, a bill for an act changing the time deadlines for submission of state agency affirmative action plans and annual reports and providing an effective date.

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

Senate File 2269, by committee on State Government, a bill for an act relating to the percent of receipts from games of skill and games of chance dedicated and distributed by a qualified organization.

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

Senate File 2270, by Priebe, a bill for an act relating to the licensing of persons to practice massage and body therapy and of the establishments in which they practice.

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

Senate File 2271, by committee on Commerce, a bill for an act specifying the required contents of a plan for bank merger or consolidation.

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

Senate File 2272, by committee on Commerce, a bill for an act authorizing telegraph and telephone companies to continue to provide notice and impose limitations on liability in connection with deregulated services, and providing an effective date.

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

Senate File 2273, by committee on Commerce, a bill for an act relating to the rental of motor vehicles for a period of four months or less from a location in this state, and authorizing civil and criminal penalties and remedies.

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

Senate File 2274, by Hutchins and Hultman, a bill for an act relating to targeted small businesses, and imposing penalties.

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

Senate File 2275, by committee on Local Government, a bill for an act relating to the duties of the county recorder by imposing a fee for recording and indexing certain instruments, and by providing for the issuance of certain transcripts.

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

Senate File 2276, by committee on State Government, a bill for an act relating to weighing and measuring devices, and establishing fees.

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

Senate File 2277, by committee on Small Business and Economic Development, a bill for an act relating to tourist-oriented signs.

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

Senate File 2278, by Nystrom, a bill for an act relating to security interests in farm products, by providing for notice of certain security interests, establishing a centralized filing system, providing penalties, and providing an effective date.

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

Senate File 2279, by committee on Judiciary, a bill for an act relating to the liability of a sports program health care volunteer.

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

Senate File 2280, by committee on Appropriations, a bill for an act relating to and making appropriations to various state agencies including certain state 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, increasing certain fees, changing the procurement program, and providing for repeals of certain provisions.

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

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

Senate File 2220

APPROPRIATIONS: Gronstal, Chair; Riordan and Corning

Senate File 2234

APPROPRIATIONS: Gronstal, Chair; Tieden and Husak

SSB 2230

BUSINESS & LABOR RELATIONS: Peterson, Chair; Sturgeon and Hultman

SSB 2231

JUDICIARY: Deluhery, Chair; Horn and Hester

SSB 2232

JUDICIARY: Mann, Chair; Murphy and Fuhrman

SSB 2233

JUDICIARY: Murphy, Chair; Deluhery and Drake

SSB 2235

JUDICIARY: Hester, Chair; Gronstal and Gettings

SSB 2237

JUDICIARY: Mann, Chair; Coleman and Hester

SSB 2238

JUDICIARY: Coleman, Chair; Mann and Hester

SSB 2241

JUDICIARY: Horn, Chair; Deluhery and Hester

SSB 2242

EDUCATION: Lloyd-Jones, Chair; Corning and Taylor

SSB 2244

ENVIRONMENT & ENERGY UTILITIES: Deluhery, Chair; Varn and Hedge

SSB 2245

EDUCATION: Murphy, Chair; Horn and Lind

SSB 2246

EDUCATION: Murphy, Chair; Horn and Taylor

GOVERNOR'S VETO MESSAGE

February 8, 1990

The Honorable Jo Ann Zimmerman
President of the Senate
State Capitol Building
L O C A L

Dear Madam President:

Senate File 385, an act relating to the scope of negotiations for purposes of public employment collective bargaining, is hereby disapproved and transmitted to you in accordance with Article III, Section 16, of the Constitution of the State of Iowa.

Senate File 385 amends the Iowa Public Employment Relations Act by adding the words "matters of discipline and dismissal" to the list of mandatory subjects of bargaining in Section 20.9 of the Code of Iowa. I am very concerned about the need to maintain a balance between the rights of public employers and employees under collective bargaining and I am not inclined to tip that balance in favor of either employee or employer.

During the period since 1974, when the Iowa Public Employment Relations Act was created, the issues which are mandatory subjects of bargaining have been broadened by a number of decisions by the courts and by the Public Employment Relations Board. For example, a decision by the Iowa Supreme Court effectively expanded the scope of negotiations to include evaluation criteria as a mandatory subject of bargaining. Public employers have asserted that the balance has already been tipped in favor of public employees by these decisions, especially in view of the use of binding arbitration as the method for ultimately resolving disputes under Chapter 20.

Senate File 385 fails to address a possible conflict which may arise between the provisions of a contract relating to discipline and dismissal and the statutory termination procedures for certificated school employees under Chapter 279 of the Code. In the absence of provisions which would clarify this conflict, it is conceivable that employers and employees in schools would be faced with the burden

of following both procedures. If both procedures were used and produced conflicting results, the final outcome of a termination would be unclear. This concern also applies to employees who are protected by civil service procedures under Chapter 400.

Matters of discipline and dismissal continue to be permissive subjects of bargaining which can be brought to the bargaining table by either the employer or employee organization. For example, the contract between the state of Iowa and its public employees currently includes procedures relating to discipline and dismissal. Public employers and employees will continue to mutually agree to include such procedures in their bargaining agreements.

The Public Employment Relations Act has served the citizens of Iowa well and has provided for the smooth functioning of government at the state and local levels. In recent years, public employers and employees have begun to explore new avenues of collaboration outside of the formal bargaining process to discuss issues of mutual concern. This has been particularly true in the education community under Phase III of the Educational Excellence Act. Joint labor-management committees facilitated by the Public Employment Relations Board can also serve to promote cooperative activities among public employers and organizations which represent public employees.

In summary, any future changes to the Iowa Public Employment Relations Act should incorporate provisions which address the concerns of both public employers and public employees, should maintain a balance between employer and employee rights, and should not jeopardize future opportunities for employers and employees to work together outside of the bargaining process for the improvement of education and other important public services.

For the above reasons, I hereby respectfully disapprove Senate File 385.

Sincerely,
TERRY E. BRANSTAD
Governor

BILLS ASSIGNED TO COMMITTEE

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

S. J. R.	2003	State Government
S. F.	2266	State Government
S. F.	2270	Human Resources
S. F.	2274	Small Business & Economic Development
S. F.	2278	Commerce
H.F.	2056	State Government

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MADAM PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Richard L. Timmerman be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar".

BEVERLY A. HANNON

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 2280, a bill for an act relating to and making appropriations to various state agencies including certain state 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, increasing certain fees, changing the procurement program, and providing for repeals of certain provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Welsh, Boswell, Corning, Fraise, Gettings, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Peterson, Rensink, Riordan, Running, Sturgeon and Varn. Nays, 3: Tieden, Goodwin and Tinsman. Absent or not voting, 2: Bruner and Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 2282 (SSB 119), a bill for an act relating to the addition of family visitations to the list of appropriate conditions for allowing an inmate placed on work release status to leave the state.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Varn, Mann, Gentleman, Coleman, Deluhery, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn and Taylor. Nays, none. Absent or not voting, 2: Murphy and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2283 (SSB 2173), a bill for an act relating to the deductibility of liabilities for state inheritance tax purposes.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Varn, Mann, Gentleman, Coleman, Deluhery, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Murphy and Taylor. Nays, none. Absent or not voting, 2: Horn and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2284 (SSB 2187), a bill for an act relating to establishing title where a surviving spouse is a joint tenant of real estate with a deceased spouse.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Varn, Mann, Gentleman, Coleman, Deluhery, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester and Taylor. Nays, none. Absent or not voting, 3: Horn, Murphy and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2285 (SSB 2185), a bill for an act relating to the subrogation rights of a person against another who initiates an action for damages resulting from personal injury, providing for the establishment of a lien, and providing for the applicability of the Act.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Varn, Mann, Gentleman, Coleman, Deluhery, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Murphy and Taylor. Nays, none. Absent or not voting, 2: Horn and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2286 (SSB 2171), a bill for an act relating to satisfaction of a support order by direct payment to the person who is to receive the payment.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Varn, Mann, Gentleman, Deluhery, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Taylor and Welsh. Nays, none. Absent or not voting, 3: Coleman, Drake and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 2281, by Hedge and Pate, a bill for an act relating to the establishment of pilot projects for the collection of pesticide containers, and making an appropriation.

Read first time under Rule 28 and **passed on file**.

Senate File 2282, by committee on Judiciary, a bill for an act relating to the addition of family visitations to the list of appropriate conditions for allowing an inmate placed on work release status to leave the state.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2283, by committee on Judiciary, a bill for an act relating to the deductibility of liabilities for state inheritance tax purposes.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2284, by committee on Judiciary, a bill for an act relating to establishing title where a surviving spouse is a joint tenant of real estate with a deceased spouse.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2285, by committee on Judiciary, a bill for an act relating to the subrogation rights of a person against another who initiates an action for damages resulting from personal injury, providing for the establishment of a lien, and providing for the applicability of the Act.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2286, by committee on Judiciary, a bill for an act relating to satisfaction of a support order by direct payment to the person who is to receive the payment.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2287, by Deluhery, Tinsman and Rife, a bill for an act relating to the creation of an interstate metropolitan authority, by specifying the powers and duties of the authority, by authorizing certain counties to join the authority, by providing

for the imposition of a retail sales tax and the certification of a property tax levy, by providing for the issuance of revenue bonds, by authorizing the imposition of fines for certain violations, and by providing an effective date.

Read first time under Rule 28 and passed on file.

AMENDMENTS FILED

S—5073	S.F.	2015	Don Gettings Linn Fuhrman Ray Taylor
S—5074	S.F.	2080	Richard Vande Hoef
S—5075	S.F.	2121	Tom Mann Beverly Hannon

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:22 p.m., until 9:00 a.m., Friday, February 9, 1990.

JOURNAL OF THE SENATE

THIRTY-THIRD CALENDAR DAY
TWENTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, February 9, 1990

The Senate met in regular session at 9:21 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Gerald McGee, pastor of the United Methodist Church, Monroe, Iowa.

The Journal of Thursday, February 8, 1990, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bruner for the day on request of Senator Hutchins.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 112, by Scott, a concurrent resolution relating to Vietnam veterans and recognizing the need for programs and services for veterans and their families.

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.

CONFERENCE COMMITTEE REPORT ADOPTED

House File 178

Senator Dieleman called up the conference committee report

on House File 178, a bill for an act relating to the department of inspections and appeals and its licensing, rulemaking, and enforcement authority with respect to health and human resources matters, and provided properly related matters, filed on February 2, 1990, 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 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. 178) the vote was:

Ayes, 47:

Boswell	Coleman	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Peterson	Priebe	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Bruner	Pate	Rensink
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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 2, 1990)

House File 730

The Senate resumed consideration of House File 730, a bill for an act relating to the adoption of rules by the real estate commission

imposing certain requirements on real estate brokers and salespersons, and providing an effective date, deferred February 2, 1990.

Senator Palmer offered amendment S—5052 filed by Senators Palmer, Miller and Coleman on February 6, 1990, to page 2 of the bill, moved its adoption and requested a record roll call.

On the question “Shall amendment S—5052 be adopted?” (H.F. 730) the vote was:

Ayes, 26:

Corning	Deluhery	Doyle	Drake
Fuhrman	Gentleman	Goodwin	Hagerla
Hannon	Hester	Horn	Kinley
Mann	Miller	Murphy	Palmer
Peterson	Priebe	Rife	Riordan
Soorholtz	Szymoniak	Tieden	Tinsman
Vande Hoef	Welsh		

Nays, 20:

Boswell	Connolly	Dieleman	Fraise
Gettings	Gronstal	Hedge	Husak
Hutchins	Jensen	Kibbie	Lind
Lloyd-Jones	Nystrom	Pate	Rensink
Running	Sturgeon	Taylor	Varn

Voting present, 1:

Hultman

Absent or not voting, 3:

Bruner	Coleman	Scott
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Amendment S—5052 was adopted.

Senator Running asked and received unanimous consent that action on **House File 730** be deferred.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2181.

Senate File 2181

On motion of Senator Connolly, Senate File 2181, a bill for an act altering the penalty for late payment of the solid waste tonnage fee, with report of committee on Ways and Means recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2181) the vote was:

Ayes, 48:

Boswell	Coleman	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Bruner	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 to take up out of order Senate File 2213.

Senate File 2213

On motion of Senator Horn, Senate File 2213, a bill for an act relating to the appointment of administrative law judges for the board of educational examiners for certain administrative hearings, 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. 2213) the vote was:

Ayes, 48:

Boswell	Coleman	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Bruner Scott

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

House File 2068

On motion of Senator Murphy, House File 2068, a bill for an act providing technical changes to the financing of education programs of school districts and providing a retroactive effective date, with report of committee recommending passage, was taken up for consideration.

Senator Rife offered amendment S—5076 filed by him from the floor to page 5 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5076 be adopted?" (H.F. 2068) the vote was:

Ayes, 31:

Coleman	Corning	Deluhery	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Hagerla	Hannon	Hedge
Hester	Hultman	Husak	Jensen
Kibbie	Kinley	Lind	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Sturgeon	Taylor
Tieden	Tinsman	Vande Hoef	

Nays, 15:

Boswell	Connolly	Dieleman	Doyle
Gronstal	Horn	Hutchins	Lloyd-Jones
Miller	Murphy	Riordan	Running
Szymoniak	Varn	Welsh	

Absent or not voting, 4:

Bruner	Mann	Scott	Soorholtz
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Amendment S—5076 was adopted.

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

On the question "Shall the bill pass?" (H.F. 2068) the vote was:

Ayes, 48:

Boswell	Coleman	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Horn	Hultman	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Bruner

Scott

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

President pro tempore Mann took the chair at 10:40 a.m.

HOUSE AMENDMENT CONSIDERED

Senate File 81

Senator Palmer called up for consideration Senate File 81, a bill for an act relating to consumer transactions involving the performance of repairs or service upon a motor vehicle, and imposing penalties, amended by the House, and moved that the Senate concur in House amendment S—5072 filed February 8, 1990.

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

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

On the question "Shall the bill pass?" (S.F. 81) the vote was:

Ayes, 44:

Boswell	Coleman	Connolly	Corning
Deluhery	Dieleman	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Hagerla	Hannon	Hedge	Horn
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Varn	Welsh

Nays, none.

Voting present, 1:

Doyle

Absent or not voting, 5:

Bruner

Gronstal

Hester

Hultman

Vande Hoef

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

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 2113.

House File 2113

On motion of Senator Tinsman, House File 2113, a bill for an act requiring name change petitioners to attach certified copies of birth certificates for each person seeking a name change to the name change petition, with report of committee recommending passage, was taken up for consideration.

Senator Tinsman moved that the bill be read the last time now and placed upon its passage, 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	Coleman	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Hagerla	Hannon	Hedge
Horn	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Varn	Welsh

Nays, none.

Absent or not voting, 6:

Bruner	Gronstal	Hester	Hultman
Peterson	Vande Hoef		

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

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2057.

Senate File 2057

On motion of Senator Kinley, Senate File 2057, a bill for an act relating to the conduct of pari-mutuel racing by simultaneous telecast, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2057) the vote was:

Ayes, 27:

Coleman	Connolly	Deluhery	Doyle
Drake	Gentleman	Gettings	Hagerla
Horn	Husak	Kibbie	Kinley
Lind	Mann	Miller	Murphy
Palmer	Priebe	Rife	Riordan
Running	Soorholtz	Sturgeon	Tieden
Tinsman	Varn	Welsh	

Nays, 14:

Boswell	Corning	Dieleman	Fuhrman
Goodwin	Hannon	Hedge	Hester
Jensen	Lloyd-Jones	Pate	Rensink
Scott	Taylor		

Absent or not voting, 9:

Bruner	Fraise	Gronstal	Hultman
Hutchins	Nystrom	Peterson	Szymoniak
Vande Hoef			

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 2057** be **immediately messaged** to the House.

Senator Horn asked and received unanimous consent to take up out of order Senate File 2158.

Senate File 2158

On motion of Senator Gettings, Senate File 2158, a bill for an act permitting the shared ownership, operation, or cooperative use of publicly owned petroleum storage facilities by more than one public agency or political subdivision, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2158) the vote was:

Ayes, 43:

Boswell	Coleman	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fuhrman	Gentleman	Gettings	Goodwin
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Varn	Welsh	

Nays, none.

Absent or not voting, 7:

Bruner	Fraise	Gronstal	Hultman
Hutchins	Nystrom	Vande Hoef	

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

Senate File 2168

On motion of Senator Dieleman, Senate File 2168, a bill for an act relating to temporary permits issued to practice cosmetology or barbering, with report of committee recommending passage, was taken up for consideration.

Senator Gentleman asked and received unanimous consent that action on **Senate File 2168** be **deferred**.

INTRODUCTION OF BILLS

Senate File 2288, by Rife, a bill for an act relating to and appropriating funds to the department of human services for programs that benefit at-risk children.

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

Senate File 2289, by Szymoniak, a bill for an act relating to child endangerment, and increasing criminal penalties.

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

Senate File 2290, by committee on Judiciary, a bill for an act relating to the theft of fish from private fish hatcheries.

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

Senate File 2291, by committee on Commerce, a bill for an act relating to the interest rate charged in connection with a renewal or extension of time under a retail motor vehicle installment contract.

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

Senate File 2292, by Varn, a bill for an act to establish a law enforcement officer student loan repayment program.

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

Senate File 2293, by Varn, a bill for an act relating to mobile home annual tax reductions and property tax credits and rent reimbursements for the elderly by lowering the minimum age qualification and providing an effective date.

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

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. C. R.	112	Rules & Administration
S. F.	2281	Appropriations
S. F.	2287	Local Government
S. F.	2288	Appropriations
S. F.	2289	Judiciary
S. F.	2292	Education
S. F.	2293	Ways & Means
H. F.	673	Transportation

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 8, 1990, 11:40 a.m.

Members Present: Bruner, Chair; Szymoniak, Vice Chair; Corning, Ranking Member; Deluhery and Fuhrman.

Members Absent: none.

Committee Business: Approved appropriations bill.

Adjourned: 12:19 p.m.

APPROPRIATIONS

Convened: February 8, 1990, 2:47 p.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn.

Members Absent: Bruner and Pate (both excused).

Committee Business: Approved LSB 7298 as a committee bill; amended LSB 7296 and ordered redrafted as a committee bill.

Recessed: 3:30 p.m.

Reconvened: February 8, 1990, 4:33 p.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Lind, Lloyd-Jones, Pate, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn.

Members Absent: Jensen (excused).

Committee Business: Amended LSB 7291 and ordered redrafted for final approval as a committee bill.

Adjourned: 5:40 p.m.

COMMERCE

Convened: February 7, 1990, 1:30 p.m.

Members Present: Palmer, Chair; Deluhery, Vice Chair; Jensen, Ranking Member; Gronstal, Hannon, Kinley, Lind, Mann, Nystrom, Pate, Priebe, Rife, Running, Tieden and Welsh.

Members Absent: none.

Committee Business: Approved SSBs 290, 2154 and 2123 as committee bills; approved SSB 2121 as amended; recommended passage of Senate File 2100; recommended passage of House File 658 as amended; discussed and deferred action on Senate Files 2121 and 252 and SSB 2084; assigned bills to subcommittees.

Adjourned: 2:30 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: February 8, 1990, 1:37 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Pate, Ranking Member; Connolly, Hedge, Miller, Rife, Sturgeon and Varn.

Members Absent: Soorholtz (excused).

Committee Business: Deferred action on Senate File 2086; assigned bills to subcommittees; assigned subcommittees for the energy efficiency study bill.

Adjourned: 2:25 p.m.

JUDICIARY

Convened: February 8, 1990, 10:48 a.m.

Members Present: Varn, Chair; Mann, Vice Chair; Gentleman, Ranking Member; Coleman, Deluhery, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Murphy, Taylor and Welsh.

Members Absent: none.

Committee Business: Approved SSBs 119, 2187, 2056, 2125, 2173 and 2185 as committee bills; recommended passage of Senate Files 340 and 2197; deferred action on SSB 2237; amended and approved Senate File 2066 as a committee bill.

Adjourned: 11:37 a.m.

LOCAL GOVERNMENT

Convened: February 8, 1990, 8:11 a.m.

Members Present: Miller, Chair; Szymoniak, Vice Chair; Vande Hoef, Ranking Member; Fraise (arrived 8:30), Goodwin, Kinley (arrived 8:14), Murphy, Priebe and Tinsman.

Members Absent: Jensen (excused).

Committee Business: Approved SSB 2021 as a committee bill; discussed SSB 2110; assigned bills to subcommittees.

Adjourned: 9:06 a.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: February 8, 1990, 10:10 a.m.

Members Present: Boswell, Chair; Hannon, Vice Chair; Hagerla, Ranking Member; Connolly, Kibbie, Lind, Pate, Peterson, Rife, Scott, Szymoniak and Vande Hoef.

Members Absent: none.

Committee Business: Recommended confirmation of Governor's appointee; approved SSB 2229 as a committee bill; recommended passage of Senate File 2224.

Adjourned: 10:45 a.m.

PRESENTATION OF VISITORS

Senator Jensen welcomed the Honorable Charles Grassley, United States Senator from Iowa, who was present in the Senate gallery.

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

Sixty fifth grade students from Garton Elementary School, Des Moines, Iowa, accompanied by Jan Hochstetler. Senators Kinley and Palmer.

REPORT OF STANDING COMMITTEE (Place nominee on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 59, the committee on Business and Labor Relations assigned to investigate the following Governor's appointment, completed its investigation on February 7, 1990, and recommended the appointee be confirmed:

Michael R. Ellis as a member of the Job Service Advisory Council.

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which House File 178 passed the Senate on February 9, 1990.

JOE J. WELSH

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 81 passed the Senate on February 9, 1990.

JOHN W. JENSEN

SUBCOMMITTEE ASSIGNMENTS

Senate File 2226

EDUCATION: Murphy, Chair; Horn and Taylor

Senate File 2235

TRANSPORTATION: Drake, Chair; Jensen and Lloyd-Jones

Senate File 2253

TRANSPORTATION: Drake, Chair; Jensen and Lloyd-Jones

Senate File 2254

TRANSPORTATION: Doyle, Chair; Drake and Scott

House File 2132

EDUCATION: Lloyd-Jones, Chair; Szymoniak and Rensink

House File 2165

TRANSPORTATION: Gettings, Chair; Jensen and Dieleman

SSB 2219

APPROPRIATIONS: Welsh, Chair; Riordan and Corning

SSB 2243

ENVIRONMENT AND ENERGY UTILITIES: Deluhery, Chair; Gronstal and Pate

SSB 2247

TRANSPORTATION: Dieleman, Chair; Gettings and Goodwin

SSB 2248

EDUCATION: Dieleman, Chair; Murphy and Tieden

SSB 2250

TRANSPORTATION: Coleman, Chair; Doyle and Drake

SSB 2251

NATURAL RESOURCES: Doyle, Chair; Kibbie and Rensink

SSB 2252

NATURAL RESOURCES: Priebe, Chair; Doyle and Hedge

COMMITTEE REPORTS

COMMERCE

Final Bill Action: SENATE FILE 2291 (SSB 2121), a bill for an act relating to the interest rate charged in connection with a renewal or extension of time under a retail motor vehicle installment contract.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Palmer, Deluhery, Jensen, Gronstal, Hannon, Kinley, Lind, Mann, Nystrom, Pate, Priebe, Rife, Running, Tieden and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 2290 (SSB 2056), a bill for an act relating to the theft of fish from private fish hatcheries.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Varn, Mann, Gentleman, Coleman, Deluhery, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester and Taylor. Nays, none. Absent or not voting, 3: Horn, Murphy and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: SENATE FILE 257, a bill for an act relating to state agencies' and certain other tax-exempt or tax-supported entities' competition with for-profit private enterprise, by restricting the commercial activities of the state board of regents' institutions, changing provisions with regard to generally accepted accounting principles, altering the authority of the citizens' aide to investigate claims of unfair competition and make recommendations, and subjecting tax-exempt nonprofit entities to reporting requirements regarding competition with for-profit enterprises, imposing restrictions, and providing penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5078.

Final Vote: Ayes, 11: Boswell, Hannon, Hagerla, Connolly, Kibbie, Lind, Pate, Peterson, Rife, Scott and Vande Hoef. Nays, none. Absent or not voting, 1: Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STUDY BILLS RECEIVED

SSB 2248 Education

Providing an adopt-a-student income tax credit and providing effective and applicability dates.

SSB 2249 Environment & Energy Utilities

Authorizing a one thousand dollar civil penalty for each violation of a municipal ordinance regulating industrial wastewater pretreatment standards.

SSB 2250 Transportation

Relating to motor vehicle registration fees by allowing semiannual installment payments of registration fees for certain commercial vehicles, and to the use and issuance of motor vehicle licenses including provisions authorizing the issuance of commercial driver's licenses, setting fees for issuance of motor vehicle licenses, providing penalties, and making penalties applicable.

SSB 2251 Natural Resources

Relating scheduled fines and court procedures for certain violations of snowmobile and all-terrain vehicle regulations, game and fish regulations, and parks.

SSB 2252 Natural Resources

Relating to persons who are eligible for free deer and wild turkey licenses.

SSB 2253 Human Resources

Requiring contributions to a housing trust fund if new construction or renovation displaces low-income housing units, congregate living facilities, or homeless shelter beds.

AMENDMENTS FILED

S—5076	H.F.	2068	Jack Rife
S—5077	S.F.	2249	John Peterson

S—5078	S. F.	257	Small Business & Economic Development
S—5079	S. F.	2168	Richard Running

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 11:20 a.m., until 11:00 a.m., Monday, February 12, 1990.

JOURNAL OF THE SENATE

THIRTY-SIXTH CALENDAR DAY
TWENTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 12, 1990

The Senate met in regular session at 11:12 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Stuart Pastine, pastor of the Christian Reformed Church, Sanborn, Iowa.

The Journal of Friday, February 9, 1990, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Boswell for the morning on request of Senator Hutchins and Senators Jensen and Soorholtz for the day on request of Senator Hultman.

INTRODUCTION OF BILLS

Senate File 2294, by Vande Hoef, a bill for an act relating to the penalty for the sale of alcoholic beverages to persons under legal age.

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

Senate File 2295, by Vande Hoef, a bill for an act creating a bogus check restitution program to be administered by the county attorney, and establishing fees.

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

Senate File 2296, by Lloyd-Jones, a bill for an act relating to informal dispute resolution, establishing a council for dispute resolution, and relieving the office of prosecuting attorneys training coordinator of the department of justice of responsibility for the dispute resolution program.

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

Senate File 2297, by committee on Transportation, a bill for an act relating to arbitration agreements between manufacturers, distributors, or importers of motor vehicles and motor vehicle dealers.

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 37 present, 13 absent and a quorum present.

UNFINISHED BUSINESS (Deferred February 2, 1990)

House File 730

The Senate resumed consideration of House File 730, a bill for an act relating to the adoption of rules by the real estate commission imposing certain requirements on real estate brokers and salespersons, and providing an effective date, deferred February 2, 1990.

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

On the question "Shall the bill pass?" (H.F. 730) the vote was:

Ayes, 28:

Bruner	Coleman	Deluhery	Doyle
Drake	Goodwin	Hester	Horn
Husak	Hutchins	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Pate	Rife
Riordan	Running	Scott	Sturgeon
Szymoniak	Vande Hoef	Varn	Welsh

Nays, 14:

Corning	Dieleman	Fraise	Fuhrman
Gentleman	Gronstal	Hagerla	Hannon
Hedge	Peterson	Rensink	Taylor
Tieden	Tinsman		

Voting present, 1:

Hultman

Absent or not voting, 7:

Boswell	Connolly	Gettings	Jensen
Mann	Priebe	Soorholtz	

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

ADOPTION OF RESOLUTION (Regular Calendar)

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

1 SENATE RESOLUTION 103
 2 BY: Committee on Judiciary
 3 (SUCCESSOR TO LSB 7933SC)
 4 A Senate Resolution relating to the Honorable Donald V.
 5 Doyle.
 6 WHEREAS, the Honorable Senator Donald V. Doyle has
 7 stepped down from his position as Chairperson of the
 8 Senate's Committee on Judiciary after serving in that
 9 role for seven years; and
 10 WHEREAS, through those years of service, Senator
 11 Doyle has become one of the most knowledgeable
 12 individuals concerning the state's judicial and
 13 correctional systems; and
 14 WHEREAS, Senator Doyle's knowledgeable advice will
 15 be missed by the Committee during its consideration of
 16 the many pieces of proposed legislation which will
 17 come before the Committee; NOW THEREFORE,
 18 BE IT RESOLVED BY THE SENATE, That Senator Donald
 19 V. Doyle be thanked by the Senate for his dedication,
 20 hard work, and personal effort as Chairperson of the
 21 Senate Committee on Judiciary, and for his continuing
 22 knowledgeable contributions and guidance on matters
 23 relating to Iowa's judicial and correctional systems.

Senator Varn moved the adoption of Senate Resolution 103, which motion prevailed by a voice vote and the resolution was adopted.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 2187 and 2156.

Senate File 2187

On motion of Senator Sturgeon, Senate File 2187, a bill for an act relating to workers' health, safety, and welfare, and effecting funding for the second injury fund, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2187) the vote was:

Ayes, 43:

Bruner	Coleman	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 1:

Fuhrman

Absent or not voting, 6:

Boswell	Connolly	Gettings	Jensen
Mann	Soorholtz		

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

Senate File 2156

On motion of Senator Welsh, Senate File 2156, a bill for an act giving federal law enforcement officials peace officer status in certain instances, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2156) the vote was:

Ayes, 42:

Bruner	Coleman	Corning	Deluhery
Dieleman	Doyle	Fraise	Fuhrman
Gentleman	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Kibbie
Kinley	Lind	Lloyd-Jones	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 8:

Boswell	Connolly	Drake	Gettings
Jensen	Mann	Miller	Soorholtz

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

Senate File 2198

On motion of Senator Kibbie, Senate File 2198, a bill for an act relating to the sale of the United States flag in Iowa, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2198) the vote was:

Ayes, 41:

Bruner	Coleman	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Goodwin	Gronstal	Hagerla
Hedge	Horn	Hultman	Husak
Hutchins	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 9:

Boswell	Connolly	Fuhrman	Gettings
Hannon	Hester	Jensen	Mann
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 Senate Files 2232 and 2100.

Senate File 2232

On motion of Senator Lloyd-Jones, Senate File 2232, a bill for an act relating to indemnification of art exhibitors by the Iowa arts council, 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. 2232) the vote was:

Ayes, 44:

Bruner	Coleman	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins

Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 6:

Boswell	Connolly	Gettings	Jensen
Mann	Soorholtz		

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

Senate File 2100

On motion of Senator Running, Senate File 2100, a bill for an act relating to fraternal benefit societies, imposing penalties, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Running offered amendment S—5060 filed by Senators Running and Husak on February 7, 1990, to pages 1 through 3, 8 through 11, 13, 14, 20 and 23 of the bill and moved its adoption.

Amendment S—5060 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 2100) the vote was:

Ayes, 44:

Bruner	Coleman	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott

Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 6:

Boswell	Connolly	Gettings	Jensen
Mann	Soorholtz		

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 2200, 2241, 2267, 2275 and 2276** be referred from the Regular Calendar to the committee on **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**.

Senator Hultman asked and received unanimous consent that **Senate File 307** be referred from the Regular Calendar to the committee on **State Government** under Senate Rule 38.

INTRODUCTION OF BILLS

Senate File 2298, by Szymoniak, a bill for an act relating to zoning regulations for homes for developmentally disabled persons.

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

Senate File 2299, by Administrative Rules Review Committee, a bill for an act relating to disadvantaged business enterprises in conjunction with certain state department of transportation construction contracts involving federal highway funds.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:08 p.m., until 4:30 p.m.

APPENDIX

STUDY BILLS RECEIVED

SSB 2254 State Government

Relating to the historic resource development program.

SSB 2255 Local Government

Relating to the establishment, maintenance, and operation of storm water drainage systems and the payment of rates or charges.

SSB 2256 Human Resources

Relating to modification of child support orders.

SSB 2257 Human Resources

Relating to administrative procedures for the establishment, determination, and collection of certain spousal support debts.

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: February 9, 1990, 8:06 a.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Boswell, Corning, Deluhery, Dieleman, Hedge, Kibbie, Lind, Lloyd-Jones, Szymoniak, Tieden and Tinsman.

Members Absent: Bruner, Rensink and Varn (all excused).

Committee Business: Assigned bills to subcommittees and discussed bills.

Adjourned: 9:20 a.m.

TRANSPORTATION

Convened: February 9, 1990, 11:25 a.m.

Members Present: Coleman, Chair; Scott, Vice Chair; Drake, Ranking Member; Dieleman (arrived 11:48), Doyle, Gettings, Goodwin, Jensen and Lloyd-Jones.

Members Absent: Nystrom.

Committee Business: Assigned bills to subcommittees; approved SSB 2145 as a committee bill; discussed SSB 2250.

Adjourned: 11:50 a.m.

PETITIONS

The following petitions were presented and placed on file by:

Senator Coleman from one hundred eighteen residents of Webster County favoring legislation regarding open enrollment.

Senator Hutchins from twenty-two residents of Audubon County favoring legislation to change the open enrollment deadline to February 1, making that deadline retroactive to any families feeling the need to open enroll for the fall of 1990.

Senator Hutchins from thirteen residents of Audubon, Carroll and Crawford Counties favoring legislation supporting retirement benefits for the Iowa State Troopers Association.

EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate chamber for the period from Monday afternoon through Wednesday afternoon, February 5-7, 1990.

Had I been present, I would have voted "aye" on Senate Files 280, 2048, 2150, 2164, 2165 and House File 2142. I would have voted "nay" on Senate Files 2186 and 2212.

MAGGIE TINSMAN

CERTIFICATE OF RECOGNITION

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

The Pat Larkin Family, Ottumwa — Iowa's Commercial Cattle Producer of the Year. Senator Hedge (February 12, 1990).

PRESENTATION OF VISITORS

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

Three seventh grade students from Emmetsburg Community School, Emmetsburg, Iowa, accompanied by Dave Garrelts. Senator Kibbie.

REPORT OF STANDING COMMITTEE
(Place nominee on En Bloc Confirmation Calendar)

JUDICIARY

Pursuant to Senate Rule 59, the committee on Judiciary assigned to investigate the Governor's appointment of Edith Ann Westfall as a member of the Drug Abuse Prevention and Education Advisory Council, completed its investigation on February 12, 1990, and recommended the appointee be confirmed.

PLACEMENT ON INDIVIDUAL
CONFIRMATION CALENDAR

Pursuant to Senate Rule 59, the following Governor's appointee referred to the committee on Small Business and Economic Development on January 23, 1990, was automatically placed on the Individual Confirmation Calendar **without recommendation** on February 12, 1990:

Nancy Jane Tomes as a member of the Wallace Technology Transfer Foundation of Iowa.

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 2003

STATE GOVERNMENT: Hannon, Chair; Gentleman and Nystrom

Senate File 2217

NATURAL RESOURCES: Hester, Chair; Miller and Doyle

Senate File 2218

NATURAL RESOURCES: Husak, Chair; Doyle and Rensink

Senate File 2238

STATE GOVERNMENT: Horn, Chair; Dieleman and Rife

Senate File 2242

STATE GOVERNMENT: Coleman, Chair; Fraise and Drake

Senate File 2246

HUMAN RESOURCES: Gentleman, Chair; Hannon and Bruner

Senate File 2266

STATE GOVERNMENT: Running, Chair; Fraise and Drake

Senate File 2270

HUMAN RESOURCES: Gentleman, Chair; Hannon and Bruner

Senate File 2293WAYS AND MEANS: Dieleman, Chair; Riordan, Husak, Szymoniak, Hultman,
Gentleman and Drake**House File 673**

TRANSPORTATION: Jensen, Chair; Goodwin and Dieleman

House File 2056

STATE GOVERNMENT: Soorholtz, Chair; Fraise and Rife

SSB 2225

STATE GOVERNMENT: Horn, Chair; Fraise and Soorholtz

SSB 2234

JUDICIARY: Gronstal, Chair; Welsh and Drake

SSB 2236

JUDICIARY: Gronstal, Chair; Murphy and Drake

SSB 2240

JUDICIARY: Gronstal, Chair; Varn and Fuhrman

2SSB 2253

HUMAN RESOURCES: Hannon, Chair; Riordan and Tinsman

SSB 2254

STATE GOVERNMENT: Lloyd-Jones, Chair; Gentleman and Dieleman

SSB 2256

HUMAN RESOURCES: Bruner, Chair; Hannon and Tinsman

SSB 2257

HUMAN RESOURCES: Tinsman, Chair; Hannon and Riordan

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: SENATE FILE 2302 (SSB 2125), a bill for an act relating to crimes against the elderly and disabled persons by creating a cause of action and providing a civil penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Varn, Mann, Gentleman, Coleman, Deluhery, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Murphy, Taylor and Welsh. Nays, none. Absent or not voting, 1: Gettings.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 2297 (SSB 2145), a bill for an act relating to arbitration agreements between manufacturers, distributors, or importers of motor vehicles and motor vehicle dealers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Coleman, Scott, Drake, Doyle, Gettings, Goodwin, Jensen and Lloyd-Jones. Nays, none. Absent or not voting, 2: Dieleman and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 4:41 p.m., Senator Corning presiding.

INTRODUCTION OF BILLS

Senate File 2300, by Administrative Rules Review Committee, a bill for an act requiring reimbursement of certain transportation costs for health care facility residents eligible for medical assistance.

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

Senate File 2301, by Pate, a bill for an act relating to the the position of advocate of veterans affairs.

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

Senate File 2302, by committee on Judiciary, a bill for an act relating to crimes against the elderly and disabled persons by creating a cause of action and providing a civil penalty.

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

Senate File 2303, by Dieleman, Mann and Taylor, a bill for an act relating to the department of human services' procedures regarding child abuse investigations and treatment.

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

Senate File 2304, by committee on Ways and Means, a bill for an act relating to penalty and interest on cigarette, tobacco, motor fuel, individual income, withholding, corporation income, franchise, sales, use, retailer's use, environmental protection charge, inheritance, generation skipping transfer, and estate taxes, and providing effective and applicability dates.

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

Senate File 2305, by committee on Education, a bill for an act providing for the distribution of voter registration forms to students of public and nonpublic schools who have reached voting age or will reach voting age within six months.

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

Senate File 2306, by committee on Education, a bill for an act relating to open enrollment, including the general intent, notification dates, exceptions to notification dates, board action on requests, counting of pupils for state foundation aid purposes, student expulsion or suspension, qualification for transportation, and participation of laboratory schools, and providing an effective date.

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

APPENDIX

REPORTS OF STANDING COMMITTEE (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 February 12, 1990, and recommended the appointees be confirmed:

Don M. Gunderson, Calvin W. Halliburton, William L. Lepley, Vicki L. Hanson, Betty J. Hyde, Daniel R. Martinez, Monsignor W. Robert Schmidt, Rachel A. Stewart and Maureen A. White as members of the Board of Educational Examiners.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	2294	Judiciary
S. F.	2295	Local Government
S. F.	2296	State Government
S. F.	2298	Local Government
S. F.	2299	Transportation
S. F.	2300	Human Resources
S. F.	2301	State Government
S. F.	2303	Human Resources

COMMITTEE REPORTS

EDUCATION

Final Bill Action: SENATE FILE 2305 (SSB 2169), a bill for an act to require that public and nonpublic schools identify for the county commissioner of elections those students who have reached voting age or will reach voting age within six months.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Murphy, Horn, Taylor, Bruner, Corning, Deluhery, Dieleman, Hedge, Kibbie, Lind, Lloyd-Jones, Rensink, Tieden, Tinsman and Varn. Nays, none. Absent or not voting, 2: Boswell and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2306 (SSB 2218), a bill for an act relating to open enrollment, including the general intent, notification dates, exceptions to notification dates, board action on requests, counting of pupils for state foundation aid purposes, student expulsion or suspension, qualification for transportation, and participation of laboratory schools, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Murphy, Horn, Taylor, Bruner, Corning, Deluhery, Dieleman, Hedge, Kibbie, Lind, Lloyd-Jones, Rensink, Tieden, Tinsman and Varn. Nays, none. Absent or not voting, 2: Boswell and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 2221, a bill for an act requiring licensing of intermediate care facility units for residents with Alzheimer's disease and related disorders and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-5084.

Final Vote: Ayes, 11: Hannon, Bruner, Corning, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none. Absent or not voting, 1: Connolly.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2307 (SSB 2142), a bill for an act relating to health care facilities and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Hannon, Bruner, Corning, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, 1: Murphy. Absent or not voting, 1: Connolly.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2308 (SSB 2202), a bill for an act relating to dental prosthesis identification.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Hannon, Bruner, Corning, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none. Absent or not voting, 1: Connolly.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 2003, a bill for an act permitting a refund of unexpired motor vehicle registration fees to persons who sell their motor vehicles and who will no longer be driving.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Coleman, Scott, Drake, Dieleman, Doyle, Goodwin, Lloyd-Jones. Nays, none. Absent or not voting, 3: Gettings, Jensen and Nystrom.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2254, a bill for an act relating to semiannual installment payments of registration fees for certain commercial vehicles.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Coleman, Scott, Drake, Dieleman, Doyle, Goodwin, Lloyd-Jones. Nays, none. Absent or not voting, 3: Gettings, Jensen and Nystrom,

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2062, a bill for an act relating to auction sales of vehicles and providing a penalty.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5082.

Final Vote: Ayes, 7: Coleman, Scott, Drake, Dieleman, Doyle, Goodwin, Lloyd-Jones. Nays, none. Absent or not voting, 3: Gettings, Jensen and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 2304 (SSB 2223), a bill for an act relating to penalty and interest on cigarette, tobacco, motor fuel, individual income, withholding, corporation income, franchise, sales, use, retailer's use, environmental protection charge, inheritance, generation skipping transfer, and estate taxes, and providing effective and applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Dieleman, Husak, Hester, Bruner, Drake, Fraise, Fuhrman, Gentleman, Murphy, Palmer, Riordan, and Szymoniak. Nays, none. Absent or not voting, 3: Connolly, Hultman and Soorholtz.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 2307, by committee on Human Resources, a bill for an act relating to health care facilities and providing a penalty.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2308, by committee on Human Resources, a bill for an act relating to dental prosthesis identification.

Read first time under Rule 28 and **placed on calendar**.

AMENDMENTS FILED

S-5080	S. F.	2279	Richard Drake C. Joseph Coleman Alvin Miller John Nystrom
S-5081	S. F.	2224	Mark R. Hagerla
S-5082	S. F.	2062	Transportation
S-5083	S. F.	2168	Julia Gentleman Joy C. Corning
S-5084	S. F.	2221	Human Resources
S-5085	S. F.	2199	Patrick Deluhery

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 4:43 p.m., until 10:00 a.m., Tuesday, February 13, 1990.

JOURNAL OF THE SENATE

THIRTY-SEVENTH CALENDAR DAY
TWENTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 13, 1990

The Senate met in regular session at 10:10 a.m., Senator Coleman presiding.

Prayer was offered by the Reverend Carl Czirr, pastor of the First Reformed Church, Melvin, Iowa.

The Journal of Monday, February 12, 1990, was approved.

INTRODUCTION OF BILLS

Senate File 2309, by committee on State Government, a bill for an act relating to the issuance of class "A" liquor licenses to veterans organizations.

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

Senate File 2310, by Tinsman, Tieden, Welsh, Deluhery and Drake, a bill for an act providing a sales and service tax exemption for certain purchases by other states or political subdivisions of another state with reciprocal tax exemptions.

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

Senate File 2311, by committee on State Government, a bill for an act relating to unclaimed fees to conform with the uniform disposition of unclaimed property Act.

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

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 113, by Tinsman, Husak, Welsh, Tieden and Hultman, a concurrent resolution requesting the Legislative Council to authorize an interim study committee

to study the taxation of private pensions, both contributory and noncontributory.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 10:17 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: February 12, 1990, 12:09 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Bruner, Corning, Deluhery, Dieleman, Hedge, Kibbie, Lind, Lloyd-Jones, Rensink, Tieden, Tinsman and Varn.

Members Absent: Boswell and Szymoniak (both excused).

Committee Business: Amended and approved SSBs 2169 and 2218 as committee bills.

Adjourned: 12:16 p.m.

HUMAN RESOURCES

Convened: February 12, 1990, 2:39 p.m.

Members Present: Hannon, Chair; Bruner, Vice Chair; Corning, Ranking Member; Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman.

Members Absent: Connolly (excused).

Committee Business: SSB 2031 failed committee approval; approved SSBs 2202 and 2142 as committee bills; recommended passage of Senate File 2221 as amended.

Adjourned: 3:32 p.m.

JUDICIARY

Convened: February 12, 1990, 1:39 p.m.

Members Present: Varn, Chair; Mann, Vice Chair; Gentleman, Ranking Member; Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Murphy, Taylor and Welsh.

Members Absent: Gettings (excused).

Committee Business: Final approval of SSB 2125 as a committee bill; amended SSB 2238 and ordered redrafted for final approval as a committee bill.

Adjourned: 2:03 p.m.

STATE GOVERNMENT

Convened: February 12, 1990, 3:42 p.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running and Vande Hoef.

Members Absent: Nystrom, Ranking Member and Soorholtz (both excused).

Committee Business: Approved SSBs 2211 and 2015 as committee bills; Senate File 2031 failed recommendation for passage; amended and approved SSB 2177 and ordered redrafted as a committee bill; recommended passage of House File 2233.

Adjourned: 4:30 p.m.

TRANSPORTATION

Convened: February 12, 1990, 2:30 p.m.

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

Members Absent: Gettings, Jensen and Nystrom (all excused).

Committee Business: Assigned House File 673 to a subcommittee; recommended passage of Senate Files 2254 and 2003; recommended passage of Senate File 2062 as amended; amended and approved SSB 2179 and ordered redrafted for final approval as a committee bill; discussed and deferred action on Senate File 134.

Adjourned: 3:00 p.m.

WAYS AND MEANS

Convened: February 12, 1990, 10:25 a.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hester, Ranking Member; Bruner, Drake, Fraise, Fuhrman, Gentleman, Hultman, Murphy, Palmer, Riordan and Szymoniak.

Members Absent: Connolly and Soorholtz (both excused).

Committee Business: Assigned a bill to subcommittee; approved SSB 2223 as a committee bill; Carl Castelda, Department of Revenue and Finance, appeared before the committee.

Adjourned: 11:05 a.m.

EXPLANATION OF VOTES

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on February 12, 1990. Had I been present, I would have voted "aye" on Senate Files 2187, 2156, 2198, 2232 and 2100.

MIKE CONNOLLY

STUDY BILLS RECEIVED

SSB 2258 Judiciary

Relating to drug testing required by federal statute or regulation.

SSB 2259 Judiciary

Relating to an agreement between a landlord and tenant for the performance of specified alterations of property.

SSB 2260 Judiciary

Relating to the protection of trade secrets and providing remedies.

SSB 2261 Judiciary

Relating to the rights of the heirs of a deceased personality.

SSB 2262 Judiciary

Relating to the administration of small estates.

SSB 2263 Transportation

Relating to certain approved driver education courses.

SSB 2264 Judiciary

Relating to criminal and civil proceedings relating to child sexual abuse.

SSB 2265 Natural Resources

Relating to certain property interests by providing for the return of certain subsurface property rights to the surface owner and ancillary surface property rights to adjacent landowners when subsurface rights are relinquished by the person who has obtained underground natural gas storage rights.

SSB 2266 Human Resources

Relating to the ability of a mentally disabled person to obtain a marriage license.

SSB 2267 Judiciary

Relating to disputes between landlords and tenants.

SSB 2268 Environment & Energy Utilities

Relating to the issuance of general permits for environmental quality control purposes by the department of natural resources, and subjecting violators to existing penalties.

SSB 2269 Environment & Energy Utilities

Authorizing the department of natural resources to issue operating permits for air contaminant sources and subjecting violators to existing penalties.

SSB 2270 Education

Relating to education and training regarding adoption and parenting skills.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2171**

ENVIRONMENT & ENERGY UTILITIES: Deluhery, Chair; Miller and Hedge

Senate File 2200

WAYS & MEANS: Fraise, Chair; Szymoniak and Hester

Senate File 2233

JUDICIARY: Fuhrman, Chair; Gettings and Welsh

Senate File 2236

JUDICIARY: Mann, Chair; Varn and Taylor

Senate File 2237

JUDICIARY: Fuhrman, Chair; Gronstal and Varn

Senate File 2241

WAYS & MEANS: Hester, Chair; Riordan and Fraise

Senate File 2267

WAYS & MEANS: Connolly, Chair; Szymoniak and Gentleman

Senate File 2274

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Rife, Chair; Boswell and Scott

Senate File 2275

WAYS & MEANS: Fraise, Chair; Szymoniak and Drake

Senate File 2276

WAYS & MEANS: Drake, Chair; Fraise and Murphy

Senate File 2287

LOCAL GOVERNMENT: Tinsman, Chair; Kinley and Miller

Senate File 2289

JUDICIARY: Mann, Chair; Varn and Gentleman

Senate File 2294

JUDICIARY: Mann, Chair; Murphy and Hester

Senate File 2292

EDUCATION: Varn, Chair; Horn, Boswell, Kibbie, Corning, Tieden and Rensink

Senate File 2295

LOCAL GOVERNMENT: Vande Hoef, Chair; Priebe and Fraise

Senate File 2298

LOCAL GOVERNMENT: Szymoniak, Chair; Miller and Tinsman

SSB 2105

HUMAN RESOURCES: Riordan, Chair; Bruner and Taylor

SSB 2201

HUMAN RESOURCES: Murphy, Chair; Bruner and Taylor

SSB 2255

LOCAL GOVERNMENT: Murphy, Chair; Tinsman and Kinley

SSB 2258

JUDICIARY: Mann, Chair; Murphy and Drake

SSB 2259

JUDICIARY: Horn, Chair; Mann and Gentleman

SSB 2260

JUDICIARY: Gronstal, Chair; Varn and Drake

SSB 2261

JUDICIARY: Varn, Chair; Murphy and Hester

SSB 2262

JUDICIARY: Mann, Chair; Varn and Drake

SSB 2264

JUDICIARY: Murphy, Chair; Deluhery and Hester

SSB 2265

NATURAL RESOURCES: Husak, Chair; Doyle and Hedge

LSB 7225

ENVIRONMENT & ENERGY UTILITIES: Gronstal, Chair; Deluhery and Rife

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: HOUSE FILE 2166, a bill for an act adding marijuana to the list of secondary noxious weeds.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5087.

Final Vote: Ayes, 14: Priebe, Riordan, Soorholtz, Boswell, Coleman, Fraise, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 1: Fuhrman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2199, a bill for an act relating to agricultural drainage wells and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Priebe, Riordan, Soorholtz, Boswell, Coleman, Fraise, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 1: Fuhrman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2236, a bill for an act to increase the percentage of the state ceiling allocated to qualified small issue bonds issued for first-time farmers, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Priebe, Riordan, Soorholtz, Boswell, Coleman, Fraise, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 1: Fuhrman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2113, a bill for an act relating to reporting ingredients of pesticides, making penalties applicable, and providing penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5088.

Final Vote: Ayes, 14: Priebe, Riordan, Soorholtz, Boswell, Coleman, Fraise, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 1: Fuhrman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2315, a bill for an act relating to a pseudorabies control program, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Priebe, Riordan, Soorholtz, Boswell, Coleman, Fraise, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 1: Fuhrman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2316, a bill for an act directing the use of moneys for research into a certain swine disease by Iowa state university of science and technology.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Priebe, Riordan, Soorholtz, Boswell, Coleman, Fraise, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 1: Fuhrman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2317, a bill for an act relating to issuing permits for regulated uses of water by the department of natural resources.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Priebe, Riordan, Soorholtz, Boswell, Coleman, Fraise, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 1: Fuhrman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 64, a bill for an act relating to the modification of dissolution and parentage decrees.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Varn, Gentleman, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn and Murphy. Nays, none. Absent or not voting, 5: Mann, Coleman, Deluhery, Taylor and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2233, a bill for an act relating to the prosecution of persons violating provisions regulating grain dealers or warehouse operators.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Varn, Gentleman, Deluhery, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn and Murphy. Nays, none. Absent or not voting, 4: Mann, Coleman, Taylor and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2314 (SSB 2238), a bill for an act relating to expert witness fees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Varn, Deluhery, Drake, Gettings, Gronstal, Hester, Horn and Murphy. Nays, 3: Gentleman, Fuhrman and Welsh. Absent or not voting, 4: Mann, Coleman, Hagerla and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2318 (SSB 249), a bill for an act relating to the definition of agency under the administrative procedure Act.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Varn, Gentleman, Deluhery, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn and Murphy. Nays, none. Absent or not voting, 4: Mann, Coleman, Taylor and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 2309 (SSB 2211), a bill for an act relating to the issuance of class "A" liquor licenses to veterans organizations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes. 12: Kibbie, Lloyd-Jones, Coleman, Dieleman, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running and Vande Hoef. Nays, none. Absent or not voting, 3: Nystrom, Drake and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2311 (SSB 2015), a bill for an act relating to unclaimed fees to conform with the uniform disposition of unclaimed property Act.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes. 13: Kibbie, Lloyd-Jones, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running and Vande Hoef. Nays, none. Absent or not voting, 2: Nystrom and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2233, a bill for an act relating to the installation of fire extinguishing systems in open parking garages.

Recommendation: DO PASS.

Final Vote: Ayes. 10: Kibbie, Lloyd-Jones, Coleman, Dieleman, Gentleman, Hannon, Horn, Rife, Running and Vande Hoef. Nays, none. Absent or not voting, 5: Nystrom, Drake, Fraise, Gronstal and Soorholtz.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5086	S. F.	2280	Michael E. Gronstal
S—5087	H. F.	2166	Agriculture
S—5088	S. F.	2113	Agriculture

37th Day

TUESDAY, FEBRUARY 13, 1990

501

S—5089

S.F.

2305

Jim Lind

AFTERNOON SESSION

The Senate reconvened at 4:36 p.m., Senator Hannon 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 8, 1990, passed the following bills in which the concurrence of the Senate is asked:

House File 2212, a bill for an act delaying the repeal of the Iowa boundary commission and providing an effective date.

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

House File 2268, a bill for an act relating to discovery and the statute of limitations in a civil action involving sexual abuse, sexual assault, or sexual harassment and providing for the Act's applicability.

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

ALSO: That the House has on February 9, 1990, passed the following bill in which the concurrence of the Senate is asked:

House File 2308, a bill for an act relating to freestanding hospice facilities.

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

INTRODUCTION OF BILLS

Senate File 2312, by Lind, a bill for an act relating to state government meetings held via teleconference, providing for reimbursement paid to eligible members, and providing an effective date.

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

Senate File 2313, by Pate, a bill for an act relating to the regulation of ozone-depleting products.

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

Senate File 2314, by committee on Judiciary, a bill for an act relating to expert witness fees.

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

Senate File 2315, by committee on Agriculture, a bill for an act relating to a pseudorabies control program, and making penalties applicable.

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

Senate File 2316, by committee on Agriculture, a bill for an act directing the use of moneys for research into a certain swine disease by Iowa state university of science and technology.

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

Senate File 2317, by committee on Agriculture, a bill for an act relating to issuing permits for regulated uses of water by the department of natural resources.

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

Senate File 2318, by committee on Judiciary, a bill for an act relating to the definition of agency under the administrative procedure Act.

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

Senate File 2319, by committee on Transportation, a bill for an act relating to private farm railway crossings.

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

Senate File 2320, by committee on Judiciary, a bill for an act relating to juvenile justice by establishing certain dispositional requirements concerning the state juvenile institutions and their administration, and providing effective dates.

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

Senate File 2321, by committee on Judiciary, a bill for an act relating to rejection of an appointed lawyer or lawyers by a client of an attorney who has died or been suspended or disbarred.

Read first time and placed on calendar.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. C. R.	113	Rules and Administration
S. F.	2310	Ways and Means
S. F.	2312	Rules and Administration
S. F.	2313	Environment & Energy Utilities
H. F.	2268	Judiciary
H. F.	2308	Human Resources

SUBCOMMITTEE ASSIGNMENTS

SSB 2268

ENVIRONMENT & ENERGY UTILITIES: Deluhery, Chair; Miller and Hedge

SSB 2269

ENVIRONMENT & ENERGY UTILITIES: Gronstal, Chair; Deluhery and Rife

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 2327, a bill for an act relating to and making appropriations to the department of economic development, INTERNET, Wallace technology transfer foundation, and the Iowa finance authority.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 20: Welsh, Boswell, Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Pate, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn. Nays, 1: Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2328, a bill for an act relating to and making appropriations to regulatory bodies of state government, including the auditor of state, the campaign finance disclosure commission, the department of employment services, the office of the state public defender, the department of inspections and appeals, the department of commerce, and the racing and gaming commission.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Welsh, Boswell, Bruner, Fraise, Gettings, Goodwin, Gronstal, Husak, Lloyd-Jones, Peterson, Riordan, Running, Sturgeon and Varn. Nays, 7: Tieden, Corning, Jensen, Lind, Pate, Rensink and Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 2322 (SSB 2214), a bill for an act relating to participation in extracurricular interscholastic contests and competitions by certain children.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 17: Murphy, Horn, Taylor, Boswell, Bruner, Corning, Deluhery, Dieleman, Hedge, Kibbie, Lind, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2324 (SSB 2166), a bill for an act repealing a requirement that area education agencies utilize federally funded health care programs for services provided to certain children requiring special education and providing effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Murphy, Horn, Taylor, Boswell, Bruner, Corning, Deluhery, Dieleman, Hedge, Kibbie, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn. Nays, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2326 (SSB 2212), a bill for an act requiring the department of education to develop and maintain nutrition guidelines for food and beverages sold on public school grounds.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Murphy, Horn, Taylor, Boswell, Bruner, Corning, Deluhery, Dieleman, Kibbie, Lloyd-Jones, Szymoniak, Tinsman and Varn. Nays, 4: Hedge, Lind, Rensink and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: SENATE FILE 431, a bill for an act amending the pesticide Act of Iowa, by providing requirements for pesticide dealers and commercial applicators, providing registration requirements, and providing for fees and civil penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Deluhery, Gronstal, Pate, Connolly, Hedge, Miller, Rife, Sturgeon and Varn. Nays, none. Absent or not voting, 1: Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2086, a bill for an act relating to storage tanks by exempting certain aboveground tanks from registration with the state fire marshal, by limiting registration to aboveground petroleum storage tanks, by defining where aboveground tanks may be permitted for retail motor vehicle fuel outlets pursuant to rules of the state fire marshal, and by altering eligibility standards for certain loan guarantees.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5090.

Final Vote: Ayes, 9: Deluhery, Gronstal, Pate, Connolly, Hedge, Miller, Rife, Sturgeon and Varn. Nays, none. Absent or not voting, 1: Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 2320 (SSB 2190), a bill for an act relating to juvenile justice by establishing certain dispositional requirements concerning the state juvenile institutions and their administration, and providing effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Varn, Gentleman, Deluhery, Drake, Fuhrman, Gettings, Gronstal, Hester, Horn, Murphy and Welsh. Nays, 1: Hagerla. Absent or not voting, 3: Mann, Coleman and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2321 (SSB 2240), a bill for an act relating to rejection of an appointed lawyer or lawyers by a client of an attorney who has died or been suspended or disbarred.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Varn, Gentleman, Deluhery, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn and Murphy. Nays, none. Absent or not voting, 4: Mann, Coleman, Taylor and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: HOUSE FILE 2165, a bill for an act relating to indemnification for odometer fraud from a motor vehicle dealer's surety bond and increasing the amount of the bond.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2319 (SSB 2179), a bill for an act relating to private farm railway crossings.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2323 (SSB 2111), a bill for an act relating to the attorney general's access to confidential motor vehicle accident reports.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 2322, by committee on Education, a bill for an act relating to participation in extracurricular interscholastic contests and competitions by certain children.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2323, by committee on Transportation, a bill for an act relating to the attorney general's access to confidential motor vehicle accident reports.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2324, by committee on Education, a bill for an act repealing a requirement that area education agencies utilize federally funded health care programs for services provided to certain children requiring special education and providing effective dates.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2325, by Taylor, a bill for an act to require the use of phonics as a technique in reading instruction for children in grades one through three, requiring a departmental study, and providing an effective date.

Read first time under Rule 28 and **passed on file**.

Senate File 2326, by committee on Education, a bill for an act requiring the department of education to develop and maintain nutrition guidelines for food and beverages sold on public school grounds.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2327, by committee on Appropriations, a bill for an act relating to and making appropriations to the department of economic development, INTERNET, Wallace technology transfer foundation, and the Iowa finance authority.

Read first time under Rule 28 and **placed on Appropriations calendar.**

Senate File 2328, by committee on Appropriations, a bill for an act relating to and making appropriations to regulatory bodies of state government, including the auditor of state, the campaign finance disclosure commission, the department of employment services, the office of the state public defender, the department of inspections and appeals, the department of commerce, and the racing and gaming commission.

Read first time under Rule 28 and **placed on Appropriations calendar.**

AMENDMENT FILED

S—5090

S.F.

2086

Environment & Energy Utilities

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:39 p.m., until 9:00 a.m., Wednesday, February 14, 1990.

JOURNAL OF THE SENATE

THIRTY-EIGHTH CALENDAR DAY
TWENTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 14, 1990

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

Prayer was offered by the Reverend Mark Holmes, pastor of the Augustana Lutheran Church, Boone, Iowa.

The Journal of Tuesday, February 13, 1990, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Soorholtz for the day and Senator Gentleman for the morning on request of Senator Hultman.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 2320** be referred from the Regular Calendar to the committee on **Human Resources**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:25 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: February 13, 1990, 8:00 a.m.

Members Present: Priebe, Chair; Riordan, Vice Chair; Soorholtz, Ranking Member; Boswell, Coleman, Fraise, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef.

Members Absent: Fuhrman.

Committee Business: Assigned bills to subcommittees; approved LSBs 8337, 8310, 8250, 8066-7098 as committee bills; recommended passage of House Files 2166, 2236 and 2199; recommended passage of Senate File 2113 as amended; recommended passage of Senate File 2194.

Adjourned: 9:00 a.m.

APPROPRIATIONS

Convened: February 13, 1990, 3:50 p.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Pate, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn.

Members Absent: none.

Committee Business: Approved LSBs 7296 and 7291 as committee bills; LSB 7297 ordered redrafted for final approval as a committee bill; deferred action on SSB 2219.

Adjourned: 5:20 p.m.

EDUCATION

Convened: February 13, 1990, 12:46 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Boswell, Bruner, Corning, Deluhery, Dieleman, Hedge, Kibbie, Lind, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn.

Members Absent: none.

Committee Business: Approved SSBs 2212, 2214 and 2166 as committee bills; discussed LSB 8336.

Adjourned: 2:32 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: February 13, 1990, 2:40 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Pate, Ranking Member; Connolly, Hedge, Miller, Rife, Sturgeon and Varn.

Members Absent: Soorholtz (excused).

Committee Business: Presentation by Burt Kross and George Hallberg regarding the groundwater protection act; recommended passage of Senate File 2086 as amended; recommended passage of Senate File 431.

Adjourned: 3:33 p.m.

JUDICIARY

Convened: February 13, 1990, 11:47 a.m.

Members Present: Varn, Chair; Gentleman, Ranking Member; Deluhery, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Murphy and Welsh.

Members Absent: Mann, Vice Chair; Coleman and Taylor (all excused).

Committee Business: Approved SSBs 2190, 2238, 249, 2240 and 2186 as committee bills; deferred action on SSB 2260; recommended passage of Senate Files 64 and 2233; amended Senate File 18 and ordered redrafted; amended SSB 2239 and ordered redrafted as a committee bill; assigned bills to subcommittees.

Adjourned: 12:36 p.m.

LOCAL GOVERNMENT

Convened: February 13, 1990, 9:13 a.m.

Members Present: Miller, Chair; Szymoniak, Vice Chair; Vande Hoef, Ranking Member (arrived 9:14); Fraise, Goodwin, Jensen, Kinley (arrived 9:15), Murphy, Priebe and Tinsman.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; discussed SSB 2110.

Adjourned; 10:09 a.m.

TRANSPORTATION

Convened: February 13, 1990, 2:35 p.m.

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

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved SSBs 2111, 2179 and 2250 as committee bills; recommended passage of House File 2165.

Adjourned: 3:20 p.m.

WAYS AND MEANS

Convened: February 13, 1990, 11:35 a.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hester, Ranking Member; Fuhrman, Gentleman, Murphy, Palmer, Riordan and Szymoniak.

Members Absent: Bruner, Connolly, Drake, Fraise, Hultman and Soorholtz.

Committee Business: Assigned bills to subcommittees.

Adjourned: 11:37 a.m.

PRESENTATION OF VISITORS

Senator Scott presented Larry Geerts of Charles City, State FFA President and Tina Smith from Humboldt, State FFA Vice President, who were present in the Senate chamber.

SUBCOMMITTEE ASSIGNMENTS

Senate File 347

RULES & ADMINISTRATION: Lloyd-Jones, Chair; Hultman and Hutchins

Senate File 2116

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Hagerla, Chair; Boswell and Scott

Senate File 2216

JUDICIARY: Varn, Chair; Horn and Drake

Senate File 2296

STATE GOVERNMENT: Running, Chair; Lloyd-Jones and Gentleman

Senate File 2299

TRANSPORTATION: Doyle, Chair; Drake and Lloyd-Jones

Senate File 2300

HUMAN RESOURCES: Sturgeon, Chair; Horn and Taylor

Senate File 2301

STATE GOVERNMENT: Fraise, Chair; Running and Nystrom

Senate File 2303

HUMAN RESOURCES: Taylor, Chair; Bruner and Murphy

Senate File 2320

HUMAN RESOURCES: Bruner, Chair; Murphy and Taylor

Senate Resolution 106

RULES & ADMINISTRATION: Lloyd-Jones, Chair; Hultman and Hutchins

Senate Concurrent Resolution 112

RULES & ADMINISTRATION: Gettings, Chair; Kinley and Jensen

House File 2308

HUMAN RESOURCES: Connolly, Chair; Horn and Corning

SSB 2263

TRANSPORTATION: Lloyd-Jones, Chair; Doyle and Jensen

SSB 2266

HUMAN RESOURCES: Corning, Chair; Bruner and Murphy

SSB 2267

JUDICIARY: Gentleman, Chair; Horn and Gettings

SSB 2270

EDUCATION: Lloyd-Jones, Chair; Murphy and Corning

SSB 2272

STATE GOVERNMENT: Dieleman, Chair; Coleman and Vande Hoef

SSB 2273

STATE GOVERNMENT: Dieleman, Chair; Fraise and Vande Hoef

SSB 2274

STATE GOVERNMENT: Gronstal, Chair; Lloyd-Jones, Horn, Nystrom and Drake

SSB 2275

JUDICIARY: Deluhery, Chair; Horn and Fuhrman

SSB 2276

HUMAN RESOURCES: Murphy, Chair; Horn and Tinsman

SSB 2277

HUMAN RESOURCES: Sturgeon, Chair; Hannon and Hagerla

SSB 2278

JUDICIARY: Hagerla, Chair; Murphy and Gronstal

SSB 2279

STATE GOVERNMENT: Lloyd-Jones, Chair; Dieleman and Nystrom

SSB 2280

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Szymoniak, Chair; Scott and Lind

SSB 2281

STATE GOVERNMENT: Kibbie, Chair; Nystrom, Horn, Dieleman and Drake

STUDY BILLS RECEIVED**SSB 2271 Commerce**

Relating to the repair or replacement of a new motor vehicle which does not conform to express warranties and the procedure for enforcement of such warranties, providing penalties, and providing special applicability and effective dates.

SSB 2272 State Government

Relating to licensure and discipline of certain practice professionals and providing a penalty.

SSB 2273 State Government

Relating to the disposition of unclaimed property.

SSB 2274 State Government

Relating to the 1991 redistricting process for the election of senators in conformity with article III, section 6 of the Constitution of the State of Iowa.

SSB 2275 Judiciary

Relating to retroactive modifications of support orders.

SSB 2276 Human Resources

Relating to the investigation of deaths of patients in state mental health institutes.

SSB 2277 Human Resources

Relating to clinical privileges of certain health practitioners.

SSB 2278 Judiciary

Relating to providing confidentiality requirements concerning victims and witnesses in criminal cases with certain exceptions.

SSB 2279 State Government

Relating to the establishment of the Iowa arts and culture challenge grant foundation and foundation fund.

SSB 2280 Small Business/Economic Development

Providing education and job training income tax credits and providing a retroactive applicability date.

SSB 2281 State Government

Relating to the administration and benefits for certain public retirement systems, and providing for the applicability of the Act.

SSB 2282 Small Business/Economic Development

Establishing a new agricultural products and processes program and creating a state fund to support the program.

COMMITTEE REPORTS**AGRICULTURE**

Final Bill Action: SENATE FILE 2331, a bill for an act relating to mediation assistance, by expanding the responsibilities of the farm mediation service, granting additional authority to the farm mediation service, extending the date of repeal for certain provisions, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Priebe, Riordan, Soorholtz, Boswell, Coleman, Fraise, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 1: Fuhrman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2334, a bill for an act regulating business relationships between suppliers and dealers of certain equipment and providing dates of applicability.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Priebe, Riordan, Soorholtz, Boswell, Coleman, Fraise, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 1: Fuhrman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BUSINESS AND LABOR RELATIONS

Final Bill Action: HOUSE FILE 156, a bill for an act relating to the separation of workers' compensation insurance premiums into two parts.

Recommendation: DO PASS.

Final Bill Action: Ayes, 6: Peterson, Sturgeon, Gettings, Mann, Palmer and Running. Nays, 4: Fuhrman, Hultman, Taylor and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 2173, a bill for an act relating to the competency of a witness by amending the Iowa rules of evidence.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Varn, Mann, Coleman, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Taylor and Welsh. Nays, none. Absent or not voting, 3: Gentleman, Deluhery and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2333 (SSB 2239), a bill for an act relating to surcharges imposed upon the makers of dishonored negotiable instruments.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Varn, Mann, Coleman, Deluhery, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn and Taylor. Nays, none. Absent or not voting, 3: Gentleman, Murphy and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: SENATE FILE 2274, a bill for an act relating to targeted small businesses, and imposing penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-5092.

Final Vote: Ayes, 10: Boswell, Hagerla, Kibbie, Lind, Pate, Peterson, Rife, Scott, Szymoniak and Vande Hoef. Nays, 2: Hannon and Connolly.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2332 (SSB 2227), a bill for an act relating to technology enterprise zones, making an appropriation, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Boswell, Hannon, Hagerla, Connolly, Kibbie, Lind, Pate, Rife, Scott, Szymoniak and Vande Hoef. Nays, 1: Peterson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 2329 (SSB 2250), a bill for an act relating to motor vehicle registration fees by allowing semiannual installment payments of registration fees for certain commercial vehicles, and to the use and issuance of motor vehicle licenses including provisions authorizing the issuance of commercial driver's licenses, setting fees for issuance of motor vehicle licenses, providing penalties, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 4:48 p.m., Senator Welsh presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 9, 1990, passed the following bill in which the concurrence of the Senate is asked:

House File 2294, a bill for an act relating to the establishment of an Iowa affordable heating program.

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

INTRODUCTION OF BILLS

Senate File 2329, by committee on Transportation, a bill for an act relating to motor vehicle registration fees by allowing semiannual installment payments of registration fees for certain commercial vehicles, and to the use and issuance of motor vehicle licenses including provisions authorizing the issuance of commercial driver's licenses, setting fees for issuance of motor vehicle licenses, providing penalties, and making penalties applicable.

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

Senate File 2330, by Szymoniak, a bill for an act relating to landlords and tenants.

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

Senate File 2331, by committee on Agriculture, a bill for an act relating to mediation assistance, by expanding the responsibilities of the farm mediation service, granting additional authority to the farm mediation service, extending the date of repeal for certain provisions, and providing an effective date.

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

Senate File 2332, by committee on Small Business and Economic Development, a bill for an act relating to technology enterprise zones, making an appropriation, and providing an effective date.

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

Senate File 2333, by committee on Judiciary, a bill for an act relating to surcharges imposed upon the makers of dishonored negotiable instruments.

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

Senate File 2334, by committee on Agriculture, a bill for an act regulating business relationships between suppliers and dealers of certain equipment and providing dates of applicability.

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

Senate File 2335, by Tinsman, Lind and Pate, a bill for an act providing employer child day care income tax credits and providing effective and applicability dates.

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

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate File 2239** 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.	2325	Education
S.F.	2330	Judiciary
S.F.	2335	Ways and Means
H.F.	2294	Environment & Energy Utilities

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: SENATE FILE 2082, a bill for an act to indefinitely extend the effect of the Code chapter relating to persons with mental illness, mental retardation, or developmental disabilities and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Hannon, Bruner, Corning, Connolly, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2320, a bill for an act relating to juvenile justice by establishing certain dispositional requirements concerning the state juvenile institutions and their administration, and providing effective dates.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5093.

Final Vote: Ayes, 12: Hannon, Bruner, Corning, Connolly, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: SENATE FILE 298, a bill for an act relating to planting of vegetation by persons on public lands.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Scott, Kibbie, Goodwin, Doyle, Hedge, Hester, Miller, Rensink and Tieden. Nays, 1: Peterson. Absent or not voting, 2: Husak and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2032, a bill for an act establishing certain criminal penalties for the theft of fish from private fish hatcheries.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5094.

Final Vote: Ayes, 8: Scott, Kibbie, Goodwin, Doyle, Hedge, Miller, Rensink and Tieden. Nays, 1: Peterson. Absent or not voting, 3: Hester, Husak and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2178, a bill for an act relating to the hunting of coyotes, establishing a season and license fee, and providing a bounty.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Scott, Kibbie, Doyle, Hedge, Hester, Miller and Rensink. Nays, 3: Goodwin, Peterson and Tieden. Absent or not voting, 2: Husak and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2196, a bill for an act relating to the taking of deer and wild turkey, increasing license fees, providing a redemption payment for landowners or tenants, and subjecting violators to a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Scott, Kibbie, Goodwin, Doyle, Miller, Rensink and Tieden. Nays, 2: Hedge and Peterson. Absent or not voting, 3: Hester, Husak and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2217, a bill for an act relating to the illegal taking or possession of certain animals and providing an increased civil penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Scott, Kibbie, Goodwin, Doyle, Hedge, Hester, Miller, Peterson, Rensink and Tieden. Nays, none. Absent or not voting, 2: Husak and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2218, a bill for an act requiring replacement of topsoil after the development of certain land and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Scott, Kibbie, Goodwin, Doyle, Hedge, Miller and Rensink. Nays, 2: Peterson and Tieden. Absent or not voting, 3: Hester, Husak and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5091	S. F.	2224	Richard Vande Hoef
S—5092	S. F.	2274	Small Business & Economic Development
S—5093	S. F.	2320	Human Resources
S—5094	S. F.	2032	Natural Resources

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:54 p.m., until 9:00 a.m., Thursday, February 15, 1990.

JOURNAL OF THE SENATE

THIRTY-NINTH CALENDAR DAY
TWENTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 15, 1990

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

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

The Journal of Wednesday, February 14, 1990, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bruner for the remainder of the week on request of Senator Horn.

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.

The Senate resumed session, President pro tempore Mann 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.

INTRODUCTION OF BILLS

Senate File 2336, by committee on Natural Resources, a bill for an act relating to certain property interests by providing for the return of certain subsurface property rights to the surface owner and ancillary surface property rights to adjacent landowners when subsurface rights are relinquished by the person who has obtained underground natural gas storage rights.

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

Senate File 2337, by committee on Judiciary, a bill for an act relating to state administrative rules, providing for style and form and for the assignment of identification numbers, specifying official citations, providing a pilot project for the separate publication of certain rules, and making an appropriation.

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

Senate File 2338, by committee on State Government, a bill for an act relating to the administration and benefits for certain public retirement systems, and providing for the applicability of the Act.

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

Senate File 2339, by committee on Judiciary, a bill for an act making corrections and removing inconsistencies in Iowa's civil rights laws.

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

Senate File 2340, by committee on State Government, a bill for an act relating to the disposition of unclaimed property.

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

Senate File 2341, by committee on Judiciary, a bill for an act relating to the definition of public accommodation under the civil rights law.

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

Senate File 2342, by committee on Human Resources, a bill for an act designating an operator or employee of a child day care resource and referral agency as a mandatory reporter of child abuse.

Read first time and placed on calendar.

RECESS

On motion of Senator Hutchins, the Senate recessed at 10:02 a.m., until 4:30 p.m.

APPENDIX**STUDY BILLS RECEIVED****SSB 2283 Business & Labor Relations**

A concurrent resolution to urge the Congress of the United States, the President and the United States Department of Labor to enact and implement a supplemental appropriation to states for administration of unemployment insurance programs.

SSB 2284 Business & Labor Relations

A senate resolution relating to American Coal Miners' Memorial Day.

SSB 2285 Education

Relating to higher education.

SSB 2286 Human Resources

Creating the council on chemically exposed infants.

REPORTS OF COMMITTEE MEETINGS**BUSINESS AND LABOR RELATIONS**

Convened:February 14, 1990, 9:50 a.m..

Members Present: Peterson, Chair; Sturgeon, Vice Chair; Fuhrman, Ranking Member; Gettings, Hultman, Mann, Palmer, Running, Taylor and Vande Hoef.

Members Absent: none.

Committee Business: Recommended passage of House File 156; Senate File 2007 failed recommendation for passage; Larry Hochstetler, Director of National Council on Compensation Insurance; Dave Lyons, office of the Commissioner of Insurance; and John Rossi, representative of the Iowa State Building and Construction Trades Council, gave presentations regarding House File 156.

Adjourned: 10:35 a.m.

HUMAN RESOURCES

Convened:February 14, 1990, 2:39 p.m.

Members Present: Hannon, Chair; Bruner, Vice Chair; Corning, Ranking Member; Connolly, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman.

Members Absent: none.

Committee Business: Approved SSBs 2256, 2105, 2276, 2201 and 2266 as committee bills; recommended passage of Senate File 2082; recommended passage of Senate File 2320 as amended; amended and approved SSB 2277 as a committee bill.

Adjourned: 3:32 p.m.

JUDICIARY

Convened: February 14, 1990, 10:45 a.m.

Members Present: Varn, Chair; Mann, Vice Chair; Coleman, Deluhery, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Taylor and Welsh.

Members Absent: Gentleman, Ranking Member and Murphy (both excused).

Committee Business: Approved SSBs 2239, 2234, 2236, 2182, 46, 2065 and 371 as committee bills; amended Senate Files 2144 and 2219 and ordered redrafted as committee bills.

Adjourned: 11:45 a.m.

LOCAL GOVERNMENT

Convened: February 14, 1990, 10:40 a.m.

Members Present: Miller, Chair; Szymoniak, Vice Chair; Vande Hoef, Ranking Member; Fraise, Goodwin, Jensen, Priebe and Tinsman.

Members Absent: Kinley and Murphy (both excused).

Committee Business: A mended SSB 2110 and ordered redrafted for final approval as a committee bill.

Adjourned: 11:33 a.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: February 14, 1990, 8:06 a.m.

Members Present: Boswell, Chair; Hannon, Vice Chair; Connolly, Hagerla,

Ranking Member (arrived 8:25); Kibbie, Lind, Pate (arrived 8:25), Peterson, Rife, Scott, Szymoniak and Vande Hoef.

Members Absent: none.

Committee Business: Amended and approved SSBs 2138 and 2228; recommended passage of Senate File 2274 as amended; approved SSB 2227 as a committee bill.

Adjourned: 8:40 a.m.

STATE GOVERNMENT

Convened: February 14, 1990, 3:40 p.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Coleman, Dieleman, Fraise, Gentleman, Hannon, Horn, Running and Vande Hoef.

Members Absent: Drake, Gronstal, Rife and Soorholtz (all excused).

Committee Business: Approved SSBs 2281, 2273 and 2008 as committee bills; SSB 2003 failed committee approval.

Adjourned: 4:45 p.m.

CERTIFICATES OF RECOGNITION

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

Lezlie Lemar, Columbus City — 1990 Iowa Adult Easter Seal Ambassador. Senator Drake (February 22, 1990).

Sam Fredrickson, Ottumwa — First place winner 1989 Iowa Master Corn Growers Contest. Senator Hedge (February 15, 1990).

SUBCOMMITTEE ASSIGNMENTS

Senate File 2312

RULES & ADMINISTRATION: Hutchins, Chair; Hultman and Lloyd-Jones

Senate Concurrent Resolution 113

RULES & ADMINISTRATION: Lloyd-Jones, Chair; Hultman and Hutchins

SSB 2249

ENVIRONMENT & ENERGY UTILITIES: Connolly, Chair; Deluhery and Pate

SSB 2282

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Pate, Chair; Boswell and Scott

SSB 2283

BUSINESS & LABOR RELATIONS: Running, Chair; Sturgeon and Taylor

SSB 2284

BUSINESS & LABOR RELATIONS: Peterson, Chair; Gettings and Hultman

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 2052, 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: DO PASS.

Final Vote: Ayes, 10: Priebe, Boswell, Coleman, Fraise, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, 4: Riordan, Fuhrman, Hedge and Hester. Absent or not voting, 1: Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 2342 (SSB 2201), a bill for an act designating an operator or employee of a child day care resource and referral agency as a mandatory reporter of child abuse.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hannon, Bruner, Corning, Connolly, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 2343 (SSB 2277), a bill for an act relating to clinical privileges of certain health practitioners.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hannon, Bruner, Corning, Connolly, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none.

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 Human Resources Committee on Senate File 2343 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 2344 (SSB 2256), a bill for an act relating to modification of child support orders.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hannon, Bruner, Corning, Connolly, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2345 (SSB 2276), a bill for an act relating to the investigation of deaths of patients in state mental health institutes.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Hannon, Bruner, Corning, Connolly, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, 1: Gentleman.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2346 (SSB 2266), a bill for an act relating to the ability of a mentally disabled person to obtain a marriage license.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hannon, Bruner, Corning, Connolly, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2348 (SSB 2105), a bill for an act relating to the assignment of support rights for children receiving foster care services.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hannon, Bruner, Corning, Connolly, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 2337 (SSB 2234), a bill for an act relating to state administrative rules, providing for style and form and for the assignment of identification numbers, specifying official citations, providing a pilot project for the separate publication of certain rules, and making an appropriation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Varn, Mann, Coleman, Deluhery, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn and Taylor. Nays, none. Absent or not voting, 3: Gentleman, Murphy and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2339 (SSB 2065), a bill for an act making corrections and removing inconsistencies in Iowa's civil rights laws.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Varn, Mann, Coleman, Deluhery, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Taylor and Welsh. Nays, none. Absent or not voting, 2: Gentleman and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2341 (SSB 46), a bill for an act relating to the definition of public accommodation under the civil rights' law.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Varn, Mann, Coleman, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Taylor and Welsh. Nays, none. Absent or not voting, 3: Gentleman, Deluhery and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2347 (SSB 2182), a bill for an act relating to the ability of one spouse to relinquish inchoate dower rights and homestead rights as an attorney in fact for the other spouse.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Varn, Mann, Coleman, Deluhery, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn and Taylor. Nays, none. Absent or not voting, 3: Gentleman, Murphy and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2350 (SSB 2236), a bill for an act relating to the uniform management of institutional funds Act.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Varn, Mann, Coleman, Deluhery, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn and Taylor. Nays, none. Absent or not voting, 3: Gentleman, Murphy and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2354 (SSB 2186), a bill for an act relating to voluntary petitions for conservatorships and their required contents.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Varn, Drake, Fuhrman, Gentleman, Gettings, Gronstal, Hagerla, Hester, Horn and Murphy. Nays, none. Absent or not voting, 5: Mann, Coleman, Deluhery, Taylor and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2355 (SSB 371), a bill for an act relating to the transfer and exchange of prisoners and juvenile delinquents among certain states and nations pursuant to treaty authority.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Varn, Mann, Coleman, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Taylor and Welsh. Nays, none. Absent or not voting, 3: Gentleman, Deluhery and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 2227, a bill for an act relating to public improvements, by authorizing counties to create special assessment districts in areas of the county outside cities or within cities for certain public improvements, to assess the cost of the improvements to the benefited property within the districts, to establish and collect rates and charges to maintain and operate the improvements, and by providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Murphy and Tinsman. Nays, 1: Priebe. Absent or not voting, 2: Jensen and Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2287, a bill for an act relating to the creation of an interstate metropolitan authority, by specifying the powers and duties of the authority, by authorizing certain counties to join the authority, by providing for the imposition of a retail sales tax and the certification of a property tax levy, by providing for the issuance of revenue bonds, by authorizing the imposition of fines for certain violations, and by providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-5096.

Final Vote: Ayes, 8: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Murphy, Priebe and Tinsman. Nays, none. Absent or not voting, 2: Jensen and Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2295, a bill for an act creating a bogus check restitution program to be administered by the county attorney, and establishing fees.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Murphy, Priebe and Tinsman. Nays, none. Absent or not voting, 1: Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2298, a bill for an act relating to zoning regulations for homes for developmentally disabled persons.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Murphy, Priebe and Tinsman. Nays, none. Absent or not voting, 1: Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2351, a bill for an act relating to the establishment, maintenance, and operation of storm water drainage systems and the payment of rates or charges.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Murphy, Priebe and Tinsman. Nays, none. Absent or not voting, 1: Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: SENATE CONCURRENT RESOLUTION 114, a concurrent resolution relating to an endorsement by the General Assembly for full federal funding for fish and wildlife mitigation on the Missouri River.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 10: Scott, Kibbie, Goodwin, Doyle, Hedge, Hester, Miller, Peterson, Rensink and Tieden. Nays, none. Absent or not voting, 2: Husak and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2336 (SSB 2265), a bill for an act relating to certain property interests by providing for the return of certain subsurface property rights to the surface owner and ancillary surface property rights to adjacent landowners when subsurface rights are relinquished by the person who has obtained underground natural gas storage rights.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Scott, Kibbie, Goodwin, Doyle, Hedge, Hester, Miller, Peterson, Rensink and Tieden. Nays, none. Absent or not voting, 2: Husak and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2349 (SSB 2251), a bill for an act relating to scheduled fines and court procedures for certain violations of snowmobile and all-terrain vehicle regulations, game and fish regulations, and parks.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Scott, Kibbie, Goodwin, Doyle, Hedge, Miller, Peterson, Rensink and Tieden. Nays, none. Absent or not voting, 3: Hester, Husak and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: SENATE FILE 2352 (SSB 2228), a bill for an act providing a venture capital income tax credit, authorizing expedited merit review for small issues under the state securities law, and providing effective and applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Boswell, Hagerla, Connolly, Kibbie, Lind, Pate, Peterson, Rife, Scott, Szymoniak and Vande Hoef. Nays, none. Absent or not voting, 1: Hannon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2353 (SSB 2138), a bill for an act authorizing the establishment of rural county investment funds and providing a rural investment fund income tax credit.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Boswell, Hannon, Hagerla, Connolly, Kibbie, Lind, Pate, Peterson, Rife, Scott, Szymoniak and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 2338 (SSB 2281), a bill for an act relating to the administration and benefits for certain public retirement systems, and providing for the applicability of the Act.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Kibbie, Lloyd-Jones, Nystrom, Coleman, Dieleman, Fraise, Gentleman, Hannon, Horn, Running and Vande Hoef. Nays, none. Absent or not voting, 4: Drake, Gronstal, Rife and Soorholtz.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2340 (SSB 2273), a bill for an act relating to the disposition of unclaimed property.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Kibbie, Lloyd-Jones, Nystrom, Coleman, Dieleman, Fraise, Gentleman, Hannon, Horn, Running and Vande Hoef. Nays, none. Absent or not voting, 4: Drake, Gronstal, Rife and Soorholtz.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 134, a bill for an act allowing certain vehicles to increase their gross weight classification during any month of a current registration year.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5102.

Final Bill Action: Ayes, 6: Coleman, Scott, Dieleman, Doyle, Goodwin and Lloyd-Jones. Nays, 1: Drake. Absent or not voting, 3: Gettings, Jensen and Nystrom.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2235, a bill for an act relating to reassignment of certificates of title and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Coleman, Scott, Drake, Dieleman, Doyle, Goodwin and Lloyd-Jones. Nays, none. Absent or not voting, 3: Gettings, Jensen and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 737, a bill for an act requiring certain public corporations to pay the interest earned on investments of retained funds to public improvement construction contractors.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-5101.

Final Vote: Ayes, 7: Coleman, Scott, Drake, Dieleman, Doyle, Goodwin and Lloyd-Jones. Nays, none. Absent or not voting, 3: Gettings, Jensen and Nystrom.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-5095	S. F.	2086	Michael Gronstal
S-5096	S. F.	2287	Local Government
S-5097	S. F.	2243	Mike Connolly
S-5098	S. F.	2243	Mike Connolly
S-5099	S. F.	2243	Mike Connolly
S-5100	S. F.	2243	Mike Connolly
S-5101	H. F.	737	Transportation
S-5102	S. F.	134	Transportation

AFTERNOON SESSION

The Senate reconvened at 5:18 p.m., President pro tempore Mann presiding.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 107, by committee on Rules and Administration, a resolution relating to gubernatorial appointments requiring senate confirmation.

Read first time and placed on calendar.

Senate Resolution 108, by committee on Business and Labor Relations, a senate resolution relating to American Coal Miners' Memorial Day.

Read first time and placed on calendar.

Senate Concurrent Resolution 114, by committee on Natural Resources, a concurrent resolution relating to an endorsement by the General Assembly for full federal funding for fish and wildlife mitigation on the Missouri River.

Read first time and placed on calendar.

Senate Concurrent Resolution 115, by committee on State Government, a concurrent resolution recognizing the twenty-fifth anniversary of the Iowa Civil Rights Commission.

Read first time and placed on calendar.

Senate Concurrent Resolution 116, by committee on Business and Labor Relations, a concurrent resolution to urge the Congress of the United States, the President and the United States Department of Labor to enact and implement a supplemental appropriation to states for administration of unemployment insurance programs.

Read first time and placed on calendar.

INTRODUCTION OF BILLS

Senate File 2343, by committee on Human Resources, a bill

for an act relating to clinical privileges of certain health practitioners.

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

Senate File 2344, by committee on Human Resources, a bill for an act relating to modification of child support orders.

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

Senate File 2345, by committee on Human Resources, a bill for an act relating to the investigation of deaths of patients in state mental health institutes.

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

Senate File 2346, by committee on Human Resources, a bill for an act relating to the ability of a mentally disabled person to obtain a marriage license.

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

Senate File 2347, by committee on Judiciary, a bill for an act relating to the ability of one spouse to relinquish inchoate dower rights and homestead rights as an attorney in fact for the other spouse.

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

Senate File 2348, by committee on Human Resources, a bill for an act relating to the assignment of support rights for children receiving foster care services.

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

Senate File 2349, by committee on Natural Resources, a bill for an act relating to scheduled fines and court procedures for certain violations of snowmobile and all-terrain vehicle regulations, game and fish regulations, and parks.

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

Senate File 2350, by committee on Judiciary, a bill for an act relating to the uniform management of institutional funds Act.

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

Senate File 2351, by committee on Local Government, a bill for an act relating to the establishment, maintenance, and operation of storm water drainage systems and the payment of rates or charges.

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

Senate File 2352, by committee on Small Business and Economic Development, a bill for an act providing a venture capital income tax credit, authorizing expedited merit review for small issues under the state securities law, and providing effective and applicability dates.

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

Senate File 2353, by committee on Small Business and Economic Development, a bill for an act authorizing the establishment of rural county investment funds and providing a rural investment fund income tax credit.

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

Senate File 2354, by committee on Judiciary, a bill for an act relating to voluntary petitions for conservatorships and their required contents.

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

Senate File 2355, by committee on Judiciary, a bill for an act relating to the transfer and exchange of prisoners and juvenile delinquents among certain states and nations pursuant to treaty authority.

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

Senate File 2356, by committee on Transportation, a bill for an act relating to certain approved driver education courses.

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

Senate File 2357, by committee on Local Government, a bill for an act relating to the collection of real estate, real property, and mobile home taxes, providing penalties, continuing an appropriation, and providing an effective date.

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

Senate File 2358, by committee on Agriculture, a bill for an act relating to certification of soil testing laboratories.

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

Senate File 2359, by committee on Agriculture, a bill for an act providing for the payment of attorney fees in certain nuisance suits.

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

Senate File 2360, by committee on Agriculture, a bill for an act relating to the disposal of dead animals, making penalties applicable, and providing an effective date.

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

Senate File 2361, by committee on Transportation, a bill for an act relating to the acquisition of rights-of-way for highways.

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

Senate File 2362, by committee on Education, a bill for an act providing an adopt-a-student income tax credit and providing effective and applicability dates.

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

Senate File 2363, by committee on Agriculture, a bill for an act relating to commercial weighing and measuring.

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

COMMITTEE REPORT

RULES AND ADMINISTRATION

Final Bill Action: *SENATE RESOLUTION 107, a resolution relating to gubernatorial appointments requiring Senate confirmation.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 6: Hutchins, Gettings, Hultman, Jensen, Kinley and Lloyd-Jones.
Nays, none.

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 Rules and Administration Committee on Senate Resolution 107 and they were attached to the committee report.

**ADOPTION OF RESOLUTION
(Regular Calendar)**

Senator Horn asked and received unanimous consent to take up for consideration Senate Resolution 107.

Senate Resolution 107

On motion of Senator Jensen, Senate Resolution 107, a resolution relating to gubernatorial appointments requiring senate confirmation, was taken up for consideration.

Senator Jensen moved the adoption of Senate Resolution 107, which motion prevailed by a voice vote.

APPENDIX

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 2358, a bill for an act relating to certification of soil testing laboratories.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Priebe, Riordan, Boswell, Coleman, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 1: Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2359, a bill for an act providing for the payment of attorney fees in certain nuisance suits.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Priebe, Riordan, Boswell, Coleman, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 1: Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2360, a bill for an act relating to the disposal of dead animals, making penalties applicable, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Priebe, Riordan, Boswell, Coleman, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 1: Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2363, a bill for an act relating to commercial weighing and measuring.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Priebe, Riordan, Boswell, Coleman, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 1: Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

APPROPRIATIONS

Final Bill Action: SENATE FILE 2364, a bill for an act relating to and making appropriations to the department of agriculture and land stewardship, the Iowa state fair authority, the department of natural resources, and the state racing commission, and changing the distribution of certain fees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 18: Welsh, Boswell, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Pate, Peterson, Rensink, Riordan, Sturgeon, Tinsman and Varn. Nays, 2: Tieden and Running. Absent or not voting, 1: Bruner.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2365 (SSB 2219), a bill for an act relating to and making appropriations to the department of human services and the Iowa department of public health and providing other properly related matters.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 20: Welsh, Boswell, Tieden, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Pate, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn. Nays, none. Absent or not voting, 1: Bruner.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BUSINESS AND LABOR RELATIONS

Final Bill Action: SENATE RESOLUTION 108 (SSB 2284), a resolution relating to American Coal Miners' Memorial Day.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 9: Peterson, Sturgeon, Fuhrman, Gettings, Mann, Palmer, Running, Taylor and Vande Hoef. Nays, none. Absent or not voting, 1: Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 116 (SSB 2283), a concurrent resolution to urge the Congress of the United States, the President and the United States Department of Labor to enact and implement a supplemental appropriation to states for administration of unemployment insurance programs.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 9: Peterson, Sturgeon, Fuhrman, Gettings, Mann, Palmer, Running, Taylor and Vande Hoef. Nays, none. Absent or not voting, 1: Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 392, a bill for an act relating to workers' compensation by revising provisions governing the release of employee medical information.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-5104.

Final Vote: Ayes, 6: Peterson, Sturgeon, Gettings, Mann, Palmer and Running. Nays, 3: Fuhrman, Taylor and Vande Hoef. Absent or not voting, 1: Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2155, a bill for an act relating to the computation of workers' compensation benefits for elected and appointed officials.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-5103.

Final Vote: Ayes, 9: Peterson, Sturgeon, Fuhrman, Gettings, Mann, Palmer, Running, Taylor and Vande Hoef. Nays, none. Absent or not voting, 1: Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 2059, a bill for an act authorizing merged area schools to establish a self-insurance program for the payment of workers' compensation benefits, exempting the self-insurance program from taxation, and exempting the self-insurance program from insurance regulation.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Murphy, Horn, Taylor, Boswell, Corning, Deluhery, Dieleman, Hedge, Kibbie, Lind, Rensink, Szymoniak, Tieden, Tinsman and Varn. Nays, none. Absent or not voting, 2: Bruner and Lloyd-Jones.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2362 (SSB 2248), a bill for an act providing an adopt-a-student income tax credit and providing effective and applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Murphy, Horn, Taylor, Boswell, Corning, Dieleman, Kibbie, Lind, Rensink, Szymoniak, Tieden and Varn. Nays, 3: Deluhery, Hedge and Tinsman. Absent or not voting, 2: Bruner and Lloyd-Jones.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 2357 (SSB 2110), a bill for an act relating to the collection of real estate, real property, mobile home taxes, providing penalties, and continuing an appropriation, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Murphy, Priebe and Tinsman. Nays, none. Absent or not voting, 2: Jensen and Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE CONCURRENT RESOLUTION 115 (SSB 2008), a concurrent resolution recognizing the twenty-fifth anniversary of the Iowa Civil Rights Commission.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Kibbie, Lloyd-Jones, Coleman, Dieleman, Fraise, Gentleman, Hannon, Horn, Running and Vande Hoef. Nays, none. Absent or not voting, 5: Nystrom, Drake, Gronstal, Rife and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 2356 (SSB 2263), a bill for an act relating to certain approved driver education courses.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Coleman, Scott, Drake, Dieleman, Doyle, Goodwin and Lloyd-Jones. Nays, none. Absent or not voting, 3: Gettings, Jensen and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2361 (SSB 2247), a bill for an act relating to the acquisition of rights-of-way for highways.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Coleman, Scott, Drake, Dieleman, Doyle, Goodwin and Lloyd-Jones. Nays, none. Absent or not voting, 3: Gettings, Jensen and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 2364, by committee on Appropriations, a bill for an act relating to and making appropriations to the department of agriculture and land stewardship, the Iowa state fair authority, the department of natural resources, and the state racing commission, and changing the distribution of certain fees.

Read first time under Rule 28 and **placed on Appropriations calendar.**

Senate File 2365, by committee on Appropriations, a bill for an act relating to and making appropriations to the department of human services and the Iowa department of public health and providing other properly related matters.

Read first time under Rule 28 and **placed on Appropriations calendar.**

AMENDMENTS FILED

S-5103	S. F.	2155	Business & Labor Relations
S-5104	S. F.	392	Business & Labor Relations
S-5105	S. F.	2272	Tom Mann, Jr.

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:25 p.m., until 9:00 a.m., Friday, February 16, 1990.

JOURNAL OF THE SENATE

FORTIETH CALENDAR DAY
TWENTY-EIGHTH SESSION DAY

Senate Chamber

Des Moines, Iowa, Friday, February 16, 1990

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

Prayer was offered by the Honorable Richard Vande Hoef, member of the Senate from Osceola County, Harris, Iowa.

The Journal of Thursday, February 15, 1990, was approved.

INTRODUCTION OF BILLS

Senate File 2366, by committee on Local Government, a bill for an act establishing councils of governments and providing certain duties.

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

Senate File 2367, by committee on Agriculture, a bill for an act relating to drainage improvements.

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.

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

The Senate resumed session, Senator Varn presiding.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 117, by Horn, a concurrent resolution requesting the Legislative Council to authorize the creation of an interim study committee to study the distribution and retail sale of alcoholic liquors and wine in Iowa.

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

INTRODUCTION OF BILLS

Senate File 2368, by committee on Judiciary, a bill for an act relating to arson.

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

Senate File 2369, by committee on State Government, a bill for an act relating to the historic resource development program.

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

Senate File 2370, by committee on State Government, a bill for an act relating to the regulation of certain charitable organizations, providing a fee, and providing a penalty.

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

Senate File 2371, by committee on State Government, a bill for an act relating to the department of human rights.

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

Senate File 2372, by committee on State Government, a bill for an act relating to the 1991 redistricting process for the election of senators in conformity with article III, section 6 of the Constitution of the State of Iowa.

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

Senate File 2373, by committee on Judiciary, a bill for an act establishing civil penalties for certain civil rights violations.

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

Senate File 2374, by committee on Judiciary, a bill for an act relating to the administration of small estates.

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

Senate File 2375, by committee on State Government, a bill for an act relating to access to official meetings open to the public by persons with disabilities.

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

Senate File 2376, by committee on State Government, a bill for an act relating to election administration, designating the secretary of state as the state registrar of voters, and providing properly related matters.

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

Senate File 2377, by committee on State Government, a bill for an act relating to appointments subject to senate confirmation by providing for duties of appointing authorities and appointment and employment of the director of the department of education, and enacting a transitional provision.

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

Senate File 2378, by committee on State Government, a bill for an act relating to state chartered legal entities, especially nonprofit corporations and cooperative associations, by altering requirements and procedure for filing corporate documents in the office of the secretary of state and by requiring corporations organized under or subject to Iowa Code chapter 504 to convert to chapter 504A within a certain period of time.

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

Senate File 2379, by committee on Agriculture, a bill for an act relating to anaerobic lagoons, making penalties applicable, and providing for applicability of the Act.

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

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: February 15, 1990, 9:25 a.m.

Members Present: Priebe, Chair; Riordan, Vice Chair; Boswell, Coleman, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef.

Members Absent: Soorholtz, Ranking Member (excused).

Committee Business: Approved LSBs 8357, 8259, 8369, 8359 and 8233 as committee bills; recommended passage of Senate File 2052.

Adjourned: 9:55 a.m.

APPROPRIATIONS

Convened: February 15, 1990, 4:14 p.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Pate, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn.

Members Absent: Bruner (excused).

Committee Business: Approved LSB 7297 and SSB 2219 as committee bills; amended LSB 7290 and ordered redrafted as a committee bill.

Adjourned: 4:57 p.m.

BUSINESS AND LABOR RELATIONS

Convened: February 15, 1990, 11:40 a.m.

Members Present: Peterson, Chair; Sturgeon, Vice Chair; Fuhrman, Ranking Member; Gettings, Mann, Palmer, Running, Taylor and Vande Hoef.

Members Absent: Hultman.

Committee Business: Assigned bills to subcommittees; approved SSBs 2283 and 2284 as committee bills; recommended passage of Senate Files 392 and 2155 as amended.

Adjourned: 12:06 p.m.

EDUCATION

Convened: February 15, 1990, 1:00 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Boswell, Corning, Deluhery, Dieleman, Hedge, Kibbie, Lind, Rensink, Szymoniak, Tieden, Tinsman and Varn.

Members Absent: Bruner and Lloyd-Jones (both excused).

Committee Business: Recommended passage of Senate File 2059; approved SSB 2248 as a committee bill; discussed SSB 2285.

Adjourned: 2:46 p.m.

JUDICIARY

Convened: February 15, 1990, 5:35 p.m.

Members Present: Varn, Chair; Mann, Vice Chair; Gentleman, Ranking Member; Deluhery, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Murphy, Taylor and Welsh.

Members Absent: Coleman and Drake (both excused).

Committee Business: Amended and approved Senate Files 2144 and 2219 as committee bills; approved SSBs 2288, 2262 and 2174 as committee bills; recommended passage of Senate File 2061; deferred action on SSB 2062 and Senate File 18.

Adjourned: 6:15 p.m.

LOCAL GOVERNMENT

Convened: February 15, 1990, 8:10 a.m.

Members Present: Miller, Chair; Szymoniak, Vice Chair; Vande Hoef, Ranking Member; Fraise, Goodwin, Jensen, Murphy, Priebe and Tinsman.

Members Absent: Kinley.

Committee Business: Approved SSBs 2110 and 2255 as committee bills; recommended passage of Senate Files 2227, 2298 and 2295; recommended passage of Senate File 2287 as amended; amended and approved SSB 2198 as a committee bill; deferred action on House File 620.

Adjourned: 8:52 a.m.

NATURAL RESOURCES

Convened: February 14, 1990, 2:30 p.m.

Members Present: Scott, Chair; Kibbie, Vice Chair; Goodwin, Ranking Member; Doyle, Hedge, Hester, Miller, Peterson, Rensink and Tieden.

Members Absent: Husak and Priebe (both excused).

Committee Business: Approved SSBs 2251 and 2265 as committee bills; approved Senate Concurrent Resolution 110 as a committee resolution; recommended passage of Senate File 2032 as amended; recommended passage of Senate Files 298, 2178, 2196, 2217 and 2218.

Adjourned: 3:15 p.m.

STATE GOVERNMENT

Convened: February 15, 1990, 3:00 p.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef.

Members Absent: Nystrom, Ranking Member (excused).

Committee Business: Approved SSBs 2222, 2274, 2017, 2177, 2085, 2254, 2116 and 2194 as committee bills; recommended passage of Senate Files 2296 and 2031 and Senate Joint Resolution 2003; Senate File 2176 failed recommendation for passage.

Adjourned: 4:00 p.m.

TRANSPORTATION

Convened: February 15, 1990, 11:40 p.m.

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

Members Absent: Gettings (excused), Jensen (excused) and Nystrom.

Committee Business: Approved SSBs 2247 and 2263 as committee bills; recommended passage of House File 737 and Senate File 134 as amended; recommended passage of Senate File 2235; discussed and deferred action on Senate File 2253.

Adjourned: 12:00 noon.

STUDY BILLS RECEIVED

SSB 2287 Human Resources

Relating to the determination of paternity and the establishment of past child support obligations.

SSB 2288 Judiciary

Relating to certain specific crimes and the disposition of offenders by providing for notification of the parents and school officials of persons under age eighteen discovered to be in possession of alcohol or drugs, providing for a minimum term of confinement for distribution of illegal drugs within one thousand feet of a public park, providing for the reporting and identification of certain precursor drugs, providing for the diversion of certain OWI offenders to treatment facilities, providing that certain persons serving mandatory minimum sentences serve a portion of their sentence on work release, establishing the offense of driving while impaired, establishing a penalty for a person who causes a serious injury to another while operating a motor vehicle while under the influence, providing for certain OWI offenders to serve their sentence on consecutive days, providing for the requirement that a person provide a sample of the person's breath where the person is involved in a serious motor vehicle collision or a collision resulting in injury or death, establishing a zero alcohol tolerance level for persons under age eighteen, establishing a tax on marijuana and controlled substances, providing an expansion of the business deduction for businesses employing individuals on parole, probation, work release, or convicted of felony, establishing penalties for participation in criminal gang activity, providing for the nonbailability of certain offenders, providing requirements for presentence investigations, providing for early release of offenders participating in certain treatment or for certain property offenders, authorizing parole and probation officers to discharge certain offenders, establishing a pilot project for the chemical testing of persons arrested for felony offenses, and providing penalties.

SSB 2289 Ways & Means

Relating to the sales and use tax on carbon dioxide and providing a retroactive applicability date.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2191
(Revised)**

STATE GOVERNMENT: Running, Chair, Lloyd-Jones, Drake, Horn and Gentleman

Senate File 2255

COMMERCE: Mann, Chair; Deluhery and Nystrom

Senate File 2278

COMMERCE: Running, Chair; Hannon and Jensen

Senate File 2325

EDUCATION: Horn, Chair; Taylor and Szymoniak

Senate File 2330

JUDICIARY: Mann Chair; Gronstal and Gentleman

SSB 2271

COMMERCE: Hannon, Chair; Gronstal and Tieden

SSB 2285

EDUCATION: Varn, Chair; Horn, Boswell, Kibbie, Corning, Rensink and Tieden

SSB 2286

HUMAN RESOURCES: Riordan, Chair; Hannon and Hagerla

SSB 2287

HUMAN RESOURCES: Riordan, Chair; Murphy and Corning

SSB 2288

JUDICIARY: Gronstal, Chair; Murphy, Varn, Hester and Drake

RESOLUTION ASSIGNED TO COMMITTEE

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

S. C. R. 117 Rules and Administration

COMMITTEE REPORTS**AGRICULTURE**

Final Bill Action: SENATE FILE 2367, a bill for an act relating to drainage improvements.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Priebe, Riordan, Boswell, Coleman, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 1: Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2379, a bill for an act relating to anaerobic lagoons, making penalties applicable, and providing for applicability of the Act.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Priebe, Riordan, Soorholtz, Boswell, Coleman, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: SENATE FILE 2043, a bill for an act regulating the sale of liquified petroleum gas, and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Palmer, Deluhery, Jensen, Gronstal, Mann, Nystrom, Pate, Priebe and Tieden. Nays, none. Absent or not voting, 6: Hannon, Kinley, Lind, Rife, Running and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2255, a bill for an act relating to building contracts and mechanics or materialmen's liens by material suppliers against a subcontractor.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Palmer, Deluhery, Jensen, Gronstal, Mann, Nystrom, Pate, Priebe and Tieden. Nays, none. Absent or not voting, 6: Hannon, Kinley, Lind, Rife, Running and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 118 (SSB 2242), a concurrent resolution to welcome and encourage diverse cultures and diverse languages in business, government, and private affairs in Iowa.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 15: Murphy, Horn, Taylor, Boswell, Corning, Deluhery, Dieleman, Hedge, Kibbie, Lind, Lloyd-Jones, Rensink, Szymoniak, Tinsman and Varn. Nays, none. Absent or not voting, 2: Bruner and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 2300, a bill for an act requiring reimbursement of certain transportation costs for health care facility residents eligible for medical assistance.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Hannon, Corning, Connolly, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, 1: Gentleman. Absent or not voting, 1: Bruner.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 2061, a bill for an act relating to discovery in a civil action involving sexual abuse, sexual assault, or sexual harassment and providing for the Act's applicability.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Varn, Mann, Gentleman, Deluhery, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Murphy and Welsh. Nays, none. Absent or not voting, 3: Coleman, Drake and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2368, a bill for an act relating to arson in the first degree.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Varn, Mann, Gentleman, Deluhery, Gettings, Gronstal, Horn, Murphy and Welsh. Nays, none. Absent or not voting, 6: Coleman, Drake, Fuhrman, Hagerla, Hester and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2373 (SSB 2174), a bill for an act establishing civil penalties for certain civil rights violations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Varn, Mann, Deluhery, Fuhrman, Gettings, Gronstal, Hester, Horn, Murphy and Welsh. Nays, 2: Gentleman and Hagerla. Absent or not voting, 3: Coleman, Drake and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2374 (SSB 2262), a bill for an act relating to the administration of small estates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Varn, Mann, Gentleman, Deluhery, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Murphy and Welsh. Nays, none. Absent or not voting, 3: Coleman, Drake and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2380 (SSB 2288), a bill for an act relating to certain specific crimes and the disposition of offenders by providing for notification of the parents and school officials of persons under age eighteen discovered to be in possession of alcohol or drugs, providing for a minimum term of confinement for distribution of illegal drugs within one thousand feet of a public park, providing for the reporting and identification of certain precursor drugs, providing for the diversion of certain OWI offenders to treatment facilities, providing that certain persons serving mandatory minimum sentences serve a portion of their sentence on work release, establishing the offense of driving while impaired, establishing a penalty for a person who causes a serious injury to another while operating a motor vehicle while under the influence, providing for certain OWI offenders to serve their sentence on consecutive days, providing for the requirement that a person provide a sample of the person's breath where the person is involved in a serious motor vehicle collision or a collision resulting in injury or death, establishing a zero alcohol tolerance level for persons under age eighteen, establishing a tax on marijuana and controlled substances, providing an expansion of the business deduction for businesses employing individuals on parole, probation, work release, or convicted of felony, establishing penalties for participation in criminal gang activity, providing for the nonbailability of certain offenders, providing requirements for presentence investigations, providing for early release of offenders participating in certain treatment or for certain property offenders, authorizing parole and probation officers to discharge certain offenders, establishing a pilot project for the chemical testing of persons arrested for felony offenses, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Varn, Mann, Deluhery, Gettings, Gronstal, Hester, Horn, Murphy and Welsh. Nays, 2: Gentleman and Hagerla. Absent or not voting, 4: Coleman, Drake, Fuhrman and Taylor.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: *SENATE FILE 2366 (SSB 2198), a bill for an act establishing councils of governments and providing certain duties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Murphy, Priebe and Tinsman. Nays, none. Absent or not voting, 1: Kinley.

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 Local Government Committee on Senate File 2366 and they were attached to the committee report.

STATE GOVERNMENT

Final Bill Action: SENATE JOINT RESOLUTION 2003, a joint resolution proposing the establishment of a state office of disability prevention activities and requiring certain state agencies to perform various activities and to submit a report relating to coordination of disability prevention programs.

Recommendation: DO PASS.

Final Vote: Ayes. 14: Kibbie, Lloyd-Jones, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 1: Nystrom.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2031, a bill for an act relating to vacation leave sharing by state employees.

Recommendation: DO PASS.

Final Vote: Ayes. 8: Kibbie, Lloyd-Jones, Coleman, Fraise, Gronstal, Hannon, Horn and Running. Nays, 6: Dieleman, Drake, Gentleman, Rife, Soorholtz and Vande Hoef. Absent or not voting, 1: Nystrom.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2296, a bill for an act relating to informal dispute resolution, establishing a council for dispute resolution, and relieving the office of prosecuting attorneys training coordinator of the department of justice of responsibility for the dispute resolution program.

Recommendation: DO PASS.

Final Vote: Ayes. 14: Kibbie, Lloyd-Jones, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 1: Nystrom.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2369 (SSB 2254), a bill for an act relating to the historic resource development program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes. 13: Kibbie, Lloyd-Jones, Coleman, Dieleman, Drake, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 2: Nystrom and Fraise.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2370 (SSB 2085), a bill for an act repealing the chapter relating to solicitation of public donations by organizations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes. 13: Kibbie, Lloyd-Jones, Coleman, Dieleman, Drake, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 2: Nystrom and Fraise.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2371 (SSB 2194), a bill for an act relating to the department of human rights.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes. 13: Kibbie, Lloyd-Jones, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, 1: Coleman. Absent or not voting, 1: Nystrom

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2372 (SSB 2274), a bill for an act relating to the 1991 redistricting process for the election of senators in conformity with article III, section 6 of the Constitution of the State of Iowa.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes. 14: Kibbie, Lloyd-Jones, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2375 (SSB 2177), a bill for an act relating to access to official meetings open to the public by persons with disabilities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Kibbie, Lloyd-Jones, Coleman, Fraise, Gronstal, Hannon, Horn and Running. Nays, 2: Gentleman and Soorholtz. Absent or not voting, 5: Nystrom, Dieleman, Drake, Rife and Vande Hoef.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2376 (SSB 2017), a bill for an act relating to election administration, designating the secretary of state as the state registrar of voters, and providing properly related matters.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Kibbie, Lloyd-Jones, Coleman, Dieleman, Fraise, Gentleman, Gronstal, Hannon, Horn, Running, and Soorholtz. Nays, 3: Drake, Rife and Vande Hoef. Absent or not voting, 1: Nystrom.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2377 (SSB 2116), a bill for an act relating to appointments subject to senate confirmation by providing for duties of appointing authorities and appointment and employment of the director of the department of education, and enacting a transitional provision.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Kibbie, Coleman, Dieleman, Gronstal, Hannon, Horn, Rife, Running and Soorholtz. Nays, 4: Lloyd-Jones, Drake, Gentleman and Vande Hoef. Absent or not voting, 2: Nystrom and Fraise.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2378 (SSB 2222), a bill for an act relating to state chartered legal entities, especially nonprofit corporations and cooperative associations, by altering requirements and procedure for filing corporate documents in the office of the secretary of state and by requiring corporations organized under or subject to Iowa Code chapter 504 to convert to chapter 504A within a certain period of time.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes. 13: Kibbie, Lloyd-Jones, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 2: Nystrom and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 16th day of February, 1990:

Senate Files 199 and 280.

JOHN F. DWYER
Secretary of the Senate

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 118, by committee on Education, a concurrent resolution to welcome and encourage diverse cultures and diverse languages in business, government, and private affairs in Iowa.

Read first time under Rule 28 and **placed on calendar**.

INTRODUCTION OF BILL

Senate File 2380, by committee on Judiciary, a bill for an act relating to certain specific crimes and the disposition of offenders by providing for notification of the parents and school officials of persons under age eighteen discovered to be in possession of alcohol or drugs, providing for a minimum term of confinement for distribution of illegal drugs within one thousand feet of a public park, providing for the reporting and identification of certain precursor drugs, providing for the diversion of certain OWI offenders to treatment facilities, providing that certain persons serving mandatory minimum sentences serve a portion of their sentence on work release, establishing the offense of driving while impaired, establishing a penalty for a person who causes a serious injury to another while operating a motor vehicle while under

the influence, providing for certain OWI offenders to serve their sentence on consecutive days, providing for the requirement that a person provide a sample of the person's breath where the person is involved in a serious motor vehicle collision or a collision resulting in injury or death, establishing a zero alcohol tolerance level for persons under age eighteen, establishing a tax on marijuana and controlled substances, providing an expansion of the business deduction for businesses employing individuals on parole, probation, work release, or convicted of felony, establishing penalties for participation in criminal gang activity, providing for the nonbailability of certain offenders, providing requirements for presentence investigations, providing for early release of offenders participating in certain treatment or for certain property offenders, authorizing parole and probation officers to discharge certain offenders, establishing a pilot project for the chemical testing of persons arrested for felony offenses, and providing penalties.

Read first time under Rule 28 and placed on calendar.

AMENDMENT FILED

S—5106

S.F.

2280

Michael Gronstal

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 1:17 p.m., until 10:00 a.m., Monday, February 19, 1990.

JOURNAL OF THE SENATE

FORTY-THIRD CALENDAR DAY
TWENTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 19, 1990

The Senate met in regular session at 10:01 a.m., President pro tempore Mann presiding.

Prayer was offered by the Reverend Larry Hoop, pastor of the Colfax Center Presbyterian Church, Holland, Iowa.

The Journal of Friday, February 16, 1990, was approved.

LEAVES OF ABSENCE

Leaves of absence were as granted as follows:

Senator Priebe for the morning on request of Senator Hutchins and Senator Jensen for a portion of the day on request of Senator Tieden .

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 14, 1990, passed the following bill in which the concurrence of the Senate is asked:

House File 2321, a bill for an act relating to the acquisition and possession of firearms, increasing penalties for certain offenses, and providing an effective date.

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

INTRODUCTION OF BILLS

Senate Joint Resolution 2004, by Taylor, Priebe, Hultman, Jensen, Drake, Corning, Pate, Fuhrman, Goodwin, Hagerla,

Hedge, Hester, Lind, Scott, Coleman, Nystrom, Husak, Rensink, Boswell, Rife, Soorholtz, Tieden, Peterson and Vande Hoef, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to protection of taxpayers' rights by limiting taxes, revenue, and spending of the state and local governments.

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

Senate File 2381, by committee on Human Resources, a bill for an act requiring contributions to a housing trust fund if new construction or renovation displaces low-income housing units, congregate living facilities, or homeless shelter beds.

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

Senate File 2382, by committee on Small Business and Economic Development, a bill for an act providing education and job training income tax credits and providing a retroactive applicability date.

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

Senate File 2383, by committee on Environment and Energy Utilities, a bill for an act relating to the issuance of general permits for environmental quality control purposes by the department of natural resources, and subjecting violators to existing penalties.

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

Senate File 2384, by committee on Small Business and Economic Development, a bill for an act providing for the certification of local seed capital pools, providing a local seed capital pool income tax credit, and providing for a retroactive applicability date.

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

Senate File 2385, by committee on Small Business and Economic Development, a bill for an act establishing a new agricultural products and processes program and creating a state fund to support the program.

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

Senate File 2386, by committee on Education, a bill for an act relating to higher education, including coordination, administration, standards, and funding, and providing effective dates.

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

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that the following bills be referred from the Regular Calendar to committee:

S. F.	2287	Ways and Means
S. F.	2352	Ways and Means
S. F.	2353	Ways and Means
S. F.	2357	Ways and Means
S. F.	2362	Ways and Means
S. F.	2316	Appropriations
S. F.	2295	Judiciary

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.

CONSIDERATION OF BILLS (Ways and Means Calendar)

Senate File 2114

On motion of Senator Szymoniak, Senate File 2114, a bill for an act relating to the updating of references to the federal Internal Revenue Code, relating to income tax and the computation of net income, and providing certain retroactive applicability dates, was taken up for consideration.

Senator Bruner offered amendment S—5066 filed by Senators Bruner, Szymoniak and Dieleman, on February 7, 1990, to pages 1 through 3 of the bill and moved its adoption.

Amendment S—5066 was adopted by a voice vote.

Senator Szymoniak moved that the bill be read the last time now and placed upon its passage, 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, 47:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 1:

Fuhrman

Absent or not voting, 2:

Jensen

Priebe

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

Senate File 2250

On motion of Senator Dieleman, Senate File 2250, a bill for an act relating to the salaries paid to chaplains employed in state institutions, 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. 2250) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

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

Senate File 2260

On motion of Senator Dieleman, Senate File 2260, a bill for an act relating to sale and use taxation of certain museums by providing certain refunds and exemptions, 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. 2260) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon

Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

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

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent to that **Senate File 2332** be referred from the Regular Calendar to the committee on **Appropriations**.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 2104 and 2206.

Senate File 2104

On motion of Senator Vande Hoef, Senate File 2104, a bill for an act relating to service of process in an action brought against a county, with report of committee recommending passage, was taken up for consideration.

Senator Vande Hoef offered amendment S—5067 filed by him on February 8, 1990, to page 1 of the bill and moved its adoption.

Amendment S—5067 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 2104) the vote was:

Ayes, 48:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle

Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Jensen Priebe

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

Senate File 2206

On motion of Senator Lloyd-Jones, Senate File 2206, a bill for an act relating to campaign finance by specifying that restrictions on corporate campaign activities do not apply to certain political corporations, with report of committee recommending passage, was taken up for consideration.

Senator Lloyd-Jones asked and received unanimous consent that action on **Senate File 2206** be **deferred**.

Senate File 2230

On motion of Senator Vande Hoef, Senate File 2230, a bill for an act relating to membership qualifications of the board of review, 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. 2230) the vote was:

Ayes, 38:

Boswell	Bruner	Connolly	Corning
Deluhery	Dieleman	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin

Gronstal	Hagerla	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Nystrom	Pate
Peterson	Rensink	Rife	Scott
Soorholtz	Szymoniak	Taylor	Tinsman
Vande Hoef	Varn		

Nays, 10:

Coleman	Doyle	Hannon	Murphy
Palmer	Riordan	Running	Sturgeon
Tieden	Welsh		

Absent or not voting, 2:

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

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2201.

Senate File 2201

On motion of Senator Deluhery, Senate File 2201, a bill for an act relating to the family support subsidy program, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2201) the vote was:

Ayes, 46:

Boswell	Bruner	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Rensink	Rife	Riordan	Running

Scott
Taylor
Varn

Soorholtz
Tieden
Welsh

Sturgeon
Tinsman

Szymoniak
Vande Hoef

Nays, 1:

Gentleman

Absent or not voting, 3:

Connolly

Jensen

Priebe

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

BUSINESS PENDING (Senate File 2206)

Senate File 2206

The Senate resumed consideration of Senate File 2206, a bill for an act relating to campaign finance by specifying that restrictions on corporate campaign activities do not apply to certain political corporations, previously deferred.

Senator Gentleman offered amendment S—5111 filed by her from the floor to page 1 of the bill and moved its adoption.

Amendment S—5111 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?" (S.F. 2206) the vote was:

Ayes, 40:

Boswell
Corning
Drake
Gronstal
Husak
Lloyd-Jones
Nystrom
Priebe

Bruner
Deluhery
Fraise
Hannon
Hutchins
Mann
Palmer
Rensink

Coleman
Dieleman
Gettings
Horn
Kibbie
Miller
Pate
Riordan

Connolly
Doyle
Goodwin
Hultman
Kinley
Murphy
Peterson
Running

Scott Taylor	Soorholtz Tieden	Sturgeon Varn	Szymoniak Welsh
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Nays, 9:

Fuhrman Hester Vande Hoef	Gentleman Lind	Hagerla Rife	Hedge Tinsman
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Absent or not voting, 1:

Jensen

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 2240.

Senate File 2240

On motion of Senator Fuhrman, Senate File 2240, a bill for an act relating to the transfer of racing dogs, 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?" (S.F. 2240) the vote was:

Ayes, 49:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Jensen

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

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 2370** be referred from the Regular Calendar to the committee on **Ways and Means** and **Senate File 2337** be referred from the Regular Calendar to the committee on **Appropriations**.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 2114, 2250, 2260, 2104, 2206, 2230, 2201 and 2240** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order **Senate File 2244**.

Senate File 2244

On motion of Senator Drake, **Senate File 2244**, a bill for an act relating to parking fines, handicapped parking spaces, and handicapped identification devices, was taken up for consideration.

Senator Pate offered amendment S—5113 filed by Senators Pate and Szymoniak from the floor to pages 3 and 5 of the bill.

Senator Running asked and received unanimous consent that action on amendment S—5113 and **Senate File 2244** be **deferred**.

INTRODUCTION OF BILLS

Senate File 2387, by committee on Human Resources, a bill for an act relating to the determination of paternity and the establishment of past child support obligations.

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

Senate File 2388, by committee on Human Resources, a bill for an act relating to administrative procedures for the establishment, determination, and collection of certain spousal support debts.

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

Senate File 2389, by committee on Education, a bill for an act relating to education and training regarding adoption and parenting skills.

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

Senate File 2390, by Hultman, a bill for an act relating to a bounty on coyotes.

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

Senate File 2391, by committee on Environment and Energy Utilities, a bill for an act authorizing the department of natural resources to issue operating permits for air contaminant sources and subjecting violators to existing penalties.

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

Senate File 2392, by committee on Education, a bill for an act relating to the allocation of moneys between phases II and III in the educational excellence program.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:00 noon, until 2:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: FEBRUARY 16, 1990, 8:10 a.m.

Members Present: Palmer, Chair; Deluhery, Vice Chair; Jensen, Ranking Member; Gronstal, Mann, Nystrom, Pate, Priebe and Tieden.

Members Absent: Hannon, Kinley, Lind, Rife, Running and Welsh.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate Files 2043 and 2255.

Adjourned: 8:15 a.m.

EDUCATION

Convened: FEBRUARY 16, 1990, 12:46 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Boswell, Corning, Deluhery, Dieleman, Hedge, Kibbie, Lind, Lloyd-Jones, Rensink, Szymoniak, Tinsman and Varn.

Members Absent: Bruner and Tieden (both excused).

Committee Business: Approved SSBs 2285, 2242, 2270 and 2246 as committee bills.

Adjourned: 1:10 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: FEBRUARY 16, 1990, 10:17 a.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Pate, Ranking Member; Connolly, Hedge, Miller, Rife, Soorholtz, Sturgeon and Varn.

Members Absent: none.

Committee Business: Approved SSBs 2243, 2249, 2269 and 2268 as committee bills; deferred action on SSB 2244.

Adjourned: 10:37 a.m.

HUMAN RESOURCES

Convened: FEBRUARY 16, 1990, 10:52 a.m.

Members Present: Hannon, Chair; Corning, Ranking Member; Connolly, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman.

Members Absent: Bruner, Vice Chair (excused).

Committee Business: Approved SSBs 2253, 2103, 2287, 2286, 2257 and 2300; recommended passage of Senate Files 2175 and 2152 as amended; Senate File 2303 failed recommendation for passage.

Adjourned: 12:00 noon.

JUDICIARY

Convened: FEBRUARY 16, 1990, 12:00 noon.

Members Present: Varn, Chair; Mann, Vice Chair; Gentleman, Ranking Member; Coleman, Deluhery, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Murphy and Taylor.

Members Absent: Drake and Welsh (both excused).

Committee Business: Amended and approved SSB 2062 as a committee bill; recommended passage of Senate Files 18, 228, 2330 and 398; approved SSBs 2275, 2260, 2259, 2184, 2235 and 2278 as committee bills.

Adjourned: 12:30 p.m.

RULES AND ADMINISTRATION

Convened: FEBRUARY 15, 1990, 9:25 a.m.

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

Members Absent: none.

Committee Business: Approved proposed committee resolution relating to gubernatorial appointments requiring senate confirmation; assigned bills to subcommittees.

Adjourned: 9:50 a.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: FEBRUARY 16, 1990, 8:45 a.m.

Members Present: Boswell, Chair; Hannon, Vice Chair; Hagerla, Ranking Member; Connolly, Kibbie, Lind, Pate, Rife, Scott, Szymoniak and Vande Hoef.

Members Absent: Peterson (excused).

Committee Business: Approved SSBs 2282 and 2280 as committee bills; amended Senate File 2116 and ordered redrafted as a committee bill.

Adjourned: 9:05 a.m.

TRANSPORTATION

Convened: FEBRUARY 16, 1990, 8:30 a.m.

Members Present: Coleman, Chair; Scott, Vice Chair; Dieleman, Gettings, Goodwin and Jensen.

Members Absent: Drake, Ranking Member; Doyle, Lloyd-Jones and Nystrom.

Committee Business: Recommended passage of Senate File 2184 as amended.

Adjourned: 8:35 a.m.

PETITION

The following petition was presented and placed on file by:

Senator Hutchins from two thousand two hundred twenty-five residents of Des Moines, Henry and Lee Counties requesting Governor Branstad to support AFSCME 2989, and stop the rotation of correctional officers at the Iowa State Penitentiary.

COMMITTEE REPORTS**EDUCATION**

Final Bill Action: SENATE FILE 2386 (SSB 2285), a bill for an act relating to higher education.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Murphy, Horn, Taylor, Boswell, Corning, Deluhery, Dieleman, Hedge, Kibbie, Lind, Lloyd-Jones, Rensink, Szymoniak, Tinsman and Varn. Nays, none. Absent or not voting, 2: Bruner and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2389 (SSB 2270), a bill for an act relating to education and training regarding adoption and parenting skills.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Murphy, Horn, Taylor, Boswell, Corning, Deluhery, Dieleman, Hedge, Kibbie, Lind, Lloyd-Jones, Rensink, Szymoniak, Tinsman and Varn. Nays, none. Absent or not voting, 2: Bruner and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2392 (SSB 2246), a bill for an act relating to the allocation of moneys between phases II and III in the educational excellence program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Murphy, Horn, Boswell, Deluhery, Dieleman, Kibbie, Lloyd-Jones, Szymoniak and Varn. Nays, 6: Taylor, Corning, Hedge, Lind, Rensink and Tinsman. Absent or not voting, 2: Bruner and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: SENATE FILE 2383 (SSB 2268), a bill for an act relating to the issuance of general permits for environmental quality control purposes by the department of natural resources, and subjecting violators to existing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Deluhery, Gronstal, Pate, Connolly, Hedge, Miller, Rife, Soorholtz, Sturgeon and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2391 (SSB 2269), a bill for an act authorizing the department of natural resources to issue operating permits for air contaminant sources and subjecting violators to existing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Deluhery, Gronstal, Pate, Connolly, Hedge, Miller, Rife, Soorholtz, Sturgeon and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2393 (SSB 2249), a bill for an act authorizing a one thousand dollar civil penalty for each violation of a municipal ordinance regulating industrial wastewater pretreatment standards.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Deluhery, Gronstal, Pate, Connolly, Hedge, Miller, Rife, Soorholtz, Sturgeon and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 2152, a bill for an act relating to the definition of child abuse and to the testing of young children for the presence of certain drugs.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-5114.

Final Vote: Ayes, 9: Hannon, Corning, Connolly, Gentleman, Hagerla, Horn, Riordan, Taylor and Tinsman. Nays, 2: Murphy and Sturgeon. Absent or not voting, 1: Bruner.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2381 (SSB 2253), a bill for an act requiring contributions to a housing trust fund if new construction or renovation displaces low-income housing units, congregate living facilities, or homeless shelter beds.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Hannon, Corning, Connolly, Gentleman, Hagerla, Horn, Murphy, Riordan and Sturgeon. Nays, 1: Tinsman. Absent or not voting, 2: Bruner and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2387 (SSB 2287), a bill for an act relating to the determination of paternity and the establishment of past child support obligations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Hannon, Corning, Connolly, Gentleman, Hagerla, Horn, Riordan, Sturgeon, Taylor and Tinsman. Nays, 1: Murphy. Absent or not voting, 1: Bruner.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2388 (SSB 2257), a bill for an act relating to administrative procedures for the establishment, determination, and collection of certain spousal support debts.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Hannon, Corning, Connolly, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none. Absent or not voting, 1: Bruner.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 2394 (SSB 2278), a bill for an act relating to providing confidentiality requirements concerning victims and witnesses in criminal cases with certain exceptions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Varn, Mann, Gentleman, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Murphy and Taylor. Nays, none. Absent or not voting, 4: Coleman, Deluhery, Drake and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2395 (SSB 2260), a bill for an act relating to the protection of trade secrets and providing remedies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Varn, Mann, Gentleman, Deluhery, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Murphy and Taylor. Nays, none. Absent or not voting, 3: Coleman, Drake and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2396 (SSB 2275), a bill for an act relating to retroactive modifications of support orders.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Varn, Mann, Gentleman, Deluhery, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Murphy and Taylor. Nays, none. Absent or not voting, 3: Coleman, Drake and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2397 (SSB 2259), a bill for an act relating to an agreement between a landlord and tenant for the performance of specified alterations of property.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Varn, Mann, Deluhery, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Murphy and Taylor. Nays, 1: Gentleman. Absent or not voting, 3: Coleman, Drake and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2398 (SSB 2184), a bill for an act relating to workers' compensation by permitting the receipt of benefits by certain employees injured outside of this state and by imposing certain benefit payment requirements and penalties for unreasonable denial or nonpayment of medical benefits.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Varn, Mann, Deluhery, Gettings, Gronstal, Hagerla, Hester, Horn, Murphy and Taylor. Nays, 2: Gentleman and Fuhrman. Absent or not voting, 3: Coleman, Drake and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2399 (SSB 2235), a bill for an act relating to notarial officers and notarial acts and providing effective and applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Varn, Mann, Gentleman, Deluhery, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Murphy and Taylor. Nays, none. Absent or not voting, 3: Coleman, Drake and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2400 (SSB 2062), a bill for an act relating to the disposition of seizable and forfeitable property, by modifying provisions relating to seizable property and seizure of vehicles, amending the burden of proof at forfeiture proceedings, providing for conditions of forfeiture, establishing certain affirmative defenses, presumptions, and counterclaims, providing for the award of attorney fees, and providing an applicability date and an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Varn, Mann, Coleman, Deluhery, Fuhrman, Gettings, Gronstal, Hester, Horn, Murphy and Taylor. Nays, 1: Hagerla. Absent or not voting, 3: Gentleman, Drake and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: SENATE FILE 2382 (SSB 2280), a bill for an act providing education and job training income tax credits and providing a retroactive applicability date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Boswell, Hannon, Hagerla, Connolly, Kibbie, Lind, Pate, Rife, Scott, Szymoniak and Vande Hoef. Nays, none. Absent or not voting, 1: Peterson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2384, a bill for an act providing for the certification of local seed capital pools, providing a local seed capital pool income tax credit, and providing for a retroactive applicability date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Boswell, Hannon, Hagerla, Connolly, Kibbie, Lind, Pate, Rife, Scott, Szymoniak and Vande Hoef. Nays, none. Absent or not voting, 1: Peterson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2385 (SSB 2282), a bill for an act establishing a new agricultural products and processes program and creating a state fund to support the program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Boswell, Hannon, Hagerla, Connolly, Kibbie, Lind, Pate, Rife, Scott, Szymoniak and Vande Hoef. Nays, none. Absent or not voting, 1: Peterson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5107	S. F.	2373	Linn Fuhrman
S—5108	S. F.	2306	Larry Murphy C. Joseph Coleman
S—5109	S. F.	2306	Larry Murphy Ray Taylor
S—5110	S. F.	2113	Michael E. Gronstal
S—5111	S. F.	2206	Julia Gentleman
S—5112	S. F.	2306	Jim Lind Patrick Deluhery Larry Murphy
S—5113	S. F.	2244	Paul Pate Elaine Szymoniak
S—5114	S. F.	2152	Human Resources

AFTERNOON SESSION

The Senate reconvened at 2:50 p.m., President pro tempore Mann 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.

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate Files 2178 and 2196** be referred from the Regular Calendar to the committee on **Ways and Means** and **Senate File 2300** be referred from the Regular Calendar to the committee on **Human Resources**.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 2257, 2259 and 2263.

Senate File 2257

On motion of Senator Connolly, Senate File 2257, a bill for an act relating to the distribution of lists of certified ophthalmic dispensers, was taken up for consideration.

Senator Connolly moved that the bill be read the last time now and placed upon its passage, 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, 49:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla

Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
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.

Senate File 2259

On motion of Senator Connolly, Senate File 2259, a bill for an act relating to juvenile substance abuse programs licensed by the department of public health by requiring criminal record and child abuse registry screening of persons employed by the programs, was taken up for consideration.

Senator Connolly moved that the bill be read the last time now and placed upon its passage, 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, 49:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
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.

Senate File 2263

On motion of Senator Kibbie, Senate File 2263, a bill for an act authorizing a board of trustees of certain public hospitals to establish a separate fund for depreciation, was taken up for consideration.

Senator Kibbie moved that the bill be read the last time now and placed upon its passage, 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, 49:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Weish			

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 2305.

Senate File 2305

On motion of Senator Kibbie, Senate File 2305, a bill for an act providing for the distribution of voter registration forms to students of public and nonpublic schools who have reached voting age or will reach voting age within six months, was taken up for consideration.

Senator Lind offered amendment S—5089 filed by him on February 13, 1990, to page 1 of the bill.

Senator Kibbie called for a division of amendment S—5089: lines 2 and 3 as division S—5089A and lines 4 through 9 as division S—5089B.

Senator Lind moved the adoption of division S—5089A, which motion prevailed by a voice vote.

Senator Lind moved the adoption of division S—5089B.

A record roll call was requested.

On the question “Shall division S—5089B be adopted?” (S.F. 2305) the vote was:

Ayes, 17:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Jensen	Lind	Nystrom	Pate
Rensink	Rife	Soorholtz	Taylor
Vande Hoef			

Nays, 31:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Peterson	Priebe	Riordan
Running	Scott	Sturgeon	Szymoniak
Tinsman	Varn	Welsh	

Absent or not voting, 2:

Hultman	Tieden
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Division S—5089B lost.

Senator Kibbie moved that the bill be read the last time now and placed upon its passage, 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, 49:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
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 2363.

Senate File 2363

On motion of Senator Priebe, Senate File 2363, a bill for an act relating to commercial weighing and measuring, 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. 2363) the vote was:

Ayes, 49:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
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.

BUSINESS PENDING

Senate File 2244

The Senate resumed consideration of Senate File 2244, a bill for an act relating to parking fines, handicapped parking spaces, and handicapped identification devices, and amendment S—5113 by Senators Pate and Szymoniak, previously deferred.

Senator Pate moved the adoption of amendment S—5113 to pages 3 and 5 of the bill.

A record roll call was requested.

On the question "Shall amendment S—5113 be adopted?" (S.F. 2244) the vote was:

Ayes, 12:

Corning	Fuhrman	Gentleman	Hagerla
Hedge	Hester	Lind	Pate
Soorholtz	Szymoniak	Tinsman	Vande Hoef

Nays, 37:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Goodwin	Gronstal
Hannon	Horn	Husak	Hutchins
Jensen	Kibbie	Kinley	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Sturgeon	Taylor	Tieden	Varn
Welsh			

Absent or not voting, 1:

Hultman

Amendment S—5113 lost.

Senator Running offered amendment S—5117 filed by him from the floor to page 5 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5117 be adopted?” (S.F. 2244) the vote was:

Ayes, 28:

Boswell	Corning	Doyle	Fraise
Fuhrman	Gentleman	Gettings	Hannon
Hedge	Horn	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Palmer	Pate	Rensink	Rife
Running	Scott	Soorholtz	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef

Nays, 22:

Bruner	Coleman	Connolly	Deluhery
Dieleman	Drake	Goodwin	Gronstal
Hagerla	Hester	Hultman	Husak

Hutchins	Jensen	Mann	Nystrom
Peterson	Priebe	Riordan	Sturgeon
Varn	Welsh		

Amendment S—5117 was adopted.

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. 2244 the vote was:

Ayes, 49:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 1:

Gentleman

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, 2259, 2263, 2305, 2363 and 2244** be **immediately messaged** to the House.

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

The Senate resumed session, President pro tempore Mann presiding.

INTRODUCTION OF BILLS

Senate File 2393, by committee on Environment and Energy Utilities, a bill for an act authorizing a one thousand dollar civil penalty for each violation of a municipal ordinance regulating industrial wastewater pretreatment standards.

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

Senate File 2394, by committee on Judiciary, a bill for an act relating to providing confidentiality requirements concerning victims and witnesses in criminal cases with certain exceptions.

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

Senate File 2395, by committee on Judiciary, a bill for an act relating to the protection of trade secrets and providing remedies.

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

Senate File 2396, by committee on Judiciary, a bill for an act relating to retroactive modifications of support orders.

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

Senate File 2397, by committee on Judiciary, a bill for an act relating to an agreement between a landlord and tenant for the performance of specified alterations of property.

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

Senate File 2398, by committee on Judiciary, a bill for an act relating to workers' compensation by permitting the receipt of benefits by certain employees injured outside of this state and by imposing certain benefit payment requirements and penalties for unreasonable denial or nonpayment of medical benefits.

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

Senate File 2399, by committee on Judiciary, a bill for an act relating to notarial officers and notarial acts and providing effective and applicability dates.

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

Senate File 2400, by committee on Judiciary, a bill for an act relating to the disposition of seizable and forfeitable property, by modifying provisions relating to seizable property and seizure of vehicles, amending the burden of proof at forfeiture proceedings, providing for conditions of forfeiture, establishing certain affirmative defenses, presumptions, and counterclaims, providing for the award of attorney fees, and providing an applicability date and an effective date.

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

Senate File 2401, by committee on Human Resources, a bill for an act establishing a state community-based services fund for the mentally ill.

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

Senate File 2402, by committee on Appropriations, a bill for an act relating to and making appropriations to state agencies whose responsibilities relate to public defense, public safety, transportation, and enforcement, and including allocation and use of moneys from the road use tax fund, primary road fund, and state aviation fund, mandating reports of certain agency purchases and providing expenses for certain members of the Iowa highway research board.

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

Senate File 2403, by committee on Environment and Energy Utilities, a bill for an act relating to energy efficiency.

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

Senate File 2404, by committee on Judiciary, a bill for an act relating to the accessibility and confidentiality of certain information.

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

CONSIDERATION OF BILL (Appropriations Calendar)

Senate File 2280

On motion of Senator Gronstal, Senate File 2280, a bill for an

act relating to and making appropriations to various state agencies including certain state 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, increasing certain fees, changing the procurement program, and providing for repeals of certain provisions, was taken up for consideration.

Senator Gronstal offered amendment S—5106 filed by him on February 16, 1990, to pages 1 and 26 of the bill.

Senator Gronstal asked and received unanimous consent that action on amendment S—5106 be deferred.

Senator Gronstal offered amendment S—5086 filed by him on February 13, 1990, to pages 3, 11, 15, 19 through 26, 28 and 29 of the bill and moved its adoption.

Amendment S—5086 was adopted by a voice vote.

Senator Bruner offered amendment S—5118 filed by him from the floor to page 12 of the bill and moved its adoption.

Amendment S—5118 was adopted by a voice vote.

Senator Jensen offered amendment S—5122 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 18, nays 27.

Amendment S—5122 lost.

The Senate resumed consideration of amendment S—5106 by Senator Gronstal to pages 1 and 26 of the bill, previously deferred.

Senator Gronstal called for a division of amendment S—5106: lines 2 through 9 as division S—5106A and lines 10 through 21 as division S—5106B.

Senator Gronstal moved the adoption of division S—5106A, which motion prevailed by a voice vote.

Senator Gronstal moved the adoption of division S—5106B.

A non record roll call was requested.

The ayes were 29, nays 16.

Division S—5106B was adopted.

Senator Lind offered amendment S—5124 filed by Senators Lind and Hultman from the floor to pages 28 and 29 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5124 be adopted?” (S.F. 2280) the vote was:

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

Ayes, 23:

Corning	Fuhrman	Gentleman	Gettings
Goodwin	Hagerla	Hedge	Hester
Hultman	Husak	Jensen	Lind
Nystrom	Pate	Peterson	Rensink
Rife	Soorholtz	Sturgeon	Taylor
Tieden	Tinsman	Vande Hoef	

Nays, 24:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Doyle	Fraise
Gronstal	Hannon	Horn	Hutchins
Kibbie	Lloyd-Jones	Mann	Miller
Murphy	Palmer	Riordan	Running
Scott	Szymoniak	Varn	Welsh

Absent or not voting, 3:

Drake	Kinley	Priebe
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Amendment S—5124 lost.

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

On the question “Shall the bill pass?” (S.F. 2280) the vote was:

Ayes, 37:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gettings	Gronstal
Hannon	Hester	Horn	Husak
Hutchins	Jensen	Kibbie	Lloyd-Jones
Mann	Murphy	Nystrom	Palmer
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Tinsman	Varn
Welsh			

Nays, 11:

Fuhrman	Gentleman	Goodwin	Hagerla
Hedge	Hultman	Lind	Pate
Taylor	Tieden	Vande Hoef	

Absent or not voting, 2:

Kinley	Miller
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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 2280** 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 Files 2308 and 2086.

Senate File 2308

On motion of Senator Sturgeon, Senate File 2308, a bill for an act relating to dental prosthesis identification, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2308) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kibbie	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

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

Senate File 2086

On motion of Senator Gronstal, Senate File 2086, a bill for an act relating to storage tanks by exempting certain aboveground tanks from registration with the state fire marshal, by limiting registration to aboveground petroleum storage tanks, by defining where aboveground tanks may be permitted for retail motor vehicle fuel outlets pursuant to rules of the state fire marshal, and by altering eligibility standards for certain loan guarantees, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gronstal offered amendment S—5090 filed by the committee on Environment and Energy Utilities on February 13, 1990, to page 6 of the bill.

Senator Gronstal offered amendment S—5095 filed by him on February 15, 1990, to amendment S—5090 and moved its adoption.

Amendment S—5095 was adopted by a voice vote.

Senator Gronstal moved the adoption of amendment S—5090 as amended, 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. 2086) the vote was:

Ayes, 48:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

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

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2306.

Senate File 2306

On motion of Senator Murphy, Senate File 2306, a bill for an act relating to open enrollment, including the general intent, notification dates, exceptions to notification dates, board action on requests, counting of pupils for state foundation aid purposes, student expulsion or suspension, qualification for transportation, and participation of laboratory schools, and providing an effective date, was taken up for consideration.

Senator Lind asked and received unanimous consent that action on amendment S—5112 filed by Senators Lind, Deluhery and Murphy from the floor to pages 1 and 6 of the bill be deferred.

Senator Lind asked and received unanimous consent that action on amendment S—5119 filed by Senators Lind and Horn from the floor to amendment S—5112 be deferred.

Senator Fuhrman offered amendment S—5123 filed by Senators Fuhrman and Horn from the floor to pages 1 and 5 of the bill.

Senator Fuhrman offered amendment S—5125 filed by him from the floor to amendment S—5123 and moved its adoption.

Amendment S—5125 was adopted by a voice vote.

Senator Fuhrman moved the adoption of amendment S—5123 as amended.

A non record roll call was requested.

The ayes were 20, nays 25.

Amendment S—5123 as amended lost.

The Senate resumed consideration of amendment S—5112 by Senators Lind, Deluhery and Murphy to pages 1 and 6 of the bill and amendment S—5119 by Senators Lind and Horn to amendment S—5112, previously deferred.

Senator Lind moved the adoption of amendment S-5119 to amendment S—5112.

A non record roll call was requested.

The ayes were 19, nays 25.

Amendment S—5119 lost.

Senator Lind moved the adoption of amendment S—5112.

A non record roll call was requested.

The ayes were 28, nays 16.

Amendment S—5112 was adopted.

Senator Hutchins asked and received unanimous consent that action on **Senate File 2306** be **deferred**.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 2308 and 2086** be **immediately messaged** to the House.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 119, by committee on Appropriations, a concurrent resolution relating to the training and rotation of correctional officers at the Iowa State Penitentiary.

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

APPENDIX

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 2114, the following corrections were made:

1. Page 3, line 10, the words "and 5" were changed to the words "and 6".
2. Page 3, line 18, the words "4, and 100" were changed to the words "4, and 5".
3. Page 3, line 22, the words "Section 6" were changed to the words "Section 7".

JOHN F. DWYER
Secretary of the Senate

SUBCOMMITTEE ASSIGNMENTS

Senate File 307

STATE GOVERNMENT: Kibbie, Chair; Dieleman and Vande Hoef

Senate File 2287

WAYS AND MEANS: Szymoniak, Chair; Murphy and Hultman

Senate File 2310

WAYS AND MEANS: Palmer, Chair; Riordan and Drake

Senate File 2335

WAYS AND MEANS: Dieleman, Chair; Bruner and Hultman

Senate File 2352

WAYS AND MEANS: Szymoniak, Chair; Connolly and Hultman

Senate File 2353

WAYS AND MEANS: Connolly, Chair; Szymoniak and Hester

Senate File 2357

WAYS AND MEANS: Murphy, Chair; Fraise and Fuhrman

Senate File 2362

WAYS AND MEANS: Dieleman, Chair; Murphy and Soorholtz

Senate File 2370

WAYS AND MEANS: Riordan, Chair; Dieleman and Drake

SSB 2289

WAYS AND MEANS: Szymoniak, Chair; Dieleman and Soorholtz

BILLS ASSIGNED TO COMMITTEE

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

S. J. R.	2004	Ways and Means
S. F.	2390	Natural Resources
H. F.	2321	Local Government

COMMITTEE REPORTS**APPROPRIATIONS**

Final Bill Action: SENATE FILE 2402, a bill an act relating to and making appropriations to state agencies whose responsibilities relate to public defense, public safety, transportation, and enforcement, and including allocation and use of moneys from the road use tax fund, primary road fund, and state aviation fund, mandating reports of certain agency purchases and providing expenses for certain members of the Iowa highway research board.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Welsh, Boswell, Bruner, Corning, Fraise, Gettings, Gronstal, Husak, Lind, Lloyd-Jones, Peterson, Rensink, Riordan, Running, Tinsman and Varn. Nays, 3: Tieden, Goodwin and Pate. Absent or not voting, 2: Jensen and Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 119, a concurrent resolution relating to the training and rotation of correctional officers at the Iowa State Penitentiary.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 12: Welsh, Boswell, Bruner, Fraise, Gettings, Gronstal, Husak, Lloyd-Jones, Peterson, Riordan, Running and Varn. Nays, 7: Tieden, Corning, Goodwin, Lind, Pate, Rensink and Tinsman. Absent or not voting, 2: Jensen and Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 2403 (SSB 2243), a bill for an act relating to energy efficiency.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Deluhery, Gronstal, Connolly, Miller, Sturgeon and Varn. Nays, 3: Pate, Hedge and Rife. Absent or not voting, 1: Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 2175, a bill for an act relating to juvenile justice by amending Code provisions regarding department of human services records, children in need of assistance, the child abuse information registry, and adoption.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5127.

Final Vote: Ayes, 9: Hannon, Corning, Connolly, Hagerla, Horn, Murphy, Riordan, Sturgeon and Tinsman. Nays, 2: Gentleman and Taylor. Absent or not voting, 1: Bruner.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2401 (SSB 2103), a bill for an act establishing a state community-based services fund for the mentally ill.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Hannon, Corning, Connolly, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, 1: Gentleman. Absent or not voting, 1: Bruner.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 18, a bill for an act relating to the time period within which an information or indictment for sexual abuse with a child under the age of twelve shall be found.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Varn, Mann, Gentleman, Deluhery, Gettings, Gronstal, Hagerla, Hester, Horn, Murphy and Taylor. Nays, 1: Fuhrman. Absent or not voting, 3: Coleman, Drake and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 228, a bill for an act relating to the liability of a municipality for prejudgment interest.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Varn, Gentleman, Deluhery, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Murphy and Taylor. Nays, 1: Mann. Absent or not voting, 3: Coleman, Drake and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 398, a bill for an act relating to the location of the personal office space and equipment, and facilities for a secretary and law clerk of a judge of the court of appeals.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Varn, Mann, Gentleman, Deluhery, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Murphy and Taylor. Nays, none. Absent or not voting, 3: Coleman, Drake and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2330, a bill for an act relating to landlords and tenants.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Varn, Mann, Gentleman, Deluhery, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Murphy and Taylor. Nays, none. Absent or not voting, 3: Coleman, Drake and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2404, a bill for an act relating to privileged information obtained by reporters, and providing a civil remedy for disclosure under appropriate circumstances.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Varn, Mann, Gentleman, Deluhery, Fuhrman, Gettings, Hagerla, Hester, Horn, Murphy and Welsh. Nays, 1: Gronstal. Absent or not voting, 3: Coleman, Drake and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 2184, a bill for an act relating to the use of blue flashing lights on privately owned motor vehicles of certain emergency medical care providers and making penalties applicable.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5116.

Final Vote: Ayes, 6: Coleman, Scott, Dieleman, Gettings, Goodwin and Jensen. Nays, none. Absent or not voting, 4: Drake, Doyle, Lloyd-Jones and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5115	S. F.	2359	Tom Mann, Jr. James Riordan
S—5116	S. F.	2184	Transportation
S—5117	S. F.	2244	Richard Running
S—5118	S. F.	2280	Charles Bruner
S—5119	S. F.	2306	Jim Lind Wally Horn
S—5120	S. F.	2265	Wally Horn
S—5121	S. F.	2320	Charles Bruner

S—5122	S. F.	2280	John Jensen
S—5123	S. F.	2306	Linn Fuhrman Wally Horn
S—5124	S. F.	2280	Jim Lind Calvin Hultman
S—5125	S. F.	2306	Linn Fuhrman
S—5126	S. F.	2306	William Dieleman
S—5127	S. F.	2175	Human Resources
S—5128	S. F.	2306	Berl Priebe
S—5129	S. F.	2243	Jean Lloyd-Jones Elaine Szymoniak Linn Fuhrman
S—5130	S. F.	2243	Jean Lloyd-Jones Linn Fuhrman
S—5131	S. F.	2243	Jean Lloyd-Jones Linn Fuhrman Charles Bruner
S—5132	S. F.	2354	Richard Varn Jack W. Hester
S—5133	S. F.	2373	Tom Mann, Jr.
S—5134	S. F.	2243	Jean Lloyd-Jones Richard F. Drake Linn Fuhrman Charles Bruner William D. Palmer

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:05 p.m., until 9:00 a.m., Tuesday, February 20, 1990.

JOURNAL OF THE SENATE

FORTY-FOURTH CALENDAR DAY
THIRTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 20, 1990

The Senate met in regular session at 9:08 a.m., President Zimmerman presiding.

Prayer was offered by Dr. Steve Sorensen, pastor of the Disciples of Christ Christian Church, Nora Springs, Iowa.

The Journal of Monday, February 19, 1990, was approved.

INTRODUCTION OF BILL

Senate File 2405, by committee on Human Resources, a bill for an act creating the council on chemically exposed infants.

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

QUORUM CALL

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

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

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Concurrent Resolution 114.

Senate Concurrent Resolution 114

On motion of Senator Hester, Senate Concurrent Resolution 114, a concurrent resolution relating to an endorsement by the General Assembly for full federal funding for fish and wildlife mitigation on the Missouri River, was taken up for consideration.

Senator Hester moved the adoption of Senate Concurrent Resolution 114, which motion prevailed by a voice vote.

Senate Concurrent Resolution 115

On motion of Senator Hannon, Senate Concurrent Resolution 115, a concurrent resolution recognizing the twenty-fifth anniversary of the Iowa Civil Rights Commission, was taken up for consideration.

Senator Hannon moved the adoption of Senate Concurrent Resolution 115, which motion prevailed by a voice vote.

Senate Concurrent Resolution 116

On motion of Senator Running, Senate Concurrent Resolution 116, a concurrent resolution to urge the Congress of the United States, the President and the United States Department of Labor to enact and implement a supplemental appropriation to states for administration of unemployment insurance programs, was taken up for consideration.

Senator Running moved the adoption of Senate Concurrent Resolution 116, which motion prevailed by a voice vote.

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 118.

Senate Concurrent Resolution 118

On motion of Senator Lloyd-Jones, Senate Concurrent Resolution 118, a concurrent resolution to welcome and encourage diverse cultures and diverse languages in business, government, and private affairs in Iowa, was taken up for consideration.

Senator Lloyd-Jones moved the adoption of Senate Concurrent Resolution 118, which motion prevailed by a voice vote.

CONSIDERATION OF RESOLUTION (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 119.

Senate Concurrent Resolution 119

On motion of Senator Fraise, Senate Concurrent Resolution 119, a concurrent resolution relating to the training and rotation of correctional officers at the Iowa State Penitentiary, was taken up for consideration.

Senator Lind asked and received unanimous consent that action on **Senate Concurrent Resolution 119** be deferred.

UNFINISHED BUSINESS
(Deferred February 19, 1990)**Senate File 2306**

The Senate resumed consideration of Senate File 2306, a bill for an act relating to open enrollment, including the general intent, notification dates, exceptions to notification dates, board action on requests, counting of pupils for state foundation aid purposes, student expulsion or suspension, qualification for transportation, and participation of laboratory schools, and providing an effective date, deferred February 19, 1990.

Senator Priebe offered amendment S—5128 filed by him on February 19, 1990, to page 2 of the bill and moved its adoption.

Amendment S—5128 was adopted by a voice vote.

Senator Murphy offered amendment S—5109 filed by Senators Murphy and Taylor on February 19, 1990, to page 3 of the bill and moved its adoption.

Amendment S—5109 was adopted by a voice vote.

Senator Dieleman offered amendment S—5126 filed by him on February 19, 1990, to page 6 of the bill.

President pro tempore Mann took the chair at 10:06 a.m.

Senator Dieleman moved the adoption of amendment S—5126.

A record roll call was requested.

On the question "Shall amendment S—5126 be adopted?" (S.F. 2306) the vote was:

Ayes, 13:

Boswell	Dieleman	Fuhrman	Gentleman
Goodwin	Hedge	Hultman	Nystrom
Rensink	Scott	Taylor	Tieden
Vande Hoef			

Nays, 35:

Bruner	Coleman	Connolly	Corning
Deluhery	Fraise	Gettings	Gronstal
Hagerla	Hannon	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Palmer	Pate
Peterson	Priebe	Rife	Riordan
Running	Soorholtz	Sturgeon	Szymoniak
Tinsman	Varn	Welsh	

Absent or not voting, 2:

Doyle Drake

Amendment S—5126 lost.

Senator Murphy offered amendment S—5108 filed by Senators Murphy and Coleman on February 19, 1990, to page 7 of the bill and moved its adoption.

Amendment S—5108 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 2306) the vote was:

Ayes, 50:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe

Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

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

BUSINESS PENDING

Senate Concurrent Resolution 119

The Senate resumed consideration of Senate Concurrent Resolution 119, a concurrent resolution relating to the training and rotation of correctional officers at the Iowa State Penitentiary, previously deferred.

President Zimmerman took the chair at 10:26 a.m.

Senator Lind offered amendment S—5144 filed by him from the floor to page 2 of the resolution and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5144 be adopted?" (S.C.R. 119) the vote was:

Ayes, 19:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Nystrom
Pate	Rensink	Rife	Soorholtz
Tieden	Tinsman	Vande Hoef	

Nays, 30:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Peterson	Priebe	Riordan
Running	Scott	Sturgeon	Szymoniak
Varn	Welsh		

Absent or not voting, 1:

Taylor

Amendment S—5144 lost.

Senator Fraise moved the adoption of Senate Concurrent Resolution 119.

A record roll call was requested.

On the question "Shall the resolution be adopted?" (S.C.R. 119) the vote was:

Ayes, 32:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hagerla	Hannon
Horn	Husak	Hutchins	Kibbie
Kinley	Lloyd-Jones	Mann	Miller
Murphy	Palmer	Peterson	Priebe
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Varn	Welsh

Nays, 10.

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hedge	Hester	Hultman
Jensen	Lind	Nystrom	Pate
Rensink	Rife	Taylor	Tieden
Tinsman	Vande Hoef		

The motion prevailed and the resolution was adopted.

Senator Hutchins asked and received unanimous consent that **Senate Concurrent Resolution 119** 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 pro tempore Mann presiding.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senate File 2327

On motion of Senator Boswell, Senate File 2327, a bill for an act relating to and making appropriations to the department of economic development, INTERNET, Wallace technology transfer foundation, and the Iowa finance authority, was taken up for consideration.

Senator Boswell offered amendment S—5146 filed by Senators Hultman and Corning from the floor to page 4 of the bill and moved its adoption.

Amendment S—5146 was adopted by a voice vote.

Senator Hannon offered amendment S—5147 filed by Senators Hannon and Welsh from the floor to page 9 of the bill.

President Zimmerman took the chair at 11:40 a.m.

Senator Hannon moved the adoption of amendment S—5147 which motion prevailed by a voice vote.

Senator Szymoniak offered amendment S—5145 filed by Senators Szymoniak and Lloyd-Jones from the floor to pages 11 and 17 of the bill.

Senator Boswell asked and received unanimous consent that action on amendment S—5145 be deferred.

Senator Rife offered amendment S—5137 filed by him from the floor to page 12 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5137 be adopted?" (S.F. 2327) the vote was:

Ayes, 15:

Drake	Fuhrman	Goodwin	Hedge
Hester	Hultman	Jensen	Lind
Nystrom	Pate	Rensink	Rife
Soorholtz	Taylor	Vande Hoef	

Nays, 34:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Fraise	Gentleman	Gettings	Gronstal
Hagerla	Hannon	Horn	Husak
Kibbie	Kinley	Lloyd-Jones	Mann
Miller	Murphy	Palmer	Peterson
Priebe	Riordan	Running	Scott
Sturgeon	Szymoniak	Tieden	Tinsman
Varn	Welsh		

Absent or not voting, 1:

Hutchins

Amendment S—5137 lost.

Senator Hagerla offered amendment S—5148 filed by Senators Hagerla, et al., from the floor to pages 1, 5, 6, 17, 18 and the title page of the bill.

Senator Boswell asked and received unanimous consent that action on amendment S—5148 be deferred.

Senator Horn asked and received unanimous consent that action on **Senate File 2327** be deferred.

BILLS REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate Files 2382** and **2384** be referred from the Regular Calendar to the committee on **Ways and Means**.

RECESS

On motion of Senator Horn, the Senate recessed at 12:06 p.m., until 3:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: February 19, 1990, 2:31 p.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Lind, Lloyd-Jones, Pate, Peterson, Rensink, Riordan, Running, Tinsman and Varn.

Members Absent: Jensen and Sturgeon (both excused).

Committee Business: Approved LSB 7290 as a committee bill; approved LSB 8396 as a committee resolution; assigned bills to subcommittees.

Adjourned: 2:48 p.m.

STATE GOVERNMENT

Convened: February 19, 1990, 2:10 p.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Coleman, Dieleman, Fraise, Gentleman, Hannon, Horn, Rife, Running and Vande Hoef.

Members Absent: Drake, Gronstal and Soorholtz (all excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 2:12 p.m.

WAYS AND MEANS

Convened: February 19, 1990, 1:43 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hester, Ranking Member; Bruner, Connolly, Drake, Fraise, Fuhrman, Gentleman, Palmer, Soorholtz and Szymoniak.

Members Absent: Hultman, Murphy and Riordan.

Committee Business: Assigned bills to subcommittees.

Adjourned: 1:47 p.m.

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 2114, the following corrections were made:

- 1. Page 1, line 14, the words "section 44" were changed to the words "section 34".
- 2. Page 21, line 26, the words "sections 39 through 42" were changed to the words "sections 30 through 33".
- 3. Page 22, line 29, the words "Sections 39, 40, 41, and 44" were changed to the words "Sections 30, 31, 32, and 34".

JOHN F. DWYER
Secretary of the Senate

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2306 passed the Senate on February 20, 1990.

WILLIAM W. DIELEMAN

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2306 passed the Senate on February 20, 1990.

LARRY MURPHY

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 117

RULES AND ADMINISTRATION: Lloyd-Jones, Chair; Hultman and Hutchins

Senate File 2281

APPROPRIATIONS: Lloyd-Jones, Chair; Lind and Running

Senate File 2288

APPROPRIATIONS: Bruner, Chair; Corning and Sturgeon

**Senate File 2299
(Revised)**

TRANSPORTATION: Doyle, Chair; Drake, Lloyd-Jones, Scott and Gettings.

Senate File 2316

APPROPRIATIONS: Gronstal, Chair; Sturgeon and Corning

House File 2294

ENVIRONMENT & ENERGY UTILITIES: Sturgeon, Chair; Deluhery and Pate

PRESENTATION OF VISITORS

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

Six high school students from Woodbine and Logan Schools, accompanied by Paul Wilderdyke. Senator Hester.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on February 20, 1990, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 199 — Relating to child day care by amending certain definitions and certain requirements for family day care homes.

Senate File 280 — Relating to the provision of economic development assistance to communities by authorizing certain property tax exemptions.

STUDY BILL RECEIVED**SSB 2290 Appropriations**

A concurrent resolution encouraging the selection of Iowa as an evaluation state for a national study of welfare reform.

COMMUNICATIONS

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

BOARD OF REGENTS

The 1991-2000 Ten Year Building Program, pursuant to Section 262A.3, Code of Iowa.

CIVIL RIGHTS COMMISSION

Annual Report of the Commission for the fiscal year 1989, pursuant to Chapter 601A.5(7), Code of Iowa.

DRUG ENFORCEMENT/SUBSTANCE ABUSE

Annual Report of the State Drug Enforcement and Abuse Prevention Coordinator, pursuant to Section I, H.F. 780, 1989 Session of the 73rd General Assembly.

DEPARTMENT OF COMMERCE
Professional Licensing & Regulation Division

A report pursuant to Sec. 258A.4(2), Code of Iowa.

DEPARTMENT OF EDUCATION

Annual Report of the Child Development Coordinating Council, pursuant to S.F. 2192, 1988 Session of the 72nd General Assembly.

A Child Development Coordinating Council report on early childhood entities and resources, pursuant to S.F. 223, 1989 Session of the 73rd General Assembly.

"Characteristics of Iowa High School Graduates Who Pursue Postsecondary Education and Those Who Do Not"; a study by the Department of Education and the College Aid Commission, pursuant to Chapter 1284, Section 33, 1988 Iowa Acts.

DEPARTMENT OF GENERAL SERVICES

Annual Report for fiscal year 1989.

DEPARTMENT OF HUMAN RIGHTS

Annual Report of Community Action Programs in Iowa, pursuant to Chapter 601K, Code of Iowa.

DEPARTMENT OF NATURAL RESOURCES

Feasibility Study for improvements to the public water supply system, Winterset, Iowa, pursuant to Section 6.1.k of H.F. 778, 1989 Acts on of the 73rd General Assembly.

Annual Reports for FY 1988 and 1989, pursuant to Chapters 455B.425 and 455B.427, Code of Iowa.

DEPARTMENT OF PERSONNEL

An analysis of the public pension systems within the State and recommendations concerning the systems.

DEPARTMENT OF PUBLIC HEALTH

A report by the Advisory Committee to the Office of Rural Health, pursuant to S.F. 538, 1989 Acts of the 73rd General Assembly.

HEALTH CARE EXPANSION TASK FORCE

Interim report, pursuant to S.F. 538, 1989 Session of the 73rd General Assembly.

JOINT EDUCATION APROPRIATIONS SUBCOMMITTEE

A report regarding merged area schools, pursuant to Chapter 1284, Section 37, 1988 Iowa Acts.

TREASURER OF THE STATE OF IOWA

Annual Report on the linked investments for tomorrow program for horticulture and alternative crops and targeted small businesses, pursuant to Chapter 12.38, Code of Iowa 1989.

COMMITTEE REPORTS

EDUCATION

Final Bill Action: HOUSE FILE 2044, a bill for an act relating to the sale, lease, or other disposition of student-constructed buildings and related school property.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Murphy, Horn, Taylor, Corning, Deluhery, Dieleman, Hedge, Lind, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn. Nays, none. Absent or not voting, 3: Boswell, Bruner and Kibbie.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 2405 (SSB 2286), a bill for an act creating the council on chemically exposed infants.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Hannon, Corning, Connolly, Hagerla, Horn, Murphy, Riordan, Sturgeon and Tinsman. Nays, 2: Gentleman and Taylor. Absent or not voting, 1: Bruner.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-5135	S.F.	2364	John Soorholtz
S-5136	S.F.	2015	Mark Hagerla
S-5137	S.F.	2327	Jack Rife
S-5138	S.F.	2367	Richard Vande Hoef Kenneth Scott
S-5139	S.F.	2392	Larry Murphy
S-5140	S.F.	2364	Berl Priebe Leonard Boswell Don Gettings John Kibbie Richard Vande Hoef
S-5141	S. J. R.	2003	Wilmer Rensink Beverly Hannon
S-5142	S.F.	2373	Linn Fuhrman
S-5143	S.F.	2307	Jim Riordan
S-5144	S. C. R.	119	Jim Lind
S-5145	S.F.	2327	Elaine Szymoniak Jean Lloyd-Jones
S-5146	S.F.	2327	Calvin Hultman Joy Corning
S-5147	S.F.	2327	Beverly Hannon Joe Welsh
S-5148	S.F.	2327	Mark Hagerla Richard Vande Hoef Jim Lind Jack Rife Calvin Hultman Paul Pate
S-5149	S.F.	2327	Beverly Hannon
S-5150	S.F.	2327	John Jensen Jean Lloyd-Jones
S-5151	S.F.	2327	Joe Welsh
S-5152	S.F.	2326	Jim Lind Larry Murphy

S—5153

S. F.

2327

Beverly Hannon
Joe Welsh
Al Sturgeon
Richard Running
Jean Lloyd-Jones
Larry Murphy

AFTERNOON SESSION

The Senate reconvened at 3:38 p.m., President pro tempore Mann presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Coleman for the afternoon session on request of Senator Hutchins.

QUORUM CALL

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

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

MOTION TO RECONSIDER WITHDRAWN

Senate File 81

Senator Jensen withdrew his motion to reconsider Senate File 81, a bill for an act relating to consumer transactions involving the performance of repairs or service upon a motor vehicle, and imposing penalties, filed by him on February 9, 1990, and found on page 464 of the Senate Journal.

CONFIRMATION OF APPOINTMENTS

(En Bloc Confirmation Calendar)

In accordance with Senate Rule 59, Senator Hutchins called up the following Governor's appointees on the En Bloc Confirmation Calendar:

Dorothy Votroubek as a member of the Accountancy Examining Board.

William A. Ehm and Rozanne E. King as members of the Environmental Protection Commission.

Charles D. Messer and Bruce A. Yungelas as members of the Iowa Grain Indemnity Fund Board.

Donald A. Anderson, Shirley Ellen Andre, Frances Antonovitz, Mona Rae Bond, J. Michael Dooley, Ruth Hardin, Billy M. McCall, Clarence Charles Perry, Richard C. Ransom, Maryann L. Shinrock, James W. Stoner, Ann Marie Rhodes, Leland A. Thomson and Janet Kathleen Yates as members of the Iowa Highway Research Board.

Paul John Frank as a member of the Investment Board of the IPERS.

Elwyn T. Gaskill as a member of the Natural Resource Commission.

Lori Lewis, Douglas W. Book, Judy Bradshaw, Dennis L. Fiser, Jackie Kenniker and William M. McCarthy as members of the Narcotics Enforcement Advisory Council.

Loras A. Jaeger, Jean M. Sturtevant and Edith Ann Westfall as members of the Drug Abuse Prevention and Education Advisory Council.

Sally A. Mathis and Warren D. Rippey as members of the State Board of Examiners for Nursing Home Administrators.

Susan D. Albright, John L. Felderman, Arthur J. Frahm, Pat A. Hastings, Earlis C. Rohret, Arne F. Waldstein and Mary P. Mitchell as members of the Real Estate Appraiser Examining Board.

Michael D. Ralston as a member of the Speech Pathology and Audiology Examining Board.

Robert A. Witt as a member of the Board of Physician Assistant Examiners.

Dennis D. Killion as a member of the Council on Human Services.

Almo J. Hawkins as Department Coordinator of the Department of Human Services.

Molly Kay Pelzer as a member of the Dietetic Examining Board.

Lynn M. Feldmann and Cindy Raspiller as members of the Iowa Emergency Response Commission.

Rita Dolores Sealock as a member of the State Racing and Gaming Commission.

James L. Churchill, Merlin Plagge and Rose Rennekamp as members of the Wallance Technology Transfer Foundation of Iowa.

Noral D. Johnson as a member of the Iowa Railway Finance Authority.

Lester D. Menke, Don M. Gunderson, Calvin W. Halliburton, William L. Lepley, Vicki L. Hanson, Betty J. Hyde, Daniel R. Martinez, Monsignor W. Robert Schmidt, Rachel A. Stewart and Maureen A. White as members of the Board of Educational Examiners.

Bruce Tamisiea as a member of the Iowa Product Development Corporation.

Michael R. Ellis as a member of the Job Service Advisory Council.

Senator Hutchins moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 48:

Boswell	Bruner	Connolly	Corning
Deluhery	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Coleman Dieleman

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

BUSINESS PENDING

Senate File 2327

The Senate resumed consideration of Senate File 2327, a bill for an act relating to and making appropriations to the department of economic development, INTERNET, Wallace technology transfer foundation, and the Iowa finance authority, amendment S—5145 by Senators Szymoniak and Lloyd-Jones and amendment S—5148 by Senators Hagerla, et al., previously deferred.

Senator Hagerla moved the adoption of amendment S—5148 to pages 1, 5, 6, 17, 18 and the title page of the bill.

A record roll call was requested.

On the question "Shall amendment S—5148 be adopted?" (S.F. 2327) the vote was:

Ayes, 44:

Boswell	Connolly	Corning	Deluhery
Dieleman	Doyle	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Murphy	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 4:

Bruner	Husak	Mann	Nystrom
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Absent or not voting, 2:

Coleman Drake

Amendment S—5148 was adopted.

Senator Jensen asked and received unanimous consent to withdraw amendment S—5150 filed by Senators Jensen and Lloyd-Jones from the floor to page 5 of the bill.

Senator Hannon asked and received unanimous consent that action on amendment S—5149 filed by her from the floor to page 6 of the bill be deferred.

Senator Hannon offered amendment S—5154 filed by Senators Hannon, et al., from the floor to page 6 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5154 be adopted?" (S.F. 2327) the vote was:

Ayes, 8:

Bruner	Gentleman	Hannon	Lloyd-Jones
Mann	Murphy	Riordan	Szymoniak

Nays, 40:

Boswell	Connolly	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Goodwin	Hagerla
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Miller	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Running	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Absent or not voting, 2:

Coleman Gronstal

Amendment S—5154 lost.

Senator Hannon withdrew amendment S—5149 to page 6 of the bill, previously deferred.

Senator Welsh offered amendment S—5158 filed by Senators Welsh and Connolly, from the floor to page 7 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5158 be adopted?” (S.F. 2327) the vote was:

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

Ayes, 17:

Bruner	Connolly	Dieleman	Hagerla
Hannon	Horn	Kibbie	Lind
Mann	Murphy	Palmer	Rensink
Running	Sturgeon	Tieden	Varn
Welsh			

Nays, 30:

Boswell	Corning	Deluhery	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Hedge	Hester
Hultman	Husak	Hutchins	Jensen
Kinley	Lloyd-Jones	Miller	Nystrom
Pate	Priebe	Rife	Riordan
Scott	Soorholtz	Szymoniak	Taylor
Tinsman	Vande Hoef		

Absent or not voting, 3:

Coleman	Gronstal	Peterson
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Amendment S—5158 lost.

The Senate resumed consideration of amendment S—5145 by Senators Szymoniak and Lloyd Jones to pages 11 and 17 of the bill, previously deferred.

Senator Welsh offered amendment S—5151 filed by him from the floor to amendment S—5145 and moved its adoption.

Amendment S—5151 was adopted by a voice vote.

Senator Szymoniak moved adoption of amendment S—5145 as amended.

Amendment S—5145 was adopted by a voice vote.

Senator Hannon asked and received unanimous consent that action on amendment S—5153 filed by Senators Hannon, et al., from the floor to page 17 of the bill be deferred.

Senator Hannon offered amendment S—5157 filed by Senators Hannon, et al., from the floor to page 17 of the bill and moved its adoption.

Amendment S—5157 was adopted by a voice vote.

With the adoption of amendment S—5157, the Chair ruled amendment S—5153 by Senators Hannon, et al., to page 17 of the bill, previously deferred, out of order.

Senator Jensen offered amendment S—5159 filed by Senators Jensen and Lloyd-Jones from the floor to page 5 of the bill and moved its adoption.

Amendment S—5159 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 2327) the vote was:

Ayes, 48:

Boswell	Bruner	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 1:

Hannon

Absent or not voting, 1:

Coleman

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 Files 2015, 2064 and 2245.

Senate File 2015

On motion of Senator Gettings, Senate File 2015, a bill for an act relating to training requirements for reserve peace officers and providing for the Act's applicability, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Varn offered amendment S—5051 filed by the committee on Judiciary on February 6, 1990, to page 3 of the bill and moved its adoption.

Amendment S—5051 was adopted by a voice vote.

With the adoption of amendment S—5051, the Chair ruled amendment S—5136 filed by Senator Hagerla from the floor to pages 2 and 3 of the bill, out of order.

Senator Gettings offered amendment S—5073 filed by Senators Gettings, Fuhrman and Taylor, on February 8, 1990, to page 4 of the bill and moved its adoption.

Amendment S—5073 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 2015) the vote was:

Ayes, 47:

Boswell	Bruner	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

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

Senate File 2064

On motion of Senator Doyle, Senate File 2064, a bill for an act to provide free fishing licenses to military veterans who are disabled or were prisoners of war, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Doyle offered amendment S—5049 filed by the committee on Natural Resources on February 6, 1990, to page 1 and the title page of the bill.

Senator Doyle offered amendment S—5065 filed by Senators Doyle and Scott on February 7, 1990, to amendment S—5049 and moved its adoption.

Amendment S—5065 was adopted by a voice vote.

Senator Doyle moved the adoption of amendment S—5049 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—5049 as amended, the Chair ruled the following amendments out of order:

S—5053 filed by Senators Doyle and Scott on February 6, 1990, to page 1 of the bill.

S—5004 filed by Senator Scott on January 18, 1990, to page 1 and the title page of the bill.

S—5010 filed by Senator Scott on January 22, 1990, to page 1 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. 2064) the vote was:

Ayes, 46:

Boswell	Bruner	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

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

Senate File 2245

On motion of Senator Lloyd-Jones, Senate File 2245, a bill for an act relating to bids for certain specialized highway or bridge construction projects, 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. 2245) the vote was:

Ayes, 37:

Boswell	Bruner	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Gentleman	Gettings	Goodwin	Gronstal
Hannon	Hester	Horn	Hultman
Husak	Hutchins	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Priebe	Rensink
Riordan	Scott	Soorholtz	Szymoniak
Taylor	Tieden	Tinsman	Varn
Welsh			

Nays, 9:

Fraise	Hagerla	Hedge	Mann
Pate	Peterson	Running	Sturgeon
Vande Hoef			

Absent or not voting, 4:

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

President Zimmerman took the chair at 5:35 p.m.

MOTIONS TO RECONSIDER WITHDRAWN

Senate File 2306

Senators Dieleman and Murphy withdrew the motions to reconsider on Senate File 2306, a bill for an act relating to open enrollment, including the general intent, notification dates, exceptions to notification dates, board action on requests, counting of pupils for state foundation aid purposes, student expulsion or suspension, qualification for transportation, and participation of laboratory schools, and providing an effective date, filed by them on February 20, 1990, and found on page 621 of the Senate Journal.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 2306, 2015 and 2064** be immediately messaged to the House.

APPENDIX

COMMITTEE REPORT

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: HOUSE FILE 2294, a bill for an act relating to the establishment of an Iowa affordable heating program.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Deluhery, Gronstal, Pate, Connolly, Hedge, Miller, Rife, Soorholtz, Sturgeon and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2327 passed the Senate on February 20, 1990.

CALVIN O. HULTMAN

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2327 passed the Senate on February 20, 1990.

BILL HUTCHINS

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2245 passed the Senate on February 20, 1990.

JOE J. WELSH

AMENDMENTS FILED

S—5154	S. F.	2327	Beverly Hannon Jean Lloyd-Jones Charles Bruner Larry Murphy Julia Gentleman Tom Mann, Jr. James Riordan
S—5155	S. F.	2366	Larry Murphy
S—5156	S. F.	2400	Larry Murphy
S—5157	S. F.	2327	Beverly Hannon

			Al Sturgeon
			James Riordan
			Larry Murphy
			Elaine Szymoniak
			Joe Welsh
			Richard Running
S—5158	S. F.	2327	Joe Welsh
			Mike Connolly
S—5159	S. F.	2327	John Jensen
			Jean Lloyd-Jones

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:40 p.m., until 9:00 a.m., Wednesday, February 21, 1990.

JOURNAL OF THE SENATE

FORTY-FIFTH CALENDAR DAY
THIRTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 21, 1990

The Senate met in regular session at 9:04 a.m., President Zimmerman presiding.

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

The Journal of Tuesday, February 20, 1990, 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 19, 1990, passed the following bills in which the concurrence of the Senate is asked:

House File 2109, a bill for an act relating to computer data storage of records of a criminal justice agency after acquittal or dismissal of charges.

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

House File 2198, a bill for an act to permit the inspection of school buses on more than an annual basis.

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

House File 2322, a bill for an act relating to the duties of the county recorder by imposing a fee for recording and indexing certain instruments, and by providing for the issuance of certain transcripts.

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

House File 2324, a bill for an act relating to disposition of instruments filed with the county recorder, and providing for the applicability of certain instruments.

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

House File 2338, a bill for an act relating to special motor vehicle registration plates for recipients of the purple heart medal.

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

House File 2339, a bill for an act relating to costs associated with the Iowa management training revolving fund.

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

House File 2344, a bill for an act relating to permanent soil and water conservation practices.

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

House File 2355, a bill for an act relating to civil damages for illegal taking of certain animals.

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

House File 2364, a bill for an act relating to increasing the penalty for failure to file a release and satisfaction when a judgment is paid in full.

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

House File 2366, a bill for an act relating to execution upon and assignment of benefits accrued pursuant to certain governmental retirement systems for the payment of child and spousal support.

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

House File 2367, a bill for an act providing for awarding a reasonable attorney's fee in an action for a quitclaim deed.

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

House File 2368, a bill for an act requiring the department of human services to adopt administrative rules which apply a civil penalty to certain health care facilities reimbursed under the medical assistance program.

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

House File 2390, a bill for an act relating to the right to bring a civil rights action after administrative closure.

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

House File 2393, a bill for an act relating to minimum liability limits for motor carriers and related procedures.

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

House File 2401, a bill for an act relating to the reporting of a hazardous condition involving a hazardous substance to the department of natural resources, to the local law enforcement agency, and to operators of affected public or private water supply systems.

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

House File 2404, a bill for an act relating to mediation assistance, by expanding the responsibilities of the farm mediation service, granting additional authority to the farm mediation service, increasing certain fees, extending the date of repeal for certain provisions, and providing an effective date.

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

House File 2405, a bill for an act relating to access to personnel employment files by public and private employees.

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

House File 2406, a bill for an act relating to student financial aid programs administered by the college aid commission.

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

House File 2421, a bill for an act providing authority under certain conditions for the release of information by the child support recovery unit to certain persons and to other units of the department of human services.

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

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Riordan and Priebe for a portion of the day on request of Senator Lloyd-Jones and Senator Jensen for the day on request of Senator Hultman.

QUORUM CALL

Senator Lloyd-Jones 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 Lloyd-Jones asked and received unanimous consent that **Senate File 2314** be referred from the Regular Calendar to the committee on **Judiciary**.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Lloyd-Jones asked and received unanimous consent to take up out of order Senate Files 2252, 2277, 2291 and 2254.

Senate File 2252

On motion of Senator Hannon, Senate File 2252, a bill for an act relating to the Iowa logo program and the use of the logo, 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. 2252) the vote was:

Ayes, 46:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Nystrom	Palmer	Pate
Peterson	Rensink	Rife	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Jensen	Murphy	Priebe	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 2277

On motion of Senator Lind, Senate File 2277, a bill for an act relating to tourist-oriented signs, was taken up for consideration.

Senator Lind offered amendment S—5160 filed by Senators Lind and Scott from the floor to page 1 of the bill and moved its adoption.

Amendment S—5160 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 2277) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Kibbie
Kinley	Lind	Lloyd-Jones	Mann

Miller	Nystrom	Palmer	Pate
Peterson	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

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

Senate File 2291

On motion of Senator Running, Senate File 2291, a bill for an act relating to the interest rate charged in connection with a renewal or extension of time under a retail motor vehicle installment contract, was taken up for consideration.

Senator Running moved that the bill be read the last time now and placed upon its passage, 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	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Varn			

Nays, 2:

Vande Hoef	Welsh
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Absent or not voting, 3:

Jensen

Peterson

Priebe

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

Senate File 2254

On motion of Senator Coleman, Senate File 2254, a bill for an act relating to semiannual installment payments of registration fees for certain commercial vehicles, with report of committee recommending passage, was taken up for consideration.

Senator Coleman asked and received unanimous consent that action on **Senate File 2254** be **deferred**.

Senator Lloyd-Jones asked and received unanimous consent to take up out of order Senate Files 2302, 2233 and 2315.

Senate File 2302

On motion of Senator Deluhery, Senate File 2302, a bill for an act relating to certain crimes against the elderly and disabled persons by creating a cause of action and providing a civil penalty, was taken up for consideration.

President pro tempore Mann took the chair at 9:45 a.m.

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. 2302) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Gentleman Jensen Priebe

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 Fuhrman, Senate File 2233, a bill for an act relating to the prosecution of persons violating provisions regulating grain dealers or warehouse operators, 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?" (S.F. 2233) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Jensen Priebe Taylor

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

Senate File 2315

On motion of Senator Soorholtz, Senate File 2315, a bill for an act relating to a pseudorabies control program, and making penalties applicable, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2315) the vote was:

Ayes, 48:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Jensen Priebe

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

Senate File 2317

On motion of Senator Hester, Senate File 2317, a bill for an act relating to issuing permits for regulated uses of water by the department of natural resources, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2317) the vote was:

Ayes, 48:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hesters	Horn
Hultman	Husak	Hutchins	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Jensen Priebe

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

Senator Lloyd-Jones asked and received unanimous consent to take up out of order Senate File 2322.

Senate File 2322

On motion of Senator Horn, Senate File 2322, a bill for an act relating to participation in extracurricular interscholastic contests and competitions by certain children, 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. 2322) the vote was:

Ayes, 46:

Boswell	Coleman	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Hutchins	Kibbie	Kinley	Lind

Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

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

Senate File 2323

On motion of Senator Coleman, Senate File 2323, a bill for an act relating to the attorney general's access to confidential motor vehicle accident reports, 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. 2323) the vote was:

Ayes, 48:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

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

Senator Lloyd-Jones asked and received unanimous consent to take up out of order Senate Files 298 and 2274.

Senate File 298

On motion of Senator Kibbie, Senate File 298, a bill for an act relating to planting of vegetation by persons on public lands, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 298) the vote was:

Ayes, 48:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Jensen Priebe

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

Senate File 2274

On motion of Senator Rife, Senate File 2274, a bill for an act relating to targeted small businesses, and imposing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Rife asked and received unanimous consent that action on **Senate File 2274** be **deferred**.

Senator Lloyd-Jones asked and received unanimous consent to take up out of order Senate Files 2334, 2340 and 2342.

Senate File 2334

On motion of Senator Palmer, Senate File 2334, a bill for an act regulating business relationships between suppliers and dealers of certain equipment and providing dates of applicability, 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. 2334) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Deluhery for a portion of the day on request of Senator Lloyd-Jones.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Lloyd-Jones asked and received unanimous consent to take up out of order Senate Files 2340 and 2342.

Senate File 2340

On motion of Senator Dieleman, Senate File 2340, a bill for an act relating to the disposition of unclaimed property, 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. 2340) the vote was:

Ayes, 45:

Boswell	Bruner	Coleman	Connolly
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 5:

Deluhery	Hultman	Hutchins	Jensen
Priebe			

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

Senate File 2342

On motion of Senator Murphy, Senate File 2342, a bill for an act designating an operator or employee of a child day care resource and referral agency as a mandatory reporter of child abuse, 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. 2342) the vote was:

Ayes, 33:

Bruner	Coleman	Connolly	Corning
Dieleman	Doyle	Drake	Fraise
Gettings	Goodwin	Gronstal	Hannon
Hedge	Hester	Horn	Hutchins
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Murphy	Pate	Priebe
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Taylor	Tinsman
Varn			

Nays, 13:

Boswell	Fuhrman	Gentleman	Hagerla
Hultman	Mann	Palmer	Peterson
Rensink	Szymoniak	Tieden	Vande Hoef
Welsh			

Absent or not voting, 4:

Deluhery	Husak	Jensen	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.

President Zimmerman took the chair at 10:48 a.m.

Senator Lloyd-Jones asked and received unanimous consent to take up out of order Senate Files 2343, 2348 and 2358.

Senate File 2343

On motion of Senator Sturgeon, Senate File 2343, a bill for an act relating to clinical privileges of certain health practitioners, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2343) the vote was:

Ayes, 44:

Boswell	Bruner	Coleman	Connolly
Corning	Dieleman	Doyle	Drake
Fraise	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hutchins	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 6:

Deluhery	Fuhrman	Hultman	Husak
Jensen	Nystrom		

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

Senate File 2348

On motion of Senator Riordan, Senate File 2348, a bill for an act relating to the assignment of support rights for children receiving foster care services, 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. 2348) the vote was:

Ayes, 43:

Boswell	Bruner	Connolly	Corning
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Hutchins	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 7:

Coleman	Deluhery	Fuhrman	Husak
Jensen	Mann	Nystrom	

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

Senate File 2358

On motion of Senator Miller, Senate File 2358, a bill for an act relating to certification of soil testing laboratories, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2358) the vote was:

Ayes, 41:

Boswell	Bruner	Connolly	Corning
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hutchins	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Palmer	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor

Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 9:

Coleman	Deluhery	Fuhrman	Hultman
Husak	Jensen	Murphy	Nystrom
Pate			

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

Senator Lloyd-Jones asked and received unanimous consent to take up out of order Senate File 2296.

Senate File 2296

On motion of Senator Running, Senate File 2296, a bill for an act relating to informal dispute resolution, establishing a council for dispute resolution, and relieving the office of prosecuting attorneys training coordinator of the department of justice of responsibility for the dispute resolution program, with report of committee recommending passage, was taken up for consideration.

Senator Running moved that the bill be read the last time now and placed upon its passage, 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	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Fraise	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hutchins	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Pate
Peterson	Priebe	Rensink	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Varn	Welsh		

Nays, 2:

Rife Vande Hoef

Absent or not voting, 6:

Drake	Fuhrman	Hultman	Husak
Jensen	Palmer		

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

Senate File 2366

On motion of Senator Murphy, Senate File 2366, a bill for an act establishing councils of governments and providing certain duties, was taken up for consideration.

Senator Murphy offered amendment S—5155 filed by him on February 20, 1990, to page 2 of the bill and moved its adoption.

Amendment S—5155 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 2366) the vote was:

Ayes, 45:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Hutchins	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn			

Nays, none.

Absent or not voting, 5:

Fuhrman	Husak	Jensen	Palmer
Welsh			

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

Senate File 2367

On motion of Senator Scott, Senate File 2367, a bill for an act relating to drainage improvements, was taken up for consideration.

Senator Vande Hoef offered amendment S—5138 filed by Senators Vande Hoef and Scott on February 20, 1990, to page 1 of the bill and moved its adoption.

Amendment S—5138 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. 2367) the vote was:

Ayes, 46:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Hutchins	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Fuhrman	Husak	Jensen	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.

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, 1990, passed the following bills in which the concurrence of the Senate is asked:

House File 2141, a bill for an act relating to the conditions under which a school district employee with an extracurricular contract for interscholastic athletic sports may resign from the extracurricular contract.

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

House File 2188, a bill for an act relating to the issuance of alcoholic beverage licenses and permits for certain licensed premises and prescribing fees.

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

House File 2215, a bill for an act relating to the sale of alcoholic beverages at a racetrack enclosure offering pari-mutuel wagering, on excursion gambling boats, and on Sundays, and providing an effective date.

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

House File 2271, a bill for an act relating to phase III pay plans.

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

House File 2309, a bill for an act relating to schedule II controlled substances.

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

House File 2369, a bill for an act relating to real property by establishing a real property inspection report.

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

RECESS

On motion of Senator Lloyd-Jones, the Senate recessed at 11:21 a.m., until 1:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: February 20, 1990, 12:26 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Corning, Deluhery, Dieleman, Hedge, Lind, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn.

Members Absent: Boswell, Bruner and Kibbie (all excused).

Committee Business: Recommended passage of House File 2044.

Adjourned: 1:47 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: February 20, 1990, 2:35 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Pate, Ranking Member; Connolly, Hedge, Miller, Rife, Soorholtz, Sturgeon and Varn.

Members Absent: none.

Committee Business: Recommended passage of House File 2294.

Adjourned: 3:30 p.m.

EXPLANATIONS OF VOTES

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on February 20, 1990, when the final vote was taken on Senate File 2064. Had I been present, I would have voted "aye".

LINN FUHRMAN

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on February 21, 1990, for a meeting with the Wetlands for Iowa Board, when the final votes were taken on Senate Files 2252, 2277, 2291, 2302, 2233, 2315, 2317, 2322, 2323, 298, 2334 and 2340.

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

BERL E. PRIEBE

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Sixty fifth grade students from Howe Elementary School, Des Moines, Iowa, accompanied by Lynn Schumann. Senator Kinley.

Nine fourth grade students from Hubbard-Radcliffe School, Radcliffe, Iowa, accompanied by Lorraine Horning and Linda Nehring. Senator Taylor.

Forty twelfth grade students from Union High School, La Porte City, Iowa, accompanied by Bruce Wigg. Senator Husak.

Senator Hutchins welcomed Marcela Cabrera from Chile, who is teaching at Harlan High School under the AFS program.

President Zimmerman welcomed as the guest of Senator Dieleman, Zhiyong Jiang from Hangzhou, Peoples Republic of China, who is a visiting professor for the 1989-90 school year at Central College in Pella.

AMENDMENTS FILED

S-5160	S.F.	2277	Jim Lind Kenneth Scott
S-5161	S.F.	2364	Berl Priebe Leonard Boswell
S-5162	S.F.	2248	Ray Taylor Elaine Szymoniak Beverly Hannon
S-5163	S.F.	2364	James Riordan Dale L. Tieden Berl E. Priebe Richard Running

			Leonard Boswell
			Kenneth Scott
			Eugene Fraise
			Alvin Miller
S—5164	S. F.	2364	Jim Riordan
S—5165	S. F.	2364	Jim Riordan
S—5166	S. F.	2197	Linn Fuhrman
			Tom Mann, Jr.
			Richard Varn
			Richard Running
S—5167	S. F.	2080	Richard Vande Hoef
S—5168	S. F.	2274	Beverly Hannon
			Mike Connolly
			Tom Mann, Jr.

AFTERNOON SESSION

The Senate reconvened at 1:35 p.m., Senator Coleman presiding.

QUORUM CALL

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

The vote revealed 29 present, 21 absent and a quorum present.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 2252, 2277, 2291, 2302, 2233, 2315, 2317, 2322, 2323, 298, 2334, 2340, 2342, 2343, 2348, 2358, 2296, 2366 and 2367** be **immediately messaged** to the House.

RECESS

On motion of Senator Hutchins, the Senate recessed at 1:42 p.m., until 3:30 p.m.

RECONVENED

The Senate reconvened at 3:32 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 44 present, 6 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Pate for the remainder of the day on request of Senator Corning.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2364.

Senate File 2364

On motion of Senator Riordan, Senate File 2364, a bill for an act relating to and making appropriations to the department of agriculture and land stewardship, the Iowa state fair authority, the department of natural resources, and the state racing commission, and changing the distribution of certain fees, was taken up for consideration.

Senator Riordan offered amendment S—5172 filed by him from the floor to pages 1 through 3 and 7 of the bill.

Senator Hutchins asked and received unanimous consent that action on amendment S—5172 be deferred.

Senator Riordan offered amendment S—5163 filed by Senators Riordan, et al., from the floor to page 2 of the bill.

Senator Lind asked and received unanimous consent that action on amendment S—5163 be deferred.

Senator Vande Hoef offered amendment S—5176 filed by Senators Vande Hoef, et al., from the floor to pages 2 and 3 of the bill and moved its adoption.

A non record roll call was requested.

President pro tempore Mann took the chair at 4:00 p.m.

The ayes were 18, nays 28.

Amendment S—5176 lost.

Senator Lind offered amendment S—5175 filed by Senators Lind, Tieden and Hester, from the floor to page 3 of the bill.

Senator Lind asked and received unanimous consent that action on amendment S—5175 be deferred.

Senator Rife offered amendment S—5174 filed by him from the floor to page 5 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5174 be adopted?” (S.F. 2364) the vote was:

Ayes, 18:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Lind	Nystrom	Rensink
Rife	Soorholtz	Taylor	Tieden
Tinsman	Vande Hoef		

Nays, 29:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Peterson	Priebe	Riordan
Running	Scott	Sturgeon	Szymoniak
Varn			

Absent or not voting, 3:

Jensen	Pate	Welsh
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Amendment S—5174 lost.

Senator Priebe offered amendment S—5140 filed by Senators Priebe, et al., on February 20, 1990, to pages 5 and 6 of the bill and moved its adoption.

Amendment S—5140 was adopted by a voice vote.

Senator Riordan withdrew amendment S—5164 filed by him from the floor to page 6 of the bill.

Senator Soorholtz withdrew amendment S—5135 filed by him on February 20, 1990, to page 7 and the title page of the bill.

Senator Priebe offered amendment S—5161 filed by Senators Priebe and Boswell from the floor to page 11 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5161 be adopted?" (S.F. 2364) the vote was:

Ayes, 28:

Boswell	Coleman	Deluhery	Dieleman
Doyle	Drake	Fuhrman	Gettings
Goodwin	Hagerla	Hedge	Horn
Hultman	Husak	Hutchins	Kibbie
Kinley	Lind	Nystrom	Palmer
Priebe	Rensink	Rife	Scott
Soorholtz	Taylor	Vande Hoef	Varn

Nays, 19:

Bruner	Connolly	Corning	Fraise
Gentleman	Gronstal	Hannon	Hester
Lloyd-Jones	Mann	Miller	Murphy
Peterson	Riordan	Running	Sturgeon
Szymoniak	Tieden	Tinsman	

Absent or not voting, 3:

Jensen	Pate	Welsh
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Amendment S—5161 adopted.

Senator Hutchins asked and received unanimous consent that action on **Senate File 2364** be **deferred** (amendments S—5172, S—5163 and S—5175 deferred and pending).

APPENDIX**COMMITTEE REPORTS****HUMAN RESOURCES**

Final Bill Action: HOUSE FILE 209, a bill for an act relating to the limitations on smoking, and providing penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5183.

Final Vote: Ayes, 10: Hannon, Bruner, Corning, Connolly, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, 2: Gentleman and Hagerla.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2104, a bill for an act requiring the Iowa department of public health to enter the name of the father on the certificate of birth upon a determination of paternity by a court of competent jurisdiction.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Hannon, Bruner, Corning, Connolly, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2308, a bill for an act relating to freestanding hospice facilities.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Hannon, Bruner, Corning, Connolly, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT (Amended report from 2/16/90, Senate Journal page 563)

Final Bill Action: SENATE FILE 2031, a bill for an act relating to vacation leave sharing by state employees.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5170.

Final Vote: Ayes, 8: Kibbie, Lloyd-Jones, Coleman, Fraise, Gronstal, Hannon, Horn and Running. Nays, 6: Dieleman, Drake, Gentleman, Rife, Soorholtz and Vande Hoef. Absent or not voting, 1: Nystrom.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENT

House File 2321

LOCAL GOVERNMENT: Fraise, Chair; Szymoniak and Vande Hoef

PRESENTATION OF VISITOR

The Chair welcomed the Honorable Edgar H. Holden, former member of the Senate from Scott County, Davenport, Iowa.

AMENDMENTS FILED

S—5169	S.F.	2386	William W. Dieleman Larry Murphy Richard Varn Dale Tieden Wally Horn Ray Taylor John Kibbie Jim Lind Wilmer Rensink H. Kay Hedge Pat Deluhery Leonard Boswell
S—5170	S.F.	2031	State Government
S—5171	S.F.	2364	Berl Priebe C. Joseph Coleman Linn Fuhrman
S—5172	S.F.	2364	Jim Riordan
S—5173	S.F.	2351	Larry Murphy
S—5174	S.F.	2364	Jack Rife
S—5175	S.F.	2364	Jim Lind Dale L. Tieden

S—5176	S. F.	2364	Jack Hester Richard Vande Hoef H. Kay Hedge Ray Taylor Dale Tieden Jack Hester
S—5177	S. F.	2235	Richard Drake George Kinley
S—5178	S. F.	2364	George Kinley
S—5179	S. F.	2319	Donald Doyle
S—5180	S. F.	2345	Larry Murphy Beverly Hannon
S—5181	S. F.	2386	John Kibbie Richard J. Varn
S—5182	S. F.	2221	Al Sturgeon
S—5183	H. F.	209	Human Resources

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:45 p.m., until 9:00 a.m., Thursday, February 22, 1990.

JOURNAL OF THE SENATE

FORTY-SIXTH CALENDAR DAY
THIRTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 22, 1990

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

Prayer was offered by the Honorable Alvin Miller, member of the Senate from Cerro Gordo County, Ventura, Iowa.

The Journal of Wednesday, February 21, 1990, 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 19, 1990, passed the following bills in which the concurrence of the Senate is asked:

House File 2428, a bill for an act relating to registration and deferrals of children on state and national adoption exchanges.

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

House File 2430, a bill for an act relating to the disclosure of certain mental health information to family members.

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

ALSO: That the House has on February 20, 1990, passed the following bills in which the concurrence of the Senate is asked:

House File 2423, a bill for an act relating to establishing title where a surviving spouse is a joint tenant of real estate with a deceased spouse.

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

House File 2431, a bill for an act allowing a person to purchase insurance through the Iowa comprehensive health association even if the person has coverage under another insurance plan.

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

House File 2436, a bill for an act restricting the conditions under which a third-party payor of medical benefits may limit coverage for prescription drugs.

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

House File 2343, a bill for an act relating to the fee charged by an employment agency for the procurement of a position of employment.

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

House File 2354, a bill for an act relating to conflicts of interest in county contracts benefiting a member of a board of supervisors.

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

QUORUM CALL

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

The vote revealed 40 present, 10 absent and a quorum present.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 2208** from the Regular Calendar to the committee on **Judiciary**.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Lind for a portion of the day on request on request of Senator Jensen.

SPECIAL GUEST

Senator Szymoniak presented Danette Crawford from Des Moines, Youth Ambassador for the Easter Seal Campaign.

Danette, who is twelve years old and a student at Urbandale Middle School, is afflicted with cerebral palsy and confined to a wheelchair.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 2235, 2248, 2262, 2264, 2268 and 2271.

Senate File 2235

On motion of Senator Kinley, Senate File 2235, a bill for an act relating to reassignment of certificates of title and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Drake offered amendment S—5177 filed by Senators Drake and Kinley on February 21, 1990, to page 1 of the bill and moved its adoption.

Amendment S—5177 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?" (S.F. 2235) the vote was:

Ayes, 49:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink

Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Lind

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

Senate File 2248

On motion of Senator Hannon, Senate File 2248, a bill for an act relating to certain advertising by a hearing aid dealer, was taken up for consideration.

Senator Taylor offered amendment S—5162 filed by Senators Taylor, Szymoniak and Hannon on February 21, 1990, to page 1 of the bill and moved its adoption.

Amendment S—5162 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. 2248) the vote was:

Ayes, 49:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Lind

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

Senate File 2262

On motion of Senator Soorholtz, Senate File 2262, a bill for an act relating to licensure to practice veterinary medicine without an examination, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2262) the vote was:

Ayes, 49:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Lind

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

Senate File 2264

On motion of Senator Gentleman, Senate File 2264, a bill for an act relating to the commission and division of the department of human rights designated for Spanish-speaking people, 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. 2264) the vote was:

Ayes, 48:

Bruner	Coleman	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Boswell Lind

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

Senate File 2268

On motion of Senator Lloyd-Jones, Senate File 2268, a bill for an act changing the time deadlines for submission of state agency affirmative action plans and annual reports and providing an effective date, was taken up for consideration.

Senator Lloyd-Jones offered amendment S—5070 filed by her on February 8, 1990, to page 1 of the bill and moved its adoption.

Amendment S—5070 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?" (S.F. 2268) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Kibbie	Lind	Pate
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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 2271

On motion of Senator Rife, Senate File 2271, a bill for an act specifying the required contents of a plan for bank merger or consolidation, 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. 2271) the vote was:

Ayes, 49:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla

Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Lind

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

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 2235, 2248, 2262, 2264, 2268 and 2271** be **immediately messaged** to the House.

UNFINISHED BUSINESS (Deferred February 21, 1990)

Senate File 2364

The Senate resumed consideration of Senate File 2364, a bill for an act relating to and making appropriations to the department of agriculture and land stewardship, the Iowa state fair authority, the department of natural resources, and the state racing commission, and changing the distribution of certain fees, and amendments S—5172, S—5163 and S—5175, deferred on February 21, 1990.

Senator Kinley offered amendment S—5178 filed by him on February 21, 1990, to page 8 of the bill and moved its adoption.

Amendment S—5178 was adopted by a voice vote.

Senator Priebe offered amendment S—5171 filed by Senators Priebe, Coleman and Fuhrman on February 21, 1990, to page 12 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 27, nays 22.

Amendment S—5171 was adopted.

Senator Riordan offered amendment S—5165 filed by him on February 21, 1990, to page 15 of the bill and moved its adoption.

Amendment S—5165 was adopted by a voice vote.

Senator Welsh offered amendment S—5187 filed by him from the floor to page 15 of the bill and moved its adoption.

Amendment S—5187 was adopted by a voice vote.

Senator Gronstal offered amendment S—5191 filed by Senators Gronstal, Riordan and Priebe, from the floor to page 15 of the bill and moved its adoption.

Amendment S—5191 was adopted by a voice vote.

The Senate resumed consideration of amendment S—5172 by Senator Riordan to pages 1, 2, 3 and 7 of the bill, deferred on February 21, 1990.

Senator Riordan called for a division of amendment S—5172; lines 2 through 4 as division S—5172A; lines 5 through 15 as division S—5172B and lines 16 through 28 as division S—5172C.

Senator Riordan withdrew division S—5172C.

Senator Riordan moved adoption of division S—5172A, which motion lost by a voice vote.

Senator Riordan moved the adoption of division S—5172B.

A non record roll call was requested.

The ayes were 27, nays 16.

Division S—5172B was adopted.

The Senate resumed consideration of amendment S—5163 by Senators Riordan, et al., to page 2 of the bill, deferred on February 21, 1990.

Senator Welsh asked and received unanimous consent that action on amendment S—5163 be deferred.

Senator Tieden moved the adoption of amendment S—5175 by Senators Lind, Tieden and Hester to page 3 of the bill, deferred on February 21, 1990.

A record roll call was requested.

On the question “Shall amendment S—5175 be adopted?” (S.F. 2364) the vote was:

Ayes, 17:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Jensen	Mann	Nystrom	Pate
Rensink	Rife	Taylor	Tieden
Tinsman			

Nays, 30:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley
Lloyd-Jones	Miller	Murphy	Palmer
Peterson	Priebe	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Varn	Welsh		

Absent or not voting, 3:

Hultman	Lind	Vande Hoef
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Amendment S—5175 lost.

Senator Hutchins asked and received unanimous consent that action on **Senate File 2364** be **deferred** (amendment S—5163 deferred and pending).

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2402.

Senate File 2402

On motion of Senator Gettings, Senate File 2402, a bill for an act relating to and making appropriations to state agencies whose responsibilities relate to public defense, public safety, transportation, and enforcement, and including allocation and use of moneys from the road use tax fund, primary road fund, and state aviation fund, mandating reports of certain agency purchases and providing expenses for certain members of the Iowa highway research board, was taken up for consideration.

Senator Boswell offered amendment S—5189 filed by Senators Boswell and Welsh from the floor to page 1 of the bill and moved its adoption.

Amendment S—5189 was adopted by a voice vote.

Senator Gettings asked and received unanimous consent that action on **Senate File 2402** be **deferred**.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Riordan and Sturgeon for the remainder of the morning on request of Senator Lloyd-Jones.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2365.

Senate File 2365

On motion of Senator Welsh, Senate File 2365, a bill for an act relating to and making appropriations to the department of human services and the Iowa department of public health and

providing other properly related matters, was taken up for consideration.

Senator Hultman asked and received unanimous consent that action on **Senate File 2365** be deferred.

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

The Senate resumed session, President pro tempore Mann 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 5, 1990, passed the following bill in which the concurrence of the Senate is asked:

House File 2235, a bill for an act relating to community action agencies by providing for an annual report and establishing membership requirements for community action agency boards.

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

ALSO: That the House has on February 20, 1990, passed the following bills in which the concurrence of the Senate is asked:

House File 2170, a bill for an act relating to the prohibition of the use of certain pesticides, and making a penalty applicable.

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

House File 2201, a bill for an act relating to the disclosure of the names and certain contract costs of all subcontractors by bidders on a state procurement contract.

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

House File 2269, a bill for an act relating to the reallocation of the moneys in the surplus account of the Iowa plan fund and to certain corporations appropriated moneys from the Iowa plan fund and providing an effective date.

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

House File 2357, a bill for an act relating to the applicability of school district reorganization incentives and providing an effective date and a retroactive applicability date.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:49 a.m., until 3:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 3:38 p.m., President pro tempore Mann 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.

BUSINESS PENDING

Senate File 2364

The Senate resumed consideration of Senate File 2364, a bill for an act relating to and making appropriations to the department of agriculture and land stewardship, the Iowa state fair authority, the department of natural resources, and the state racing commission, and changing the distribution of certain fees, and amendment S—5163, previously deferred.

The Senate resumed consideration of amendment S—5163 by Senators Riordan, et al., to page 2 of the bill, deferred on February 21, 1990.

Senator Welsh asked unanimous consent that action on amendment S—5163 be deferred.

Objection was raised by Senator Coleman.

Senator Coleman withdrew his objection and action on amendment S—5163 was deferred.

Senator Welsh offered amendment S—5197 filed by Senators Welsh and Gronstal from the floor to page 2 of the bill.

Senator Lind asked and received unanimous consent that action on amendment S—5197 be deferred.

Senator Lind offered amendment S—5206 filed by him from the floor to page 15 of the bill.

Senator Running raised the point of order that amendment S—5206 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5206 in order.

Senator Lind moved the adoption of amendment S—5206.

A non record roll call was requested.

The ayes were 19, nays 26.

Amendment S—5206 lost.

Senator Welsh asked and received unanimous consent to withdraw amendment S—5197 by Senators Welsh and Gronstal to page 2 of the bill, previously deferred.

Senator Riordan moved the adoption of amendment S—5163 by Senators Riordan, et al., to page 2 of of the bill, previously deferred.

Amendment S—5163 was adopted by a voice vote.

With the adoption of amendment S—5163, the Chair ruled amendment S—5208 filed by Senator Coleman from the floor to page 2 of the bill, out of order.

Senator Lind offered amendment S—5205 filed by him from the floor to page 15 of the bill.

Senator Husak raised the point of order that amendment S—5205 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5205 out of order.

Senator Welsh withdrew the following motion to reconsider filed by him from the floor:

MADAM PRESIDENT: I move to reconsider the vote by which division S—5172B to Senate File 2364 was adopted by the Senate on February 22, 1990.

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. 2364) the vote was:

Ayes, 39:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Goodwin	Gronstal
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Kinley	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Peterson
Priebe	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Vande Hoef	Varn	Welsh	

Nays, 11:

Corning	Fuhrman	Gentleman	Hagerla
Hultman	Lind	Pate	Rensink
Taylor	Tieden	Tinsman	

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

BUSINESS PENDING

Senate File 2402

The Senate resumed consideration of Senate File 2402, a bill for an act relating to and making appropriations to state agencies whose responsibilities relate to public defense, public safety, transportation, and enforcement, and including allocation and use of moneys from the road use tax fund, primary road fund, and state aviation fund, mandating reports of certain agency purchases and providing expenses for certain members of the Iowa highway research board, previously deferred.

Senator Lind offered amendment S—5204 filed by Senators Lind, Drake, and Tieden from the floor to pages 4 and 6 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5204 be adopted?" (S.F. 2402) the vote was:

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

Ayes, 22:

Connolly	Corning	Drake	Fuhrman
Gentleman	Goodwin	Hagerla	Hedge
Hester	Hultman	Jensen	Lind
Nystrom	Palmer	Pate	Rensink
Rife	Scott	Soorholtz	Tieden
Tinsman	Vande Hoef		

Nays, 27:

Boswell	Bruner	Coleman	Deluhery
Dieleman	Doyle	Fraise	Gettings
Gronstal	Hannon	Horn	Husak
Hutchins	Kibbie	Kinley	Lloyd-Jones
Mann	Miller	Murphy	Peterson
Priebe	Riordan	Running	Sturgeon
Szymoniak	Varn	Welsh	

Absent or not voting, 1:

Taylor

Amendment S—5204 lost.

Senator Hultman offered amendment S—5195 filed by Senators Hultman, Drake and Jensen from the floor to page 6 of the bill and moved it adoption.

A record roll call was requested.

On the question “Shall amendment S—5195 be adopted?” (S.F. 2402) the vote was:

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

Ayes, 22:

Coleman	Corning	Dieleman	Drake
Fuhrman	Gentleman	Goodwin	Hagerla
Hedge	Hester	Hultman	Jensen
Lind	Nystrom	Pate	Rensink
Rife	Scott	Soorholtz	Tieden
Tinsman	Vande Hoef		

Nays, 27:

Boswell	Bruner	Connolly	Deluhery
Doyle	Fraise	Gettings	Gronstal
Hannon	Horn	Husak	Hutchins
Kibbie	Kinley	Lloyd-Jones	Mann
Miller	Murphy	Palmer	Peterson
Priebe	Riordan	Running	Sturgeon
Szymoniak	Varn	Welsh	

Absent or not voting, 1:

Taylor

Amendment S—5195 lost.

Senator Hultman asked and received unanimous consent to withdraw amendment S—5194 filed by Senators Hultman, Drake and Jensen from the floor to page 9 of the bill.

Senator Welsh offered amendment S—5202 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5202 was adopted by a voice vote.

Senator Lind offered amendment S—5203 filed by Senators Lind and Welsh from the floor to page 16 of the bill and moved its adoption.

Amendment S—5203 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 2402) the vote was:

Ayes, 33:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Horn	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Palmer	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Welsh			

Nays, 15:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Nystrom	Pate	Tieden
Tinsman	Vande Hoef	Varn	

Absent or not voting, 2:

Hannon	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 2402 and 2364** be **immediately messaged** to the House.

MOTION TO RECONSIDER CONSIDERED

Senate File 2327

Senator Hutchins called up the motion to reconsider Senate File 2327, a bill for an act relating to and making appropriations to the department of economic development, INTERNET, Wallace technology transfer foundation, and the Iowa finance authority, filed by him on February 20, 1990, found on page 630 of the Senate Journal.

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

The Senate resumed session, President pro tempore Mann presiding.

BUSINESS PENDING

Senate File 2327

The Senate resumed consideration of the motion to reconsider Senate File 2327 by Senator Hutchins.

Senator Hutchins moved the adoption of the motion to reconsider.

On the question "Shall the motion to reconsider be adopted?" (S.F. 2327) the vote was:

Ayes, 18:

Corning	Dieleman	Drake	Fuhrman
Gentleman	Goodwin	Hagerla	Hedge
Hester	Hultman	Jensen	Lind
Pate	Rensink	Rife	Soorholtz
Tinsman	Vande Hoef		

Nays, 27:

Boswell	Bruner	Coleman	Connolly
Deluhery	Doyle	Fraise	Gettings
Gronstal	Horn	Husak	Hutchins
Kibbie	Lloyd-Jones	Mann	Murphy
Palmer	Peterson	Priebe	Riordan
Running	Scott	Sturgeon	Szymoniak
Tieden	Varn	Welsh	

Absent or not voting, 5:

Hannon	Kinley	Miller	Nystrom
Taylor			

The motion lost.

The motion to reconsider Senate File 2327, filed by Senator Hultman on February 20, 1990, and found on page 630 of the Senate Journal, was out of order.

Senator Hutchins asked and received unanimous consent that Senate File 2327 be **immediately messaged** to the House.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee on February 21, 1990:

H.F.	2109	Judiciary
H.F.	2141	Education
H.F.	2188	State Government
H.F.	2198	Education
H.F.	2215	State Government
H.F.	2271	Education
H.F.	2322	Ways and Means
H.F.	2338	Transportation
H.F.	2339	State Government
H.F.	2344	Agriculture
H.F.	2364	Judiciary
H.F.	2366	Judiciary
H.F.	2367	Judiciary
H.F.	2368	Human Resources
H.F.	2369	Commerce
H.F.	2390	Judiciary
H.F.	2393	Transportation
H.F.	2401	Environment & Energy Utilities
H.F.	2405	Business & Labor Relations
H.F.	2406	Education
H.F.	2421	Human Resources

REPORT OF COMMITTEE MEETING

HUMAN RESOURCES

Convened: February 21, 1990, 2:43 p.m.

Members Present: Hannon, Chair; Bruner, Vice Chair; Corning, Ranking Member; Connolly, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman.

Members Absent: none.

Committee Business: Recommended passage of House File 209 as amended; recommended passage of House Files 2104 and 2308.

Adjourned: 3:23 p.m.

WAYS AND MEANS

Convened: February 21, 1990, 1:35 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hester, Ranking Member; Bruner, Connolly, Drake, Fraise, Fuhrman, Gentleman, Palmer, Soorholtz and Szymoniak.

Members Absent: Hultman, Murphy and Riordan (excused).

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 2276; recommended passage of Senate File 2287 as amended.

Adjourned: 2:30 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 2004

WAYS AND MEANS: Husak, Chair; Bruner and Gentleman

Senate File 2178

WAYS AND MEANS: Husak, Chair; Palmer and Hultman

Senate File 2196

WAYS AND MEANS: Riordan, Chair; Connolly and Hester

Senate File 2295

JUDICIARY: Gronstal, Chair; Varn and Drake

Senate File 2382

WAYS AND MEANS: Szymoniak, Chair; Connolly and Hester

Senate File 2384

WAYS AND MEANS: Connolly, Chair; Szymoniak and Gentleman

House File 2268

JUDICIARY: Mann, Chair; Varn and Fuhrman

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: HOUSE FILE 2045, a bill for an act relating to the appointment of an additional district judge for the district which includes the Iowa state penitentiary.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Varn, Mann, Gentleman, Coleman, Deluhery, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Murphy and Taylor. Nays, 1: Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2237, a bill for an act regulating certain sales of agricultural property, and providing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Varn, Mann, Gentleman, Coleman, Deluhery, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Murphy, Taylor and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: HOUSE FILE 324, a bill for an act relating to the confidentiality of county general relief records, and subjecting violators to a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Kinley, Murphy, Priebe and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: House File 2321, a bill for an act relating to the acquisition and possession of firearms, increasing the penalties for certain offenses, and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5198.

Final Vote: Ayes, 9: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Murphy, Priebe and Tinsman. Nays, none. Absent or not voting, 1: Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 2276, a bill for an act relating to weighing and measuring devices, and establishing fees.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Dieleman, Husak, Hester, Bruner, Connolly, Drake, Fraise, Fuhrman, Gentleman, Palmer, Soorholtz and Szymoniak. Nays, none. Absent or not voting, 3: Hultman, Murphy and Riordan.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2287, a bill for an act relating to the creation of an interstate metropolitan authority, by specifying the powers and duties of the authority, by authorizing certain counties to join the authority, by providing for the imposition of a retail sales tax and the certification of a property tax levy, by providing for the issuance of revenue bonds, by authorizing the imposition of fines for certain violations, and by providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5209.

Final Vote: Ayes, 11: Dieleman, Husak, Hester, Bruner, Connolly, Drake, Fraise, Gentleman, Palmer, Soorholtz and Szymoniak. Nays, 1: Fuhrman. Absent or not voting, 3: Hultman, Murphy and Riordan.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee on February 22, 1990:

H.F.	2170	Agriculture
H.F.	2201	Business & Labor Relations
H.F.	2235	State Government
H.F.	2269	Appropriations
H.F.	2343	Business & Labor Relations
H.F.	2354	Local Government

H.F.	2357	Education
H.F.	2428	Human Resources
H.F.	2430	Human Resources
H.F.	2431	Commerce

EXPLANATION OF VOTES

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on February 21, 1990, when the final vote was taken on Senate Files 2296, 2343, 2348, 2358, 2366 and 2367. Had I been present, I would have voted "aye".

LINN FUHRMAN

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on February 21, 1990, when the final vote was taken on Senate Files 2340, 2342, 2343, 2348 and 2358. Had I been present, I would have voted "aye".

PAT DELUHERY

AMENDMENTS FILED

S—5184	S.F.	228	Tom Mann, Jr.
S—5185	S.F.	2365	Joe Welsh Beverly Hannon
S—5186	S.F.	2344	Charles Bruner
S—5187	S.F.	2364	Joe Welsh
S—5188	S.F.	2372	Michael Gronstal
S—5189	S.F.	2402	Leonard Boswell Joe Welsh
S—5190	S.F.	2159	Richard Running
S—5191	S.F.	2364	Michael Gronstal Jim Riordan Berl Priebe
S—5192	S.F.	2159	Richard Running
S—5193	S.F.	2159	Calvin Hultman
S—5194	S.F.	2402	Calvin Hultman Richard Drake John Jensen
S—5195	S.F.	2402	Calvin Hultman Richard Drake John Jensen
S—5196	S.F.	2386	Larry Murphy
S—5197	S.F.	2364	Joe Welsh

S—5198	H.F.	2321	Michael Gronstal
S—5199	S.F.	2320	Local Government
S—5200	S.F.	2329	Charles Bruner
			C. Joseph Coleman
			Richard Drake
			Donald Doyle
S—5201	S.F.	2386	Jim Lind
			Richard Varn
S—5202	S.F.	2402	Joe Welsh
S—5203	S.F.	2402	Jim Lind
			Joe Welsh
S—5204	S.F.	2402	Jim Lind
			Richard Drake
S—5205	S.F.	2364	Jim Lind
S—5206	S.F.	2364	Jim Lind
S—5207	S.F.	2329	Donald Doyle
			Richard Drake
			C. Joseph Coleman
S—5208	S.F.	2364	C. Joseph Coleman
S—5209	S.F.	2287	Ways and Means
S—5210	S.F.	2360	Richard Vande Hoef
S—5211	S.F.	2328	Richard Running
			John Peterson
			H. Kay Hedge
			Norman Goodwin
			William Palmer

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:45 p.m., until 9:00 a.m., Friday, February 23, 1990.

JOURNAL OF THE SENATE

FORTY-SEVENTH CALENDAR DAY
THIRTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, February 23, 1990

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

Prayer was offered by Harriet Vande Hoef, Senate Secretary, who vocally performed "Dear Lord and Father of All Mankind."

The Journal of Thursday, February 22, 1990, 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 21, 1990, passed the following bills in which the concurrence of the Senate is asked:

House File 2157, a bill for an act relating to the dates for limitations of actions on title to real property.

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

House File 2238, a bill for an act eliminating the requirement of zero balancing of automatic adjustments in the rates and charges of public utility service.

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

House File 2279, a bill for an act permitting the department of natural resources to accept credit cards for payment of certain fees and other permitted purposes.

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

House File 2292, a bill for an act relating to the procedure for distribution of payments made upon a judgment or settlement of a third-party claim brought by a recipient of medical assistance.

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

House File 2437, a bill for an act relating to child support payments by providing for immediate withholding of an obligor's income and providing a penalty.

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

House File 2453, a bill for an act relating to arbitration agreements between manufacturers, distributors, or importers of motor vehicles and motor vehicle dealers.

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

House File 2454, a bill for an act relating to the manufacture, distribution, and possession of gambling devices.

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

House File 2458, a bill for an act requiring restitution of persons convicted of interfering with a traffic device, sign, or signal.

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

House File 2460, a bill for an act relating to remedial relief for public employment relations violations and to unfair representation by a bargaining representative of a public employee.

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

QUORUM CALL

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

The vote revealed 40 present, 10 absent and a quorum present.

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

The Senate resumed session, President pro tempore Mann presiding.

QUORUM CALL

Senator Gronstal 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 (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up out of order Senate File 2329.

Senate File 2329

On motion of Senator Coleman, Senate File 2329, a bill for an act relating to motor vehicle registration fees by allowing semiannual installment payments of registration fees for certain commercial vehicles, and to the use and issuance of motor vehicle licenses including provisions authorizing the issuance of commercial driver's licenses, setting fees for issuance of motor vehicle licenses, providing penalties, and making penalties applicable, was taken up for consideration.

Senator Coleman offered amendment S—5200 filed by Senators Coleman, Drake and Doyle on February 22, 1990, to pages 3, 4, 7 through 11, 13, 14, 16 through 21, 23, 25, 26, 28, 30, 32, 33, 37 through 39, 43 through 45, 49, 53 through 57, 59 and the title page of the bill.

Senator Gentleman called for a division of amendment S—5200 as follows:

Division S—5200A: Page 1, lines 20 and 21.

Division S—5200B: Page 1, lines 2 through 19 and 22 through 50; and pages 2 through 8.

Senator Coleman moved the adoption of division S—5200A which notion prevailed by a voice vote.

Senator Coleman moved the adoption of division S—5200B which motion prevailed by a voice vote.

Senator Doyle offered amendment S—5207 filed by Senators Doyle, Drake and Coleman on February 22, 1990, to page 33 of the bill and moved its adoption.

Amendment S—5207 was adopted by a voice vote.

Senator Scott asked and received unanimous consent to withdraw amendment S—5215 filed by Senators Scott, Miller and Priebe, from the floor to page 51 and the title page of the bill.

Senator Lind offered amendment S—5216 filed by him from the floor to page 6 of the bill.

Senator Coleman raised the point of order that amendment S—5216 was not germane to the bill.

Senator Lind withdrew amendment S—5216.

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. 2329) the vote was:

Ayes, 43:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Nystrom	Palmer
Peterson	Priebe	Rensink	Rife
Riordan	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 7:

Fuhrman	Gentleman	Horn	Mann
Murphy	Pate	Running	

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 22, 1990)

Senate File 2365

The Senate resumed consideration of Senate File 2365, a bill for an act relating to and making appropriations to the department of human services and the Iowa department of public health and providing other properly related matters, deferred on February 22, 1990.

Senator Welsh offered amendment S—5185 filed by Senators Welsh and Hannon on February 22, 1990, to page 3 of the bill and moved its adoption.

Amendment S—5185 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. 2365) the vote was:

Ayes, 44:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gronstal	Hannon	Horn
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 5:

Fuhrman	Hagerla	Hedge	Hester
Hultman			

Absent or not voting, 1:

Lloyd-Jones

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

Senator Husak asked and received unanimous consent that **Senate File 2365** be **immediately messaged** to the House.

MOTION TO RECONSIDER ADOPTED

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

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2329 passed the Senate on February 23, 1990.

On the question "Shall the motion to reconsider be adopted? (S.F. 2329) the vote was:

Ayes, 30:

Boswell	Bruner	Connolly	Deluhery
Dieleman	Doyle	Fraise	Gentleman
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Pate	Peterson	Riordan
Running	Scott	Sturgeon	Szymoniak
Varn	Welsh		

Nays, 16:

Corning	Drake	Fuhrman	Goodwin
Hagerla	Hedge	Hester	Hultman
Jensen	Lind	Nystrom	Rensink
Taylor	Tieden	Tinsman	Vande Hoef

Absent or not voting, 4:

Coleman	Priebe	Rife	Soorholtz
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The motion prevailed.

Senator Welsh moved to reconsider the vote by which Senate File 2329 went to its last reading, which motion prevailed by a voice vote.

Senate File 2329

On motion of Senator Coleman, Senate File 2329, a bill for an act relating to motor vehicle registration fees by allowing semiannual installment payments of registration fees for certain commercial vehicles, and to the use and issuance of motor vehicle licenses including provisions authorizing the issuance of commercial driver's licenses, setting fees for issuance of motor vehicle licenses, providing penalties, and making penalties applicable, was taken up for reconsideration.

Senator Welsh offered amendment S—5217 filed by him from the floor to page 49 of the bill.

Senator Lind raised the point of order that amendment S—5217 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5217 out of order.

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. 2329) the vote was:

Ayes, 43:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Nystrom	Palmer
Peterson	Priebe	Rensink	Rife
Riordan	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 7:

Fuhrman	Gentleman	Horn	Mann
Murphy	Pate	Running	

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

Senator Husak asked and received unanimous consent that **Senate File 2329** be **immediately messaged** to the House.

ADOPTION OF RESOLUTIONS (Regular Calendar)

Senator Husak asked and received unanimous consent to take up out of order Senate Resolution 108 and Senate Concurrent Resolution 109.

Senate Resolution 108

On motion of Senator Peterson, Senate Resolution 108, a senate resolution relating to American Coal Miners' Memorial Day, was taken up for consideration.

Senator Peterson moved the adoption of Senate Resolution 108, which motion prevailed by a voice vote and the resolution was adopted.

Senate Concurrent Resolution 109

On motion of Senator Taylor, Senate Concurrent Resolution 109, a concurrent resolution recognizing the efforts of United States Army Specialist Thomas Hageman in the service of his country, with report of committee recommending passage, was taken up for consideration.

Senator Taylor moved the adoption of Senate Concurrent Resolution 109, which motion prevailed by a voice vote and the resolution was adopted.

CONSIDERATION OF BILL (Regular Calendar)

Senator Husak asked and received unanimous consent to take up out of order **Senate File 2372**.

Senate File 2372

On motion of Senator Gronstal, Senate File 2372, a bill for an act relating to the 1991 redistricting process for the election of senators in conformity with article III, section 6 of the Constitution of the State of Iowa, was taken up for consideration.

Senator Gronstal offered amendment S—5188 filed by him on February 22, 1990, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—5188 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. 2372) the vote was:

Ayes, 48:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Lind	Lloyd-Jones	Mann
Miller	Murphy	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Kinley Nystrom

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 File 2372** and **Senate Concurrent Resolution 109** 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 21, 1990, passed the following bills in which the concurrence of the Senate is asked:

House File 2115, a bill for an act regulating the commercial cleaning of private sewage disposal facilities, by providing for the adoption of standards and the issuance of licenses, providing license fees, providing a civil penalty, and providing effective and applicability dates.

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

House File 2154, a bill for an act relating to civil rights by requiring certain cities to maintain a local civil rights agency or commission and provide adequate funding for the agency or commission, and providing for the continuation in effect of certain local civil rights laws.

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

House File 2200, a bill for an act relating to refunds and credits issued on the unexpired portions of vehicle registration fees and providing an effective date.

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

House File 2340, a bill for an act providing for disposal of livestock, and providing an effective date.

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

House File 2381, a bill for an act authorizing the conversion of a mutual property and casualty insurance company into a stock company, subject to certain conditions and procedural requirements.

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

House File 2384, a bill for an act establishing a state fair challenge grant foundation.

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

House File 2440, a bill for an act relating to the duties of the board of educational examiners, providing for alternative routes to licensing, and defining which persons are teachers for purposes of educational excellence programs.

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

APPENDIX

REPORT OF COMMITTEE MEETINGS

LOCAL GOVERNMENT

Convened: February 22, 1990, 8:06 a.m.

Members Present: Miller, Chair; Szymoniak, Vice Chair; Vande Hoef, Ranking Member; Fraise, Goodwin, Jensen, Kinley (arrived 8:24), Murphy, Priebe and Tinsman (arrived 8:10).

Members Absent: none.

Committee Business: Assigned bill to subcommittee; recommended passage of House File 324; recommended passage of House File 2321 as amended; discussed and deferred action on House File 620.

Adjourned: 8:25 a.m.

STATE GOVERNMENT

Convened: February 22, 1990, 2:42 p.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Coleman, Drake, Fraise, Gentleman, Gronstal, Horn, Rife, Running, Soorholtz and Vande Hoef.

Members Present: Dieleman and Hannon (both excused).

Committee Business: Recommended passage of House File 2048 as amended; action on Senate File 307 indefinitely postponed.

Adjourned: 3:30 p.m.

SUBCOMMITTEE ASSIGNMENTS

House File 2170

AGRICULTURE: Vande Hoef, Chair; Miller and Fuhrman

House File 2201

BUSINESS & LABOR RELATIONS: Sturgeon, Chair; Peterson and Hultman

House File 2343

BUSINESS & LABOR RELATIONS: Gettings, Chair; Mann and Fuhrman

House File 2368

HUMAN RESOURCES: Sturgeon, Chair; Murphy and Corning

House File 2405

BUSINESS & LABOR RELATIONS: Palmer, Chair; Running and Taylor

House File 2421

HUMAN RESOURCES: Bruner, Chair; Connolly and Tinsman

House File 2428

HUMAN RESOURCES: Murphy, Chair; Hagerla and Bruner

House File 2430

HUMAN RESOURCES: Connolly, Chair; Bruner and Gentleman

COMMITTEE REPORT**STATE GOVERNMENT**

Final Bill Action: HOUSE FILE 2048, a bill for an act relating to the licensing of marital and family therapists and mental health counselors, by establishing the board of behavioral science examiners, prohibiting the practice of marital and family therapy or mental health counseling without a license, providing exemptions, redefining "mental health professional" for purposes of confidential communications, making penalties applicable, imposing penalties for sexual exploitation by a counselor or therapist, providing for a temporary waiver of certain licensing requirements, and providing other properly related matters.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5214.

Final Vote: Ayes, 8: Kibbie, Lloyd-Jones, Nystrom, Drake, Fraise, Horn, Running and Soorholtz. Nays, 4: Coleman, Gentleman, Gronstal and Rife. Absent or not voting, 3: Dieleman, Hannon and Vande Hoef.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

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

H.F. 2115 Environment & Energy Utilities

H.F.	2157	Judiciary
H.F.	2200	Transportation
H.F.	2238	Environment & Energy Utilities
H.F.	2279	Natural Resources
H.F.	2292	Judiciary
H.F.	2381	Commerce
H.F.	2384	State Government
H.F.	2437	Human Resources
H.F.	2440	Education
H.F.	2454	State Government
H.F.	2458	Transportation
H.F.	2460	Business & Labor Relations

PRESENTATION OF VISITORS

The Chair welcomed the Honorable Joe Brown, former member of the Senate from Poweshiek County, Montezuma, Iowa.

The following visitors were present in the Senate gallery:

Sixteen boy scouts from Troop 121, Winterset, Iowa, accompanied by Dennis Daggett. Senator Riordan.

AMENDMENTS FILED

S—5212	S.F.	2386	Ray Taylor
S—5213	S.F.	2388	Maggie Tinsman Beverly Hannon Jim Riordan
S—5214	H.F.	2048	State Government
S—5215	S.F.	2329	Kenneth Scott Alvin Miller Berl E. Priebe
S—5216	S.F.	2329	Jim Lind
S—5217	S.F.	2329	Joe Welsh
S—5218	S.F.	2349	Natural Resources
S—5219	H.F.	736	Jim Lind

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 12:06 p.m., until 10:00 a.m., Monday, February 26, 1990.

JOURNAL OF THE SENATE

FIFTIETH CALENDAR DAY
THIRTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 26, 1990

The Senate met in regular session at 10:01 a.m., President pro tempore Mann presiding.

Prayer was offered by the Reverend Paul Kelly, pastor of the Immaculate Conception Church, Graettinger, Iowa.

The Journal of Friday, February 23, 1990, was approved.

LEAVES OF ABSENCE

Leaves of absence was granted as follows:

Senator Boswell for today and February 27, 1990, on request of Senator Hutchins and Senator Tieden for the morning on request of Senator Hultman.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 22, 1990, passed the following bills in which the concurrence of the Senate is asked:

House File 2418, 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.

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

House File 2448, a bill for an act relating to automobile liability insurance by regulating certain automobile insurance rates in connection with claims based upon uninsured, underinsured, or hit-and-run coverage.

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

ALSO: That the House has on February 23, 1990, passed the following bills in which the concurrence of the Senate is asked:

House File 2320, a bill for an act relating to fire and casualty insurance, altering the method of filing rates subject to the approval of the commissioner of insurance, except for workers' compensation liability insurance rates, providing a special effective date, and authorizing civil penalties.

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

House File 2341, a bill for an act relating to airport zoning regulations by allowing conformance with federal aviation regulations.

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

House File 2372, a bill for an act relating to anabolic steroids, and providing a criminal penalty concerning the distribution of anabolic steroids to minors.

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

House File 2416, a bill for an act relating to corporal punishment.

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

House File 2461, a bill for an act relating to motor vehicle odometer requirements.

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

House File 2465, a bill for an act relating to the removal of railway track from a grade crossing once the railway corporation has abandoned the line or permitted interim use for the establishment of a trail.

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

House File 2495, a bill for an act relating to the establishment, maintenance, and operation of storm water drainage systems and the payment of rates or charges.

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

House File 2514, a bill for an act relating to human services and making appropriations to the department of human services and other properly related matters 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 42 present, 8 absent and a quorum present.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 2080, 2003 and 2309.

Senate File 2080

On motion of Senator Vande Hoef, Senate File 2080, a bill for an act providing for the sale, offer for sale, or distribution of sterile varieties of purple loosestrife, was taken up for consideration.

Senator Vande Hoef offered amendment S—5167 filed by him on February 21, 1990, to page 1 of the bill and moved its adoption.

Amendment S—5167 was adopted by a voice vote.

Senator Vande Hoef withdrew amendment S—5044 filed by him on February 5, 1990, to page 1 of the bill.

Senator Vande Hoef withdrew amendment S—5074 filed by him on February 8, 1990, to page 1 of the bill.

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. 2080) the vote was:

Ayes, 47:

Bruner	Coleman	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Boswell	Murphy	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 2003

On motion of Senator Szymoniak, Senate File 2003, a bill for an act permitting a refund of unexpired motor vehicle registration fees to persons who sell their motor vehicles and who will no longer be driving, with report of committee recommending passage, was taken up for consideration.

Senator Szymoniak asked and received unanimous consent that action on **Senate File 2003** be deferred.

Senate File 2309

On motion of Senator Fraise, Senate File 2309, a bill for an act relating to the issuance of class "A" liquor licenses to veterans organizations, 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. 2309) the vote was:

Ayes, 47:

Bruner	Coleman	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Boswell	Murphy	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 2311

On motion of Senator Coleman, Senate File 2311, a bill for an act relating to unclaimed fees to conform with the uniform disposition of unclaimed property Act, 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. 2311) the vote was:

Ayes, 47:

Bruner	Coleman	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz

Sturgeon	Szymoniak	Taylor	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Boswell	Murphy	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 2236.

House File 2236

On motion of Senator Palmer, House File 2236, a bill for an act to increase the percentage of the state ceiling allocated to qualified small issue bonds issued for first-time farmers, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2236) the vote was:

Ayes, 47:

Bruner	Coleman	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Boswell

Murphy

Tieden

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

CONSIDERATION OF BILL
(Appropriations Calendar)

Senate File 2328

On motion of Senator Running, Senate File 2328, a bill for an act relating to and making appropriations to regulatory bodies of state government, including the auditor of state, the campaign finance disclosure commission, the department of employment services, the office of the state public defender, the department of inspections and appeals, the department of commerce, and the racing and gaming commission, was taken up for consideration.

(Action on Senate File 2328 was deferred).

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

The Senate resumed session, President pro tempore Mann presiding.

RECESS

On motion of Senator Lloyd-Jones, the Senate recessed at 12:24 p.m., until 2:30 p.m.

APPENDIX

CERTIFICATES OF RECOGNITION

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

David R. Wright, Troop 22, Eldon — For achieving the level of Eagle Scout. Senator Hedge (February 24, 1990).

Jack Smith, Sigourney — For selection to the Iowa Wrestling Hall of Fame. Senator Hedge (February 24, 1990).

Henry and Etta Den Herder, Sioux Center — For commemoration of sixty-nine years of marriage on February 23, 1990. Senator Rensink (February 25, 1990).

West Delaware High School Wrestling Team — 1989-90 WaMaC Conference Champions. Senator Pate (February 23, 1990).

BILL RETURNED TO CALENDAR (Senate File 307)

Pursuant to Senate Rule 38, Senate File 307, referred to the committee on State Government on February 12, 1990, was automatically returned to the Senate Regular Calendar on February 26, 1990.

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2311 passed the Senate on February 26, 1990.

JOE WELSH

PETITIONS

The following petitions were presented and placed on file by:

Senator Hannon from one hundred ninety six residents of Jones and Cedar Counties opposing legislation raising hunting and fishing license fees.

Senator Taylor from fifty-five residents of District 9 in favor of lowering the rule of 92 to 88 and/or receive full benefits after 30 years of service, whichever comes first (relating to proposed IPERS legislation).

REPORT OF COMMITTEE MEETING

JUDICIARY

Convened: February 22, 1990, 11:15 a.m.

Members Present: Varn, Chair; Mann, Vice Chair; Gentleman, Ranking Member; Coleman, Deluhery; Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Murphy, Taylor and Welsh.

Members Absent: none.

Committee Business: Recommended passage of House File 677 as amended; recommended passage of House File 2045 and Senate File 2237.

Adjourned: 11:45 a.m.

SUBCOMMITTEE ASSIGNMENTS

House File 2188

STATE GOVERNMENT: Horn, Chair; Kibbie and Rife

House File 2200

TRANSPORTATION: Lloyd-Jones, Chair; Scott and Jensen

House File 2215

STATE GOVERNMENT: Horn, Chair; Kibbie and Rife

House File 2235

STATE GOVERNMENT: Hannon, Chair; Running and Nystrom

House File 2338

TRANSPORTATION: Coleman, Chair; Gettings and Nystrom

House File 2339

STATE GOVERNMENT: Dieleman, Chair; Hannon and Vande Hoef

House File 2384

STATE GOVERNMENT: Dieleman, Chair; Soorholtz and Fraise

House File 2393

TRANSPORTATION: Dieleman, Chair; Scott and Goodwin

House File 2454

STATE GOVERNMENT: Horn, Chair; Kibbie and Rife

House File 2458

TRANSPORTATION: Nystrom, Chair; Jensen and Doyle

House File 2460

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

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 26th day of February, 1990:

Senate File 81.

JOHN F. DWYER
Secretary of the Senate

AMENDMENTS FILED

S—5220	S. F.	2328	Joe Welsh
S—5221	S. F.	2328	Joe Welsh
S—5222	S. F.	2338	Donald Doyle
S—5223	S. F.	2169	Linn Fuhrman
S—5224	S. F.	2328	Joe Welsh
S—5225	S. F.	2307	Jim Riordan
S—5226	S. F.	2328	Joe Welsh
S—5227	S. F.	2304	William Dieleman
S—5228	S. F.	2003	Richard Drake

AFTERNOON SESSION

The Senate reconvened at 2:41 p.m., President pro tempore Mann 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.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 2386** be referred from the Regular Calendar to the committee on **Appropriations**.

BUSINESS PENDING

Senate File 2328

The Senate resumed consideration of Senate File 2328, a bill for an act relating to and making appropriations to regulatory bodies of state government, including the auditor of state, the campaign finance disclosure commission, the department of employment services, the office of the state public defender, the department of inspections and appeals, the department of commerce, and the racing and gaming commission, previously deferred.

Senator Welsh offered amendment S—5224 filed by him from the floor to page 3 of the bill and moved its adoption.

Amendment S—5224 was adopted by a voice vote.

Senator Welsh offered amendment S—5226 filed by him from the floor to pages 4 and 6 of the bill and moved its adoption.

Amendment S—5226 was adopted by a voice vote.

Senator Welsh offered amendment S—5221 filed by him from the floor to page 18 of the bill and moved its adoption.

Amendment S—5221 was adopted by a voice vote.

Senator Running offered amendment S—5211 filed by Senators Running, et al., on February 22, 1990, to pages 22, 25 and title page of the bill and moved its adoption.

Amendment S—5211 was adopted by a voice vote.

Senator Welsh offered amendment S—5220 filed by him from the floor to page 24 of the bill and moved its adoption.

Amendment S—5220 was adopted by a voice vote.

Senator Hutchins asked and received unanimous consent that action on **Senate File 2328** be **deferred**.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 2290 and 2221.

Senate File 2290

On motion of Senator Varn, Senate File 2290, a bill for an act relating to the theft of fish from private fish hatcheries, 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. 2290) the vote was:

Ayes, 43:

Bruner	Coleman	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Pate	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Varn	Welsh	

Nays, 3:

Jensen Peterson Vande Hoef

Absent or not voting, 4:

Boswell Connolly Gentleman Palmer

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

Senate File 2221

On motion of Senator Sturgeon, Senate File 2221, a bill for an act requiring licensing of intermediate care facility units for residents with Alzheimer's disease and related disorders and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Sturgeon asked and received unanimous consent that action on amendment S—5084 filed by the committee on Human Resources on February 12, 1990, to page 1 and the title page of the bill be deferred.

Senator Sturgeon offered amendment S—5182 filed by him on February 21, 1990, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5182 was adopted by a voice vote.

With the adoption of amendment S—5182, the Chair ruled amendment S—5084, previously deferred, 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. 2221) the vote was:

Ayes, 45:

Bruner	Coleman	Connolly	Corning
Deluhery	Doyle	Drake	Fraise
Fuhrman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins

Jensen	Kibbie	Kinley	Lind
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Varn
Welsh			

Nays, 3:

Dieleman	Gentleman	Vande Hoef
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Absent or not voting, 2:

Boswell	Lloyd-Jones
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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 2328

The Senate resumed consideration of Senate File 2328, a bill for an act relating to and making appropriations to regulatory bodies of state government, including the auditor of state, the campaign finance disclosure commission, the department of employment services, the office of the state public defender, the department of inspections and appeals, the department of commerce, and the racing and gaming commission; previously deferred.

Senator Running offered amendment S—5237 filed by him from the floor to page 7 of the bill and moved its adoption.

Amendment S—5237 was adopted by a voice vote.

Senator Running asked and received unanimous consent that action on amendment S—5238 filed by him from the floor to page 11 of the bill be deferred.

Senator Welsh offered amendment S—5233 filed by him from the floor to pages 21 and 22 of the bill.

Senator Welsh offered amendment S—5239 filed by him from the floor to amendment S—5233 and moved its adoption.

Amendment S—5239 was adopted by a voice vote.

Senator Welsh moved the adoption of amendment S—5233 as amended.

A non record roll call was requested.

The ayes were 27, nays 20.

Amendment S—5233 as amended was adopted.

Senator Welsh offered amendment S—5232 filed by him from the floor to page 22 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5232 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, 36:

Bruner	Connolly	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lloyd-Jones	Miller	Nystrom
Pate	Priebe	Rensink	Scott
Soorholtz	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 13:

Coleman	Fraise	Fuhrman	Gettings
Lind	Mann	Murphy	Palmer
Peterson	Rife	Riordan	Running
Sturgeon			

Absent or not voting, 1:

Boswell

Amendment S—5232 was adopted.

Senator Running withdrew amendment S—5238 to page 11 of the bill, previously deferred.

Senator Running moved that the bill be read the last time now and placed upon its passage, 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:

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

Ayes, 27:

Bruner	Coleman	Connolly	Deluhery
Dieleman	Doyle	Fraise	Gettings
Goodwin	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley
Lloyd-Jones	Miller	Murphy	Palmer
Peterson	Priebe	Scott	Sturgeon
Szymoniak	Varn	Welsh	

Nays, 22:

Corning	Drake	Fuhrman	Gentleman
Hagerla	Hedge	Hester	Hultman
Jensen	Lind	Mann	Nystrom
Pate	Rensink	Rife	Riordan
Running	Soorholtz	Taylor	Tieden
Tinsman	Vande Hoef		

Absent or not voting, 1:

Boswell

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 2080, 2221, 2290, 2309, 2328** and **House File 2236** be **immediately messaged** to the House.

BUSINESS PENDING

Senate File 2003

The Senate resumed consideration of Senate File 2003, a bill for an act permitting a refund of unexpired motor vehicle registration fees to persons who sell their motor vehicles and who will no longer be driving, previously deferred.

Senator Drake offered amendment S—5228 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5228 was adopted by a voice vote.

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

On the question “Shall the bill pass?” (S.F. 2003) the vote was:

Ayes, 42:

Bruner	Coleman	Connolly	Corning
Deluhery	Dieleman	Doyle	Fraise
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Palmer	Peterson
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 3:

Drake	Fuhrman	Gentleman
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Absent or not voting, 5:

Boswell	Hultman	Nystrom	Pate
Priebe			

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

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 2298, 2379, 2350 and 2349.

Senate File 2298

On motion of Senator Szymoniak, Senate File 2298, a bill for an act relating to zoning regulations for homes for developmentally disabled persons, with report of committee recommending passage, was taken up for consideration.

Senator Deluhery asked and received unanimous consent that action on **Senate File 2298** be deferred.

Senate File 2379

On motion of Senator Priebe, Senate File 2379, a bill for an act relating to anaerobic lagoons, making penalties applicable, and providing for applicability of the Act, 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. 2379) the vote was:

Ayes, 49:

Bruner	Coleman	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Boswell

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

Senate File 2350

On motion of Senator Gronstal, Senate File 2350, a bill for an act relating to the uniform management of institutional funds Act, 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. 2350) the vote was:

Ayes, 48:

Bruner	Coleman	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Boswell Peterson

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

Senate File 2349

On motion of Senator Doyle, Senate File 2349, a bill for an act relating to scheduled fines and court procedures for certain violations of snowmobile and all-terrain vehicle regulations, game and fish regulations, and parks, was taken up for consideration.

Senator Doyle offered amendment S—5218 filed by the committee on Natural Resources on February 23, 1990, to page 1 of the bill and moved its adoption.

Amendment S—5218 was adopted by a voice vote.

Senator Welsh asked and received unanimous consent that action on **Senate File 2349** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2326.

Senate File 2326

On motion of Senator Connolly, Senate File 2326, a bill for an act requiring the department of education to develop and maintain nutrition guidelines for food and beverages sold on public school grounds, was taken up for consideration.

Senator Riordan took the chair at 4:55 p.m.

Senator Lind offered amendment S—5152 filed by Senators Lind and Murphy on February 20, 1990, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—5152 was adopted by a voice vote.

Senator Connolly offered amendment S—5240 filed by him from the floor to page 1 of the bill.

Senator Hutchins asked and received unanimous consent that further action on amendment S—5240 and **Senate File 2326** be **deferred**.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 2379** and **2350** 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 26, 1990, passed the following bill in which the concurrence of the Senate is asked:

House File 2050, a bill for an act relating to the selling of goods or services by an official or employee of an agency and providing a penalty.

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

INTRODUCTION OF BILL

Senate File 2406, by committee on Ways and Means, a bill for an act relating to the sales and use tax on carbon dioxide and providing a retroactive applicability date.

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

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

H.F.	2050	State Government
H.F.	2154	Local Government
H.F.	2320	Commerce
H.F.	2341	Local Government
H.F.	2372	Judiciary
H.F.	2416	Education
H.F.	2418	Appropriations
H.F.	2448	Commerce
H.F.	2461	Transportation
H.F.	2465	Transportation
H.F.	2514	Appropriations

STUDY BILL RECEIVED

SSB 2291 Ways and Means

Relating to the length of occupancy of the homestead for purposes of the homestead credit and providing a retroactive applicability date.

SUBCOMMITTEE ASSIGNMENTS

House File 2322

WAYS AND MEANS: Fraise, Chair; Szymoniak and Drake

House File 2354

LOCAL GOVERNMENT: Jensen, Chair; Fraise and Priebe

COMMITTEE REPORTS

WAYS AND MEANS

Final Bill Action: SENATE FILE 2241, a bill for an act relating to the importation of bees and bee-related items, increasing certain fees, and providing penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5243.

Final Vote: Ayes, 13: Dieleman, Husak, Hester, Bruner, Connolly, Fraise, Fuhrman, Gentleman, Murphy, Palmer, Riordan, Soorholtz and Szymoniak. Nays, none. Absent or ot voting, 2: Drake and Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2357, a bill for an act relating to the collection of real estate, real property, and mobile home taxes, providing penalties, continuing an appropriations, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Dieleman, Husak, Bruner, Connolly, Fraise, Fuhrman, Gentleman, Murphy, Palmer, Riordan, Soorholtz and Szymoniak. Nays, 1: Hester. Absent or not voting, 2: Drake and Hultman.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2406 (SSB 2289), a bill for an act relating to the sales and use tax on carbon dioxide and providing a retroactive applicability date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Dieleman, Husak, Hester, Bruner, Connolly, Fraise, Fuhrman, Gentleman, Murphy, Palmer, Riordan, Soorholtz and Szymoniak. Nays, none. Absent or ot voting, 2: Drake and Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5229	S. F.	2184	Jean Lloyd-Jones
S—5230	S. F.	2184	Jean Lloyd-Jones
S—5231	S. F.	2184	Jean Lloyd-Jones
S—5232	S. F.	2328	Joe Welsh
S—5233	S. F.	2328	Joe Welsh
S—5234	S. F.	2184	Jean Lloyd-Jones
S—5235	S. F.	2400	Larry Murphy
S—5236	S. F.	2345	Larry Murphy

S—5237	S. F.	2328	Richard Running
S—5238	S. F.	2328	Richard Running
S—5239	S. F.	2328	Joe J. Welsh
S—5240	S. F.	2326	Mike Connolly
S—5241	S. F.	2356	Jean Lloyd-Jones C. Joseph Coleman
S—5242	S. F.	2357	Larry Murphy
S—5243	S. F.	2241	Ways and Means

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:11 p.m., until 9:00 a.m., Tuesday, February 27, 1990.

JOURNAL OF THE SENATE

FIFTY-FIRST CALENDAR DAY
THIRTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 27, 1990

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

Prayer was offered by the Reverend Richard Pippert, pastor of the United Methodist Church, Fremont, Iowa.

The Journal of Monday, February 26, 1990, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Dieleman 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 44 present, 6 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 2387.

Senate File 2387

On motion of Senator Riordan, Senate File 2387, a bill for an act relating to the determination of paternity and the establishment of past child support obligations, 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. 2387) the vote was:

Ayes, 44:

Bruner	Coleman	Connolly	Corning
Deluhery	Doyle	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Peterson	Priebe
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Welsh

Nays, none.

Absent or not voting, 6:

Boswell	Dieleman	Drake	Pate
Running	Varn		

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, 1990)

Senate File 2298

The Senate resumed consideration of Senate File 2298, a bill for an act relating to zoning regulations for homes for developmentally disabled persons, deferred on February 26, 1990.

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

On the question "Shall the bill pass?" (S.F. 2298) the vote was:

Ayes, 38:

Bruner	Coleman	Connolly	Corning
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Nystrom	Palmer	Peterson
Priebe	Rensink	Rife	Riordan
Scott	Soorholtz	Szymoniak	Taylor
Vande Hoef	Varn		

Nays, 8:

Deluhery	Fuhrman	Mann	Murphy
Sturgeon	Tieden	Tinsman	Welsh

Absent or not voting, 4:

Boswell	Dieleman	Pate	Running
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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, 1990)

Senate File 2326

The Senate resumed consideration of Senate File 2326, a bill for an act requiring the department of education to develop and maintain nutrition guidelines for food beverages sold on public school grounds, and amendment S—5240 by Senator Connolly, deferred on February 26, 1990.

Senator Connolly moved the adoption of amendment S—5240 to page 1 of the bill, which motion prevailed by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 2326) the vote was:

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

Ayes, 24:

Bruner	Coleman	Corning	Deluhery
Gettings	Gronstal	Hannon	Horn
Hutchins	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Murphy	Palmer
Riordan	Running	Soorholtz	Sturgeon
Szymoniak	Tinsman	Varn	Welsh

Nays, 24:

Connolly	Doyle	Drake	Fraise
Fuhrman	Gentleman	Goodwin	Hagerla
Hedge	Hester	Hultman	Husak
Jensen	Miller	Nystrom	Pate
Peterson	Priebe	Rensink	Rife
Scott	Taylor	Tieden	Vande Hoef

Absent or not voting, 2:

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

UNFINISHED BUSINESS
(Deferred February 26, 1990)

Senate File 2349

The Senate resumed consideration of Senate File 2349, a bill for an act relating to scheduled fines and court procedures for certain violations of snowmobile and all-terrain vehicle regulations, game and fish regulations, and parks, deferred February 26, 1990.

Senator Welsh offered amendment S—5246 filed by him from the floor to page 5 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 29, nays 10.

Amendment S—5246 was adopted.

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

On the question "Shall the bill pass?" (S.F. 2349) the vote was:

Ayes, 48:

Bruner	Coleman	Connolly	Corning
Deluhery	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Boswell Dieleman

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

Senator Kinley took the chair at 9:47 a.m.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 2032** be referred from the Regular Calendar to the committee on **Natural Resources**.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 2324, 2173, 2374 and 2330.

Senate File 2324

On motion of Senator Murphy, Senate File 2324, a bill for an act repealing a requirement that area education agencies utilize federally funded health care programs for services provided to certain children requiring special education and providing effective dates, 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. 2324) the vote was:

Ayes, 37:

Bruner	Coleman	Connolly	Corning
Deluhery	Doyle	Fraise	Gettings
Gronstal	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Kinley	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tinsman	Varn
Welsh			

Nays, 11:

Drake	Fuhrman	Gentleman	Goodwin
Hagerla	Hannon	Hultman	Lind
Rife	Tieden	Vande Hoef	

Absent or not voting, 2:

Boswell	Dieleman
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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 2173

On motion of Senator Mann, Senate File 2173, a bill for an act relating to the competency of a witness by amending the Iowa rules of evidence, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2173) the vote was:

Ayes, 48:

Bruner	Coleman	Connolly	Corning
Deluhery	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Boswell Dieleman

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

Senate File 2374

On motion of Senator Mann, Senate File 2374, a bill for an act relating to the administration of small estates, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2374) the vote was:

Ayes, 48:

Bruner	Coleman	Connolly	Corning
Deluhery	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge

Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Boswell Dieleman

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

Senate File 2330

On motion of Senator Mann, Senate File 2330, a bill for an act relating to landlords and tenants, with report of committee recommending passage, was taken up for consideration.

Senator Szymoniak asked and received unanimous consent that action on **Senate File 2330** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 2082 and 2052.

Senate File 2082

On motion of Senator Bruner, Senate File 2082, a bill for an act to indefinitely extend the effect of the Code chapter relating to persons with mental illness, mental retardation, or developmental disabilities and providing an effective date, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2082) the vote was:

Ayes, 48:

Bruner	Coleman	Connolly	Corning
Deluhery	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Boswell Dieleman

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

Senate File 2052

On motion of Senator Husak, Senate File 2052, 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 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. 2052) the vote was:

Ayes, 43:

Bruner	Coleman	Connolly	Corning
Deluhery	Doyle	Drake	Fraise
Gettings	Gronstal	Hagerla	Hannon
Hedge	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate

Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymaniak	Taylor	Tieden
Vande Hoef	Varn	Welsh	

Nays, 5:

Fuhrman	Gentleman	Goodwin	Hester
Tinsman			

Absent or not voting, 2:

Boswell	Dieleman
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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 2059

On motion of Senator Varn, Senate File 2059, a bill for an act authorizing merged area schools to establish a self-insurance program for the payment of workers' compensation benefits, exempting the self-insurance program from taxation, and exempting the self-insurance program from insurance regulation, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2059) the vote was:

Ayes, 47:

Bruner	Coleman	Connolly	Corning
Deluhery	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymaniak	Taylor	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 1:

Tieden

Absent or not voting, 2:

Boswell

Dieleman

The bill having 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 2010, 2155, 2368, 2377 and 2388.

Senate File 2010

On motion of Senator Fraise, Senate File 2010, a bill for an act relating to disposal of solid waste on agricultural land and making penalties applicable, with report of committee recommending passage, was taken up for consideration.

Senator Fraise offered amendment S—5250 filed by him from the floor to page 1 of the bill.

Senator Connolly asked and received unanimous consent that action on amendment S—5250 and **Senate File 2010** be deferred.

Senate File 2155

On motion of Senator Palmer, Senate File 2155, a bill for an act relating to the computation of workers' compensation benefits for elected and appointed officials, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Palmer offered amendment S—5103 filed by the committee on Business and Labor Relations on February 15, 1990, to page 1 of the bill and moved its adoption.

Amendment S—5103 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 2155) the vote was:

Ayes, 45:

Bruner	Coleman	Connolly	Corning
Deluhery	Doyle	Drake	Fraise
Fuhrman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 1:

Gentleman

Absent or not voting, 4:

Boswell	Dieleman	Murphy	Running
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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 2368

On motion of Senator Mann, Senate File 2368, a bill for an act relating to arson, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2368) the vote was:

Ayes, 46:

Bruner	Coleman	Connolly	Corning
Deluhery	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak

Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 2:

Gronstal	Kinley
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Absent or not voting, 2:

Boswell	Dieleman
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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 2377

On motion of Senator Rife, Senate File 2377, a bill for an act relating to appointments subject to senate confirmation by providing for duties of appointing authorities and appointment and employment of the director of the department of education, and enacting a transitional provision, 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. 2377) the vote was:

Ayes, 27:

Coleman	Deluhery	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley
Mann	Miller	Murphy	Palmer
Peterson	Priebe	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Varn	Welsh	

Nays, 20:

Bruner	Corning	Drake	Fuhrman
Gentleman	Goodwin	Hagerla	Hedge
Hester	Hultman	Jensen	Lind
Lloyd-Jones	Nystrom	Pate	Rensink
Taylor	Tieden	Tinsman	Vande Hoef

Absent or not voting, 3:

Boswell Connolly Dieleman

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

Senate File 2388

On motion of Senator Tinsman, Senate File 2388, a bill for an act relating to administrative procedures for the establishment, determination, and collection of certain spousal support debts, was taken up for consideration.

Senator Tinsman offered amendment S—5213 filed by Senators Tinsman, Hannon and Riordan on February 23, 1990, to page 2 of the bill and moved its adoption.

Amendment S—5213 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 2388) the vote was:

Ayes, 45:

Bruner	Coleman	Corning	Deluhery
Doyle	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 5:

Boswell Connolly Dieleman Drake
Hagerla

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 2059, 2082, 2155, 2173, 2324, 2349, 2374, 2387, 2003, 2368, 2377 and 2388** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2159.

Senate File 2159

On motion of Senator Running, Senate File 2159, a bill for an act relating to this state's labor laws administered by the labor commissioner by amending provisions of the Code regulating occupational safety and health, amusement ride and boiler inspections, asbestos removal and encapsulation, the division of labor services, wage payment collection, and construction contractors, and providing a penalty, was taken up for consideration.

Senator Running offered amendment S—5190 filed by him on February 22, 1990, to page 1 of the bill and moved its adoption.

Amendment S—5190 was adopted by a voice vote.

Senator Running offered amendment S—5192 filed by him on February 22, 1990, to pages 3 through 5 of the bill.

Senator Hultman called for a division of amendment S—5192: lines 4 through 7 as division S—5192A and lines 2 and 3 and 8 through 28 as division S—5192B.

Senator Hultman asked and received unanimous consent that action on division S—5192A be deferred.

Senator Running moved the adoption of division S—5192B, which motion prevailed by a voice vote.

Senator Hultman asked and received unanimous consent that action on division S—5192A continue to be deferred.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Riordan for the remainder of the morning on request of Senator Hutchins.

BUSINESS PENDING

Senate File 2159

The Senate resumed consideration of Senate File 2159.

Senator Hultman offered amendment S—5193 filed by him on February 22, 1990, to page 4 of the bill and moved its adoption.

A record roll call was requested.

On the question “On the question “Shall amendment S—5193 be adopted?” (S.F. 2159) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 20:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Nystrom
Pate	Rensink	Rife	Scott
Taylor	Tieden	Tinsman	Vande Hoef

Nays, 26:

Bruner	Coleman	Deluhery	Doyle
Fraise	Gettings	Gronstal	Hannon
Horn	Husak	Hutchins	Kibbie
Kinley	Lloyd-Jones	Mann	Miller
Murphy	Palmer	Peterson	Priebe
Running	Soorholtz	Sturgeon	Szymoniak
Varn	Welsh		

Absent or not voting, 4:

Boswell	Connolly	Dieleman	Riordan
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Amendment S—5193 lost.

Senator Running moved the adoption of division S—5192A, previously deferred.

A non record roll call was requested.

The ayes were 21, nays 25.

Division S—5192A lost.

Senator Running moved that the bill be read the last time now and placed upon its passage, 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, 30:

Bruner	Coleman	Connolly	Deluhery
Doyle	Fraise	Gettings	Gronstal
Hannon	Horn	Husak	Hutchins
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Palmer
Peterson	Priebe	Rife	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Varn	Welsh		

Nays, 17:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Nystrom	Pate
Rensink	Taylor	Tieden	Tinsman
Vande Hoef			

Absent or not voting, 3:

Boswell	Dieleman	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.

Senator Hutchins asked and received unanimous consent that **Senate File 2159** be **immediately messaged** to the House.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 2254** be referred from the Unfinished Business Calendar to the committee on **Transportation**.

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

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 following Governor's appointees from Iowa as members of state boards, departments and commissions:

December 28, 1989

Cynthia Eisenhower, Ankeny, Polk County, for appointment as Director of the Department of Employment Services pursuant to 1989 Iowa Code Section 84A.1(2), for a term beginning January 8, 1989, to serve at the pleasure of the Governor.

January 23, 1990

Joan Egenes, Johnston, Polk County, for reappointment to the Psychology Examining Board pursuant to 1989 Iowa Code Section 147.14(7) for a term beginning May 1, 1989, and ending April 30, 1993.

February 1, 1990

Richard Morrell, Des Moines, Polk County, for reappointment as the Administrator of the Alcoholic Beverages Division pursuant to 1989 Iowa Code Section 123.10 for a term beginning May 1, 1990, and ending April 30, 1994.

K. Marie Thayer, Ankeny, Polk County, for reappointment as Administrator of the Professional Licensing and Regulation Division pursuant to 1989 Iowa Code Section 546.10(2) for a term beginning May 1, 1990, and ending April 30, 1994.

Joan B. Poe, Cedar Falls, Black Hawk County, for reappointment to the Alcoholic Beverages Commission pursuant to 1989 Iowa Code Section 123.5 for a term beginning May 1, 1990, and ending April 30, 1995.

For reappointment to the Architectural Examining Board pursuant to 1989 Iowa Code Section 118.1 for terms beginning May 1, 1990, and ending April 30, 1993:

Gwen Boeke, Cresco, Hardin County; Kenneth Steffen, Ottumwa, Wapello County and Barbara Welander, Mt. Pleasant, Henry County.

For reappointment to the Barber Examining Board pursuant to 1989 Iowa Code Section 147.14(1) for terms beginning May 1, 1990, and ending April 30, 1993.

Carroll Anderson, Waterloo, Black Hawk County and Karen Ann Voecks, West Des Moines, Polk County.

Cherie Oetker, Marshalltown, Marshall County, for reappointment to the Board of Nursing Examiners pursuant to 1989 Iowa Code Section 147.14(3) for a term beginning May 1, 1990, and ending April 30, 1993.

For reappointment to the Board of Physician Assistant Examiners pursuant to 1989 Iowa Code Section 147.14(12), for terms beginning May 1, 1990, and ending April 30, 1993:

Dr. Dale L. Christensen, Lake City, Calhoun County, and William W. Crews, Melbourne, Marshall County.

Jill Bouslog, Des Moines, Polk County, for reappointment to the Commission on the Deaf pursuant to 1989 Iowa Code Section 601K.112 for a term beginning May 1, 1990, and ending April 30, 1993.

For reappointment to the Commission on the Status of Blacks pursuant to 1989 Iowa Code Section 601K.142 for terms beginning May 1, 1990, and ending April 30, 1994:

Yvonne J. Brockington, Bettendorf, Scott County; Jonathan R. Narcisse, Des Moines, Polk County; George A. Rossum, Council Bluffs, Pottawattamie County and McKenzly Wilson, Cedar Rapids, Linn County.

For reappointment to the Commission on the Status of Women pursuant to 1989 Iowa Code Section 601K.52(2) for terms beginning May 1, 1990, and ending April 30, 1994:

Ruth I. Holton, Forest City, Winnebago County; Mignon Manelli, Ames, Story County; Tom Morain, Ames, Story County and Mary W. Wiberg, Ankeny, Polk County.

Ruth A. Daggett, Kent, Adams County, for appointment to the Cosmetology Examining Board pursuant to 1989 Iowa Code Section 147.14(1) for a term beginning May 1, 1990, and ending April 30, 1993.

James McCue, Cedar Rapids, Linn County, for reappointment to the Credit Union Review Board pursuant to 1989 Iowa Code Section 533.53 for a term beginning May 1, 1990, and ending April 30, 1993.

R. Dean Wright, West Des Moines, Polk County, for reappointment to the Criminal and Juvenile Justice Advisory Council pursuant to 1989 Iowa Code Section 601K.132 for a term beginning May 1, 1990, and ending April 30, 1994.

Marilyn J. May, Des Moines, Polk County, for reappointment to the Dental Examining Board pursuant to 1989 Iowa Code Section 147.14(4) for a term beginning May 1, 1990, and ending April 30, 1993.

Wendell R. Benson, Marshalltown, Marshall County, for reappointment to the Employment Appeal Board pursuant to 1989 Iowa Code Section 10A.601(2) for a term beginning May 1, 1990, and ending April 30, 1996.

For reappointment to the Engineering and Land Surveying Examining Board pursuant to 1989 Iowa Code Section 114.3 for terms beginning May 1, 1990, and ending April 30, 1993:

Gary Darland, Charles City, Floyd County; Virginia Ruark, Oelwein, Fayette County and Harold Wight, Denison, Crawford County.

For reappointment to the Iowa Board of Veterinary Medicine pursuant to 1989 Iowa Code Section 169.5 for terms beginning May 1, 1990, and ending April 30, 1993:

Michael K. Eberle, Des Moines, Polk County and Janice Stillman, Emmetsburg, Palo Alto County.

As members of the Iowa Economic Development Board pursuant to 1989 Iowa Code Section 15.103:

William T. Dible, Sioux City, Woodbury County, for appointment to an unexpired term beginning immediately and ending April 30, 1992.

Lois H. Eichacker, Fort Madison, Lee County and F. Forbes Olberg, Cedar Rapids, Linn County, for reappointment to terms beginning May 1, 1990, and ending April 30, 1994.

Joan Y. Phillips, Manning, Carroll County, for appointment to an unexpired term beginning immediately and ending April 30, 1992.

For reappointment to the Iowa Grain Indemnity Fund Board pursuant to 1989 Iowa Code Section 543A.4 for terms beginning May 1, 1990, and ending April 30, 1993:

Marie G. Ellingson, Walker, Linn County and Carolyn Ann Roberts, Sutherland, O'Brien County.

As members of the Iowa Law Enforcement Academy Council pursuant to 1989 Iowa Code Section 80B.6:

Dana R. Peterson, West Des Moines, Polk County, for appointment to an unexpired term beginning immediately and ending April 30, 1992.

Gordon Plepla, Fairfield, Jefferson County, for reappointment to a term beginning May 1, 1990, and ending April 30, 1994.

For reappointment to the Iowa Railway Finance Authority pursuant to 1989 Iowa Code Section 307B.6 for terms beginning May 1, 1990, and ending April 30, 1996:

Noral D. Johnson, Essex, Page County and Fred E. McKim, Jr., West Bend, Palo Alto County.

For reappointment to the Medical Examining Board pursuant to 1989 Iowa Code Section 147.14(2), for terms beginning May 1, 1990, and ending April 30, 1993:

Edra E. Broich, Gray, Audubon County; Dr. John Olds, Des Moines, Polk County, and Dr. Cecil L. Peterson, Davenport, Scott County.

Merle Kjonaas, Iowa City, Johnson County, for reappointment to the Optometry Examining Board pursuant to 1989 Iowa Code Section 147.14(6) for a term beginning May 1, 1990, and ending April 30, 1993.

For reappointment to the Pharmacy Examining Board pursuant to 1989 Iowa Code Section 147.14(5) for terms beginning May 1, 1990, and ending April 30, 1993:

Donna Flower, Oelwein, Fayette County, and Alan M. Shepley, Mt. Vernon, Linn County.

Rick Jennings, Independence, Buchanan County, for reappointment to the Psychology Examining Board pursuant to 1989 Iowa Code Section 147.14(7) for a term beginning May 1, 1990, and ending April 30, 1993.

Richard R. Ramsey, Osceola, Clark County, for reappointment as a member and Chairperson of the Public Employment Relations Board pursuant to 1989 Iowa Code Section 20.5 for a term beginning May 1, 1990, and ending April 30, 1994.

For reappointment to the Real Estate Appraiser Examining Board pursuant to Section 117B.4, 1989 Iowa Code Supplement, for terms beginning May 1, 1990, and ending April 30, 1993:

John L. Felderman, Dubuque, Dubuque County and Mary P. Mitchell, Council Bluffs, Pottawattamie County.

For reappointment to the Real Estate Commission pursuant to 1989 Iowa Code Section 227.8 for terms beginning May 1, 1990, and ending April 30, 1993:

Robert H. Christensen, Humboldt, Humboldt County, and E. Joe Ann Lutz, Des Moines, Polk County.

Dr. Greg A. Hicklin, Des Moines, Polk County, for reappointment to the Respiratory Care Advisory Committee pursuant to 1989 Iowa Code Section 135F.13 for a term beginning May 1, 1990, and ending April 30, 1993.

For reappointment to the Speech Pathology and Audiology Examining Board pursuant to 1989 Iowa Code Section 147.14(9) for terms beginning May 1, 1990, and ending April 30, 1993:

Katherine J. Howe, Spencer, Clay County, and Colette J. Kunkel, Baxter, Jasper County.

For reappointment to the State Board of Examiners for Nursing Home Administrators pursuant to 1989 Iowa Code Section 135E.2 for terms beginning May 1, 1990, and ending April 30, 1993:

Murray D. Berggren, Buffalo Center, Winnebago County, and Sally A. Mathis, Iowa City, Johnson County.

Jane F. Ecklund, Jefferson, Greene County for appointment to the State Health Facilities Council pursuant to 1989 Iowa Code Section 135.62 to fulfill an unexpired term beginning immediately and ending April 30, 1991.

For reappointment to the State Racing and Gaming Commission pursuant to 1989 Iowa Code Section 99D.5 for terms beginning May 1, 1990, and ending April 30, 1993:

Leo K. Monaghan, Manchester, Delaware County and Rita Dolores Sealock, Council Bluffs, Pottawattamie County.

For reappointment to the State Transportation Commission pursuant to 1989 Iowa Code Section 307.3 for terms beginning May 1, 1990, and ending April 30, 1994:

Robert H. Meier, Ottumwa, Wapello County and Austin B. Turner, Corning, Adams County.

Gregg Alan Barcus, Des Moines, Polk County, for reappointment as the Superintendent of Savings and Loan Associations pursuant to 1989 Iowa Code Section 534.401(1) for a term beginning May 1, 1990, and ending April 30, 1994.

February 9, 1990

Jewel Kintzinger, Grinnell, Poweshiek County for reappointment to the Iowa Higher Education Loan Authority pursuant to 1989 Iowa Code Section 261A.6 for a term beginning May 1, 1990, and ending April 30, 1996.

February 12, 1990

For reappointment to the Board of Parole pursuant to 1989 Iowa Code Section 904A.1:

Barbara Binnie, Des Moines, Polk County, for a term beginning July 1, 1989, and ending June 30, 1991.

Wanda E. Everage, Ankeny, Polk County, for a term beginning July 1, 1989, and ending June 30, 1992.

Robert A. Jackson, Des Moines, Polk County, and Joanne C. Lorence, Atlantic, Cass County, for terms beginning July 1, 1989, and ending June 30, 1993.

Walter L. Saur, Oelwein, Fayette County, for reappointment as a member and Chairperson of the Board of Parole pursuant to 1989 Iowa Code Section 904A.3 for a term beginning July 1, 1989, and ending April 30, 1994.

February 13, 1990

Paul H. Wieck, Osceola, Clark County, for appointment as Commissioner of Public Safety pursuant to 1989 Iowa Code Section 80.2 to begin serving March 5, 1990, and to serve at the pleasure of the Governor.

February 16, 1990

For appointment to the Accountancy Examining Board pursuant to 1989 Iowa Code Section 116.3 for terms beginning May 1, 1990, and ending April 30, 1993:

Betty Jane Groe, Lake Mills, Winnebago County, and Paul S. Stave, Spencer, Clay County.

Diana Leonard, Des Moines, Polk County, for reappointment as Administrator of the Division of Deaf Services pursuant to 1989 Iowa Code Section 601K.2 to serve at the pleasure of the Governor.

For reappointment to the Agricultural Development Authority pursuant to 1989 Iowa Code Section 175.3 for a term beginning May 1, 1990, and ending April 30, 1996:

Steven A. Basler, Sharpsburg, Taylor County; Sonja L. Larsen, Ottumwa, Wapello County, and Diane L. Stadtmueller, Monticello, Jones County.

Robert S. Klopp, Cedar Rapids, Linn County, for reappointment to the Board of Examiners for the Licensing and Regulation of Hearing Aid Dealers pursuant to 1989 Iowa Code Section 154A.2 for a term beginning May 1, 1990, and ending April 30, 1993.

Edna D. Eaton, Sidney, Fremont County, for reappointment to the Board of Nursing Examiners pursuant to 1989 Iowa Code Section 147.14(3) for a term beginning May 1, 1990, and ending April 30, 1993.

As members of the Chiropractic Examining Board pursuant to 1989 Iowa Code Section 147.14(8) for terms beginning May 1, 1990, and ending April 30, 1993:

F. Dow Bates, Des Moines, Polk County, for reappointment and John W. Quinlan, Dubuque, Dubuque County, for appointment.

Margaret Kolck, Dubuque, Dubuque County, for reappointment to the Commission for the Blind pursuant to 1989 Iowa Code Section 601L.2 for a term beginning May 1, 1990, and ending April 30, 1993.

Jack F. Breithaupt, Cedar Rapids, Linn County, for appointment to the Commission on Judicial Qualifications pursuant to 1989 Iowa Code Section 602.2102 to fulfill an unexpired term beginning immediately and ending April 30, 1991.

For appointment to the Commission on the Deaf pursuant to 1989 Iowa Code Section 601K.112, for terms beginning May 1, 1990, and ending April 30, 1993:

George B. Kerr, Council Bluffs, Pottawattamie County, and Kathryn L. Standing-Cordero, Cedar Rapids, Linn County.

James O'Neill, Pocahontas, Pocahontas County, for reappointment to the Cosmetology Examining Board pursuant to 1989 Iowa Code Section 147.14(1) for a term beginning May 1, 1990, and ending April 30, 1993.

Margaret M. Chadwell, Urbandale, Polk County, for reappointment to the Credit Union Review Board pursuant to 1989 Iowa Code Section 533.53 for a term beginning May 1, 1990, and ending April 30, 1993.

For reappointment to the Criminal and Juvenile Justice Advisory Council pursuant to 1989 Iowa Code Section 601K.123 for terms beginning May 1, 1990, and ending April 30, 1994:

Lee E. Poppen, Clarion, Wright County, and William Westendorf, Tripoli, Bremer County.

Bruce Charles Heilman, Des Moines, Polk County, for appointment to the Dental Examining Board pursuant to 1989 Iowa Code Section 147.14(4) for a term beginning May 1, 1990, and ending April 30, 1993.

John D. Crotty, Pocahontas, Pocahontas County, for reappointment to the Iowa Law Enforcement Academy Council pursuant to 1989 Iowa Code Section 80B.6 for a term beginning May 1, 1990, and ending April 30, 1994.

For reappointment to the Landscape Architectural Examining Board pursuant to 1989 Iowa Code Section 118A.3 for terms beginning May 1, 1990, and ending April 30, 1993:

Jeffrey D. Benson, Ames, Story County, and Steve A. Schroeder, Johnston, Polk County.

As members of the Mortuary Science Examining Board pursuant to 1989 Iowa Code Section 147.14(1) for terms beginning May 1, 1990, and ending April 30, 1993:

Alvin E. Bremer, Mason City, Cerro Gordo County, for reappointment and Margaret A. Holmes, Ida Grove, Ida County, for appointment.

Donovan L. Crouch, Storm Lake, Buena Vista County, for appointment to the Optometry Examining Board pursuant to 1989 Iowa Code Section 147.14(6) for a term beginning May 1, 1990, and ending April 30, 1993.

Martha H. Thien, West Des Moines, Polk County, for reappointment to the Physical and Occupational Therapy Examining Board pursuant to 1989 Iowa Code Section 147.14(10) for a term beginning May 1, 1990, and ending April 30, 1993.

Kathryn Clark Gerken, Iowa City, Johnson County, for appointment to the Psychology Examining Board pursuant to 1989 Iowa Code Section 147.14(7) for a term beginning May 1, 1990, and ending April 30, 1993.

Joan M. Treirvieler, Dubuque, Dubuque County, for reappointment to the Respiratory Care Advisory Committee pursuant to 1989 Iowa Code Section 135F.13 for a term beginning May 1, 1990, and ending April 30, 1993.

For reappointment to the Social Work Examining Board pursuant to 1989 Iowa Code Section 147.14(1) for terms beginning May 1, 1990, and ending April 30, 1993:

Bruce D. Buchanan, Des Moines, Polk County, and Francis Millard Hellert, Dubuque, Dubuque County.

As members of the State Board of Education pursuant to 1989 Iowa Code Section 256.3 for terms beginning May 1, 1990, and ending April 30, 1996:

Thomas Glenn, Des Moines, Polk County, for reappointment; Corine A. Hadley, Newton, Jasper County, for appointment and Francis N. Kenkel, Defiance, Shelby County for reappointment.

Jerry R. Foxhoven, Des Moines, Polk County, for reappointment to the State Foster Care Review Board pursuant to 1989 Iowa Code Section 237.16 for a term beginning May 1, 1990, and ending April 30, 1993.

February 19, 1990

For reappointment to the Iowa Lottery Board pursuant to 1989 Iowa Code Section 99E.5 to serve at the pleasure of the Governor:

Joan Axel, Muscatine, Muscatine County; Emma M. Chance, Council Bluffs, Pottawattamie County; Monroe J. Colston, Urbandale, Polk County, and Gary Hughes, Coralville, Johnson County.

Cecelia Burnett, Ames, Story County, for reappointment to the Landscape Architectural Examining Board pursuant to 1989 Iowa Code Section 118A.3 for a term beginning May 1, 1990, and ending April 30, 1993.

For reappointment to the Podiatry Examining Board pursuant to 1989 Iowa Code Section 147.14(1) for terms beginning May 1, 1990, and ending April 30, 1993:

James D. Heddens, Marshalltown, Marshall County, and Marjorie E. Rodgers, Indianola, Warren County.

February 21, 1990

Wayne Richard Venter, Oskaloosa, Mahaska County, for appointment to the Alcoholic Beverages Commission pursuant to 1989 Iowa Code Section 123.5 to fulfill an unexpired term beginning immediately and expiring April 30, 1991.

For appointment to the Board of Corrections pursuant to 1989 Iowa Code Section 246.104:

Johnny Michael Brown, Cedar Rapids, Linn County, for a term beginning May 1, 1990, and ending April 30, 1994.

Jean Klingaman, Waterloo, Black Hawk County, to fulfill an unexpired term beginning immediately and ending April 30, 1991.

Mary M. Smith, Onawa, Monona County, for reappointment to the Board of Examiners for the Licensing and Regulation of Hearing Aid Dealers pursuant to 1989 Iowa Code Section 154A.2 for a term beginning May 1, 1990, and ending April 30, 1993.

James R. Heyer, Sumner, Bremer County, for appointment to the Board of Nursing Examiners pursuant to 1989 Iowa Code Section 147.14(3) for a term beginning May 1, 1990, and ending April 30, 1993.

Ann Young, Centerville, Appanoose County, for appointment to the Chiropractic Examining Board pursuant to 1989 Iowa Code Section 147.14(8) for a term beginning May 1, 1990, and ending April 30, 1993.

Nita L. Taggart, Clarinda, Page County, for appointment to the City Development Board pursuant to 1989 Iowa Code Section 368.9 for a term beginning May 1, 1990, and ending April 30, 1996.

For reappointment to the Criminal and Juvenile Justice Advisory Council pursuant to 1989 Iowa Code Section 601K.132 for terms beginning May 1, 1990, and ending April 30, 1994:

George Belitsos, Ames, Story County; Lorna Mae Burnside, Storm Lake, Buena Vista County, and Deborah S. Roberson, Maquoketa, Jackson County.

Doreen J. Loughran, Iowa City, Johnson County, for appointment to the Dental Examining Board pursuant to 1989 Iowa Code Section 147.14(4) for a term beginning May 1, 1990, and ending April 30, 1993.

Kathy E. Buffington, Des Moines, Polk County, for appointment to the Dietetic Examining Board pursuant to 1989 Iowa Code Section 147.14(11) for a term beginning May 1, 1990, and ending April 30, 1993.

F.H. "Mike" Forrest, Des Moines, Polk County, for appointment as the Drug Enforcement and Abuse Prevention Coordinator pursuant to Section 80E.1, 1989 Iowa Code Supplement, for a term beginning July 1, 1989, and to serve at the pleasure of the Governor.

Phyllis A. Olson, Des Moines, Polk County, for appointment to the Pharmacy Examining Board pursuant to 1989 Iowa Code Section 147.14(5) for a term beginning May 1, 1990, and ending April 30, 1993.

Kathryn Diane Eilers, Des Moines, Polk County, for appointment to the Physical and Occupational Therapy Examining Board pursuant to 1989 Iowa Code Section 147.14(10) for a term beginning May 1, 1990, and ending April 30, 1993.

Cynthia M. Lyon, Independence, Buchanan County, for appointment to the Psychology Examining Board pursuant to 1989 Iowa Code Section 147.14(7) to fulfill an unexpired term beginning immediately and ending April 30, 1992.

As members of the State Foster Care Review Board pursuant to 1989 Iowa Code Section 237.16 for terms beginning May 1, 1990, and ending April 30, 1993:

Karen Kay Baker, Chariton, Lucas County, for appointment and Kathryn Youberg, Sac City, Sac County, for reappointment.

February 22, 1990

Daniel L. Mack, Carroll, Carroll County, for appointment to the Physical and Occupational Therapy Examining Board pursuant to 1989 Iowa Code Section 147.14(10) for a term beginning May 1, 1990, and ending April 30, 1993.

Sincerely,
TERRY E. BRANSTAD
Governor

Communications were read and referred to the committee on **Rules and Administration**.

COMMUNICATION

The following communication from the State Racing and Gaming Commission was presented:

Mr. John Dwyer
Secretary of the Senate
State Capitol Building
L O C A L

Dear Mr. Dwyer:

I am writing to notify the Senate that Michael R. Lura, Marshalltown, has been reappointed as Administrator of the Racing and Gaming Division of the Department of Inspection and Appeals. The term is for four years beginning May 1, 1990, and will end on April 30, 1994.

The appointment was made in accordance with 1989 Iowa Code, Chapter 99D.6

Sincerely,
L.C. PIKE
Chairman

Communication was read and referred to the committee on **Rules and Administration**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:05 p.m., until 3:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: February 26, 1990, 5:10 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Corning, Dieleman, Hedge, Kibbie, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn.

Members Absent: Boswell, Bruner, Deluhery and Lind (all excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 5:20 p.m.

WAYS AND MEANS

Convened: February 26, 1990, 1:35 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hester, Ranking Member; Bruner, Connolly, Fraïse, Fuhrman, Gentleman, Murphy, Palmer, Riordan, Soorholtz and Szymoniak.

Members Absent: Drake and Hultman.

Committee Business: Assigned bills to subcommittees; amended and approved SSB 2209 as a committee bill; recommended passage of Senate File 2241 as amended; approved SSB 2289 as a committee bill; recommended passage of Senate File 2357.

Adjourned: 2:32 p.m.

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 2328, the following corrections were made:

1. Page 31, line 21, the words "Section 23" were changed to the words "Section 25".

JOHN F. DWYER
Secretary of the Senate

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2052 passed the Senate on February 27, 1990.

EMIL HUSAK

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2326 passed the Senate on February 27, 1990.

MICHAEL W. CONNOLLY

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: HOUSE FILE 677, a bill for an act relating to written credit agreements between a creditor and debtor and rights of action on that agreement.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5253.

Final Vote: Ayes, 10: Varn, Mann, Coleman, Deluhery, Drake, Gettings, Gronstal, Horn, Murphy and Taylor. Nays, 5: Gentleman, Fuhrman, Hagerla, Hester and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 2407 (SSB 2209), a bill for an act relating to the premium taxation on certain health maintenance organization payments.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Dieleman, Husak, Hester, Bruner, Connolly, Fraise, Gentleman, Murphy, Palmer, Riordan, Soorholtz and Szymoniak. Nays, none. Absent or not voting, 3: Drake, Fuhrman and Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on February 27, 1980, when the final vote was taken on Senate File 2388.

Had I been present, I would have voted "aye" on this bill.

MARK R. HAGERLA

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty fifth grade students from St. Patricks School, Perry, Iowa, accompanied by Mrs. Willenborg. Senator Riordan.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2313

ENVIRONMENT & ENERGY UTILITIES: Deluhery, Chair; Gronstal and Pate

House File 2115

ENVIRONMENT & ENERGY UTILITIES: Sturgeon, Chair; Connolly and Rife

House File 2141

EDUCATION: Horn, Chair; Lind and Corning

House File 2198

EDUCATION: Murphy, Chair; Horn and Lind

House File 2238

ENVIRONMENT & ENERGY UTILITIES: Deluhery, Chair; Varn and Soorholtz

House File 2271

EDUCATION: Horn, Chair; Dieleman, Murphy, Corning and Taylor

House File 2279

NATURAL RESOURCES: Kibbie, Chair; Miller and Hedge

House File 2344

AGRICULTURE: Husak, Chair; Priebe and Soorholtz

House File 2357

EDUCATION: Murphy, Chair; Horn, Dieleman, Taylor and Corning

House File 2401

ENVIRONMENT & ENERGY UTILITIES: Connolly, Chair; Miller and Hedge

House File 2406

EDUCATION: Varn, Chair; Boswell, Corning, Horn, Kibbie, Rensink and Tieden

House File 2437

HUMAN RESOURCES: Bruner, Chair; Riordan and Gentleman

House File 2440

EDUCATION: Murphy, Chair; Varn, Corning, Szymoniak and Tinsman

SSB 2291

WAYS AND MEANS: Dieleman, Chair; Fraise and Soorholtz

AMENDMENTS FILED

S—5244	S. F.	2197	Linn Fuhrman
S—5245	S. F.	2169	John W. Jensen
S—5246	S. F.	2349	Joe Welsh
S—5247	S. F.	2169	Al Sturgeon
S—5248	S. F.	2330	Tom Mann, Jr.
S—5249	S. F.	2393	Mike Connolly
S—5250	S. F.	2010	Eugene Fraise
S—5251	S. F.	2169	Linn Fuhrman
S—5252	S. F.	2184	Jean Lloyd-Jones
S—5253	H.F.	677	Judiciary
S—5254	S. F.	2286	Richard Varn
S—5255	S. F.	228	Richard Running
S—5256	S. F.	2169	John Jensen

AFTERNOON SESSION

The Senate reconvened at 3:37 p.m. President pro tempore Mann presiding.

QUORUM CALL

Senator Lloyd-Jones requested a non record roll call to determine that a quorum was present.

The vote revealed 41 present, 9 absent and a quorum present.

CONSIDERATION OF BILL (Regular Calendar)

Senator Lloyd-Jones asked and received unanimous consent to take up out of order Senate File 228.

Senate File 228

On motion of Senator Gettings, Senate File 228, a bill for an act relating to the liability of a municipality for prejudgment interest, with report of committee recommending passage, was taken up for consideration.

Senator Coleman took the chair at 3:46 p.m.

Senator Running offered amendment S—5255 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5255 was adopted by a voice vote.

Senator Mann offered amendment S—5184 filed by him on February 22, 1990, 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—5184 lost.

Senator Mann offered amendment S—5258 filed by him from the floor to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 20, nays 23.

Amendment S—5258 lost.

Senator Hutchins asked and received unanimous consent that action on **Senate File 228** be **deferred**.

The Senate stood at ease until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session, President pro tempore Mann presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 41 present, 9 absent and a quorum present.

MOTION TO RECONSIDER ADOPTED

Senator Connolly called up the motion to reconsider Senate File 2326 filed by him on February 27, 1990, found on page 765 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 2326) the vote was:

Ayes, 31:

Bruner	Coleman	Connolly	Corning
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Lloyd-Jones
Mann	Miller	Murphy	Palmer
Pate	Priebe	Riordan	Running
Scott	Sturgeon	Szymoniak	Taylor
Tinsman	Varn	Welsh	

Nays, 11:

Fuhrman	Gentleman	Goodwin	Hagerla
Hedge	Hester	Jensen	Lind
Rensink	Tieden	Vande Hoef	

Absent or not voting, 8:

Boswell	Drake	Hultman	Kinley
Nystrom	Peterson	Rife	Soorholtz

The motion prevailed.

Senator Connolly moved to reconsider the vote by which Senate File 2326 went to its last reading, which motion prevailed by a voice vote.

Senate File 2326

On motion of Senator Connolly, Senate File 2326, a bill for an act requiring the department of education to develop and maintain nutrition guidelines for food and beverages sold on public school grounds, was taken up for reconsideration.

Senator Taylor offered amendment S—5261 filed by Senators Taylor and Tieden from the floor to page 2 of the bill and moved its adoption.

Amendment S—5261 was adopted by a voice vote.

Senator Connolly moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2326) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 27:

Bruner	Connolly	Corning	Deluhery
Dieleman	Doyle	Gronstal	Hannon
Hutchins	Jensen	Kibbie	Lind
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Pate	Priebe	Riordan
Running	Scott	Szymoniak	Taylor
Tinsman	Varn	Welsh	

Nays, 18:

Coleman	Drake	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Hagerla
Hedge	Hester	Horn	Hultman
Husak	Peterson	Rensink	Sturgeon
Tieden	Vande Hoef		

Absent or not voting, 5:

Boswell
Soorholtz

Kinley

Nystrom

Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

INTRODUCTION OF BILL

Senate File 2407, by committee on Ways and Means, a bill for an act relating to the premium taxation on certain health maintenance organization payments.

Read first time and **placed on Ways and Means calendar.**

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 120, by committee on Agriculture, a concurrent resolution to urge the immediate repeal of federal regulations inhibiting the sale of recyclable pesticide containers.

Read first time and **placed on calendar.**

APPENDIX

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2298 passed the Senate on February 27, 1990.

ELAINE SZYMONIAK

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE CONCURRENT RESOLUTION 120, a concurrent resolution to urge the immediate repeal of federal regulations inhibiting the sale of recyclable pesticide containers.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 12: Priebe, Soorholtz, Coleman, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 3: Riordan, Boswell and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: HOUSE FILE 2238, a bill for an act eliminating the requirement of zero balancing of automatic adjustments in the rates and charges of public utility service.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Deluhery, Gronstal, Pate, Connolly, Hedge, Miller, Sturgeon and Varn. Nays, none. Absent or not voting, 2: Rife and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: HOUSE FILE 664, a bill for an act relating to the fine for certain violations regarding motor vehicles of excessive size or weight.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Coleman, Scott, Drake, Dieleman, Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 673, a bill for an act allowing a county to allocate a portion of its secondary road fund allotment to its county conservation board for improvement, construction, or reconstruction of county conservation parkways.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Coleman, Scott, Drake, Dieleman, Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2118, a bill for an act relating to vehicle accident reports.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Coleman, Scott, Drake, Dieleman, Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2119, a bill for an act relating to violations involving disobedience of the warning lamps, signal lamps, and stop arms of school buses.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Coleman, Scott, Drake, Dieleman, Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2338, a bill for an act relating to special motor vehicle registration plates for recipients of the purple heart medal.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5260.

Final Vote: Ayes, 10: Coleman, Scott, Drake, Dieleman, Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2458, a bill for an act requiring restitution of persons convicted of interfering with a traffic device, sign, or signal.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Coleman, Scott, Drake, Dieleman, Doyle, Gettings, Goodwin, Lloyd-Jones and Nystrom. Nays, none. Absent or not voting, 1: Jensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2461, a bill for an act relating to motor vehicle odometer requirements.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Coleman, Scott, Drake, Dieleman, Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5257	H.F.	673	John W. Jensen
S—5258	S.F.	228	Tom Mann, Jr.
S—5259	S.F.	2330	Tom Mann, Jr.
S—5260	H.F.	2338	Transportation
S—5261	S.F.	2326	Ray Taylor
			Dale Tieden
S—5262	S.F.	2403	Michael Gronstal
			Paul Pate
			Patrick Deluhery
			H. Kay Hedge
			Richard Varn
			Mike Connolly
			Alvin Miller
			Al Sturgeon
S—5263	S.F.	2197	Linn Fuhrman
S—5264	S.F.	2330	Elaine Szymoniak

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:03 p.m., until 9:00 a.m., Wednesday, February 28, 1990.

JOURNAL OF THE SENATE

FIFTY-SECOND CALENDAR DAY
THIRTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 28, 1990

The Senate met in regular session at 9:04 a.m., President pro tempore Mann presiding.

Prayer was offered by the Reverend Shane Estes, pastor of the United Church of Christ Congregational Church, Eldora, Iowa.

The Journal of Tuesday, February 27, 1990, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Lind for the morning on request of Senator Hultman and Senator Lloyd-Jones for the day on request of Senator Husak.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 26, 1990, passed the following bills in which the concurrence of the Senate is asked:

House File 2092, a bill for an act relating to debt management services.

This bill was read first time and **passed on file**.

House File 2153, a bill for an act relating to the fifteen-day report filed by an administrator or chief medical officer of a hospital or facility with the court after the commitment hearing in civil commitment proceedings.

This bill was read first time and **passed on file**.

House File 2289, a bill for an act relating to the regulation of the burning, mowing, or spraying of roadsides.

This bill was read first time and **passed on file**.

House File 2457, a bill for an act relating to aircraft registration and special certificate fees.

This bill was read first time and **passed on file**.

House File 2459, a bill for an act relating to the employment of personnel under sharing agreements between school districts.

This bill was read first time and **passed on file**.

House File 2471, a bill for an act relating to the jurisdiction of small claims court over executions of personal property, including garnishments, and providing for the Act's applicability.

This bill was read first time and **passed on file**.

House File 2472, a bill for an act relating to special instruction permits for certain physically disabled drivers.

This bill was read first time and **passed on file**.

House File 2482, a bill for an act establishing an entrepreneurship task force.

This bill was read first time and **passed on file**.

House File 2502, a bill for an act relating to the issuance of bonds under the hotel and motel tax and providing an effective date.

This bill was read first time and **passed on file**.

House File 2506, a bill for an act requiring allocation of pregnancy-related health expenses equally among female and male policyholders, subscribers, or enrollees of individual third-party payor medical expense contracts.

This bill was read first time and **passed on file**.

House File 2512, a bill for an act altering the statutory monetary limitation on the local option E911 emergency telephone service surcharge, authorizing the Iowa finance authority to issue bonds

and notes secured by certain designated sources to finance E911 service nonrecurring and recurring expenses, providing related procedures and conditions, and providing an effective date.

This bill was read first time and **passed on file**.

ALSO: That the House has on February 27, 1990, passed the following bill in which the concurrence of the Senate is asked:

House File 2346, a bill for an act relating to the minimum amount of wages required in an individual's base period to be eligible for unemployment compensation benefits.

This bill was read first time and **passed on file**.

QUORUM CALL

Senator Husak requested a non record roll call to determine that a quorum was present.

The vote revealed 41 present, 9 absent and a quorum present.

SPECIAL GUEST

Senator Szymoniak appeared in the well of the Senate and presented Dr. Norman E. Borlaug, 75, a Cresco, Iowa native who received the Nobel Peace Prize in 1970 for his contribution as an agricultural scientist.

Mr. Borlaug addressed the Senate and spoke of his endeavors to inspire and provide hope and food to the bleak parts of the world. He stated he had recently been appointed by President Bush to the Council on Science and Technology and was the only member with an agricultural background.

The Senate rose and expressed its welcome to Dr. Borlaug.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Husak asked and received unanimous consent to take up out of order Senate Files 2383, 2261, 2276, 2344 and 18.

Senate File 2383

On motion of Senator Deluhery, Senate File 2383, a bill for an act relating to the issuance of general permits for environmental quality control purposes by the department of natural resources, and subjecting violators to existing penalties, 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. 2383) the vote was:

Ayes, 45:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Mann	Miller
Murphy	Nystrom	Palmer	Peterson
Priebe	Rensink	Rife	Riordan
Running	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 1:

Scott

Absent or not voting, 4:

Lind	Lloyd-Jones	Pate	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 2261

On motion of Senator Fraise, Senate File 2261, a bill for an act relating to the filing of uniform commercial code financing statements by permitting a filing officer to accept for filing a copy of a signature and authorizing the adoption of rules to permit

electronic filing of financing statements, 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. 2261) the vote was:

Ayes, 43:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Kinley	Mann	Miller	Murphy
Nystrom	Palmer	Priebe	Rensink
Rife	Riordan	Running	Scott
Sturgeon	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 1:

Peterson

Absent or not voting, 6:

Hultman	Lind	Lloyd-Jones	Pate
Soorholtz	Szymoniak		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2276

On motion of Senator Fraise, Senate File 2276, a bill for an act relating to weighing and measuring devices, and establishing fees, with report of committee on Ways and Means recommending passage, was taken up for consideration.

Senator Fraise asked and received unanimous consent that action on **Senate File 2276** be **deferred**.

Senate File 2344

On motion of Senator Bruner, Senate File 2344, a bill for an act relating to modification of child support orders, was taken up for consideration.

Senator Bruner offered amendment S—5186 filed by him on February 22, 1990, to strike everything after the enacting clause of the bill and moved its adoption.

Amendment S—5186 was adopted by a voice vote.

Senator Husak asked and received unanimous consent that action on **Senate File 2344** be deferred.

Senate File 18

On motion of Senator Corning, Senate File 18, a bill for an act relating to the time period within which an information or indictment for sexual abuse with a child under the age of twelve shall be found, with report of committee recommending passage, was taken up for consideration.

Senator Coleman took the chair at 10:06 a.m.

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. 18) the vote was:

Ayes, 41:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Miller	Murphy	Nystrom
Palmer	Pate	Priebe	Rensink
Rife	Scott	Sturgeon	Szymoniak
Taylor	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 5:

Fuhrman	Mann	Peterson	Riordan
Tieden			

Absent or not voting, 4:

Lind Lloyd-Jones Running Soorholtz

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 Files 2282 and 2197.

Senate File 2282

On motion of Senator Gronstal, Senate File 2282, a bill for an act relating to the addition of family visitations to the list of appropriate conditions for allowing an inmate placed on work release status to leave the state, 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. 2282) the vote was:

Ayes, 45:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kibbie	Kinley
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 5:

Fuhrman Hultman Lind Lloyd-Jones
Soorholtz

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2197

On motion of Senator Mann, Senate File 2197, a bill for an act relating to violations of an individual's rights, by prohibiting interference with the contractual or business relations of another person, by prohibiting acts of assault and criminal mischief, providing victims actionable civil relief against offenders, establishing a program to monitor rights violations, and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Fuhrman offered amendment S—5166 filed by Senators Fuhrman, et al., on February 21 to strike everything after the enacting clause and to the title page of the bill.

Senator Fuhrman withdrew amendment S—5244 filed by him on February 27, 1990, to amendment S—5166.

Senator Fuhrman offered amendment S—5263 filed by him on February 27, 1990, to amendment S—5166 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5263 to amendment S—5166 be adopted?" (S.F. 2197) the vote was:

Ayes, 33:

Boswell	Bruner	Connolly	Corning
Deluhery	Doyle	Drake	Fraise
Fuhrman	Goodwin	Gronstal	Hannon
Hester	Horn	Hutchins	Kibbie
Kinley	Mann	Miller	Murphy
Palmer	Pate	Peterson	Priebe
Rife	Riordan	Running	Soorholtz
Sturgeon	Szymoniak	Tinsman	Varn
Welsh			

Nays, 15:

Coleman	Dieleman	Gentleman	Gettings
Hagerla	Hedge	Hultman	Husak
Jensen	Nystrom	Rensink	Scott
Taylor	Tieden	Vande Hoef	

Absent or not voting, 2:

Lind Lloyd-Jones

Amendment S—5263 was adopted.

Senator Mann moved adoption of amendment S—5166 as amended.

A non record roll call was requested.

The ayes were 26, nays 14.

Amendment S—5166 as amended was adopted.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2197) the vote was:

Ayes, 34:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Doyle	Drake
Fraise	Fuhrman	Goodwin	Gronstal
Hannon	Hester	Horn	Husak
Hutchins	Kibbie	Kinley	Mann
Miller	Murphy	Palmer	Peterson
Priebe	Rife	Riordan	Running
Soorholtz	Sturgeon	Szymoniak	Tinsman
Varn	Welsh		

Nays, 14:

Dieleman	Gentleman	Gettings	Hagerla
Hedge	Hultman	Jensen	Nystrom
Pate	Rensink	Scott	Taylor
Tieden	Vande Hoef		

Absent or not voting, 2:

Lind Lloyd-Jones

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Husak asked and received unanimous consent to take up out of order Senate File 2376.

Senate File 2376

On motion of Senator Gronstal, Senate File 2376, a bill for an act relating to election administration, designating the secretary of state as the state registrar of voters, and providing properly related matters, 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. 2376) the vote was:

Ayes, 39:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kibbie	Kinley	Mann	Miller
Murphy	Palmer	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Varn	Welsh	

Nays, 9:

Drake	Fraise	Hagerla	Hultman
Nystrom	Pate	Tieden	Tinsman
Vande Hoef			

Absent or not voting, 2:

Lind	Lloyd-Jones
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2393.

Senate File 2393

On motion of Senator Connolly, Senate File 2393, a bill for an act authorizing a one thousand dollar civil penalty for each violation of a municipal ordinance regulating industrial wastewater pretreatment standards, was taken up for consideration.

President pro tempore Mann took the chair at 11:06 a.m.

Senator Connolly offered amendment S—5249 filed by him on February 27, 1990, to page 1 of the bill and moved its adoption.

Amendment S—5249 was adopted by a voice vote.

Senator Connolly moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2393) the vote was:

Ayes, 48:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Lind Lloyd-Jones

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 2282, 2261, 2197, 2376 and 2393** be **immediately messaged** to the House.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 2405** 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 February 20, 1990, passed the following bill in which the concurrence of the Senate is asked:

House File 2329, a bill for an act relating to elections and election procedures.

This bill was read first time and **passed on file**.

ALSO: That the House has on February 26, 1990, passed the following bills in which the concurrence of the Senate is asked:

House File 2272, a bill for an act relating to the distribution of secondary road fund farm-to-market road fund moneys.

This bill was read first time and **passed on file**.

House File 2304, a bill for an act relating to notice requirements for sales under execution.

This bill was read first time and **passed on file**.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 121, by committee on Appropriations, a concurrent resolution encouraging the selection of Iowa as an evaluation state for a national study of welfare reform.

Read first time and placed on Appropriations calendar.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:13 a.m., until 3:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: February 27, 1990, 8:30 a.m.

Members Present: Priebe, Chair; Soorholtz, Ranking Member; Coleman, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Rensink, Scott and Vande Hoef.

Members Absent: Riordan, Vice Chair; Boswell (excused) and Palmer.

Committee Business: Assigned bills to subcommittees and approved LSB 7914 as a committee resolution.

Adjourned: 8:40 a.m.

APPROPRIATIONS

Convened: February 27, 1990, 5:11 p.m.

Members Present: Welsh, Chair; Tieden, Ranking Member; Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn.

Members Absent: Boswell, Vice Chair and Pate (both excused).

Committee Business: Approved SSB 2290 as a committee resolution; amended LSB 7292 and ordered redrafted for final approval as a committee bill; assigned bills to subcommittees.

Adjourned: 6:18 p.m.

EDUCATION

Convened: February 27, 1990, 1:12 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Bruner, Corning, Deluhery, Dieleman, Hedge, Kibbie, Lind, Lloyd-Jones, Rensink, Szymoniak, Tieden and Tinsman.

Members Absent: Boswell and Varn (both excused).

Committee Business: Presentation by John Cox, Superintendent of Urbandale Community Schools.

Adjourned: 2:25 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: February 27, 1990, 2:45 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Pate, Ranking Member; Connolly, Hedge, Miller, Rife, Sturgeon and Varn.

Members Absent: Soorholtz.

Committee Business: Recommended passage of House File 2238.

Adjourned: 3:30 p.m.

TRANSPORTATION

Convened: February 27, 1990, 2:30 p.m.

Members Present: Coleman, Chair; Scott, Vice Chair; Drake, Ranking Member; Dieleman, Doyle, Gettings, Goodwin, Jensen (arrived 2:35), Lloyd-Jones and Nystrom.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 2458, 664, 2119, 2118, 673 and 2461; recommended passage of House File 2338 as amended.

Adjourned; 2:55 p.m.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifteen twelfth grade students from Walnut Ridge Baptist Academy, Waterloo, Iowa, accompanied by Paulette Sewell. Senators Corning and Lind.

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 18 passed the Senate on February 28, 1990.

DONALD DOYLE

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 18 passed the Senate on February 28, 1990.

JOY CORNING

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2383 passed the Senate on February 28, 1990.

BERL E. PRIEBE

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2383 passed the Senate on February 28, 1990.

JOHN W. JENSEN

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE CONCURRENT RESOLUTION 121 (SSB 2290), a concurrent resolution encouraging the selection of Iowa as an evaluation state for a national study of welfare reform.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 18: Welsh, Tieden, Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Peterson, Rensink, Riordan, Sturgeon, Tinsman and Varn. Nays, none. Absent or not voting, 3: Boswell, Pate and Running.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: HOUSE FILE 2213, a bill for an act relating to the regulation of banks to conform to changes in federal law contained in the Financial Institutions Reform, Recovery and Enforcement Act of 1989.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Palmer, Deluhery, Gronstal, Hannon, Kinley, Lind, Nystrom, Priebe, Running and Tieden. Nays, none. Absent or not voting, 5: Jensen, Mann, Pate, Rife and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2332

APPROPRIATIONS: Gronstal, Chair; Gettings and Corning

Senate File 2337

APPROPRIATIONS: Varn, Chair; Jensen and Fraise

Senate File 2386

APPROPRIATIONS: Welsh, Chair; Varn, Corning, Tieden and Gronstal

House File 2050

STATE GOVERNMENT: Horn, Chair; Kibbie and Nystrom

House File 2109

JUDICIARY: Gettings, Chair; Gronstal and Drake

House File 2154

LOCAL GOVERNMENT: Murphy, Chair; Kinley and Tinsman

House File 2157

JUDICIARY: Drake, Chair; Gettings and Welsh

House File 2269

APPROPRIATIONS: Welsh, Chair; Tieden, Gronstal, Boswell and Jensen

House File 2292

JUDICIARY: Gronstal, Chair; Mann and Drake

House File 2320

COMMERCE: Gronstal, Chair; Running and Jensen

House File 2341

LOCAL GOVERNMENT: Szymoniak, Chair; Kinley and Tinsman

House File 2364

JUDICIARY: Gronstal, Chair; Horn and Fuhrman

House File 2366

JUDICIARY: Horn, Chair; Deluhery and Gentleman

House File 2367

JUDICIARY: Coleman, Chair; Mann and Drake

House File 2369

COMMERCE: Deluhery, Chair; Mann and Tieden

House File 2381

COMMERCE: Deluhery, Chair; Mann and Tieden

House File 2390

JUDICIARY: Mann, Chair; Varn and Fuhrman

House File 2416

EDUCATION: Corning, Chair; Lind and Bruner

House File 2431

COMMERCE: Deluhery, Chair; Mann and Tieden

House File 2448

COMMERCE: Kinley, Chair; Deluhery and Rife

House File 2461

TRANSPORTATION: Gettings, Chair; Jensen and Dieleman

House File 2465

TRANSPORTATION: Lloyd-Jones, Chair; Doyle and Nystrom

SSB 2290

APPROPRIATIONS: Bruner, Chair; Tinsman and Sturgeon

EXPLANATION OF VOTES

MADAM PRESIDENT: I was necessarily absent from the Senate chamber to attend a funeral on February 27, 1990, when the final votes were taken on the following bills. Had I been present I would have voted "aye":

Senate Files 2387, 2298, 2326, 2349, 2324, 2173, 2374, 2082, 2052, 2059, 2155, 2368, 2377, 2388 and 2159.

I would have voted "nay" on amendment S—5193 to Senate File 2159.

WILLIAM W. DIELEMAN

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

The committee on Rules and Administration referred the following appointees to state boards, commissions and departments to standing committees as indicated for investigation on February 28, 1990:

AGRICULTURE

Steven A. Basler, Sonja L. Larsen and Diane L. Stadtmueller — Agricultural Development Authority.

Carolyn Ann Roberts and Marie G. Ellingson — Iowa Grain Indemnity Fund Board.

BUSINESS AND LABOR RELATIONS

Cynthia Eisenhower — Director of the Department of Employment Services.

Richard R. Ramsey - Member and Chairperson of the Public Employment Relations Board.

Wendell R. Benson — Employment Appeal Board.

COMMERCE

James McCue and Margaret M. Shadwell — Credit Union Review Board.

Gregg Alan Barcus — Superintendent of Savings and Loan Associations.

EDUCATION

Jewel Kintzinger — Iowa Higher Education Loan Authority.

Thomas Glenn, Francis N. Kenkel and Corine A. Hadley — State Board of Education.

HUMAN RESOURCES

Margaret Kolck — Commission for the Blind.

Jane F. Ecklund — State Health Facilities Council.

Dr. Dale L. Christensen and William W. Crews — Board of Physician Assistant Examiners.

Diana Leonard — Administrator of the Division of Deaf Services.

Kathryn L. Standing-Cordero, George B. Kerr and Jill Bouslog — Commission on the Deaf.

Jerry R. Foxhoven, Karen Kay Baker and Kathryn Youberg — State Foster Care Review Board.

Ruth I. Holton, Mignon Manelli, Tom Morain and Mary M. Wiberg — Commission on the Status of Women.

JUDICIARY

Johnny Michael Brown and Jean Klingaman — Board of Corrections.

F.H. "Mike" Forrest — Drug Enforcement and Abuse Prevention Coordinator.

Jack F. Breithaupt — Commission on Judicial Qualifications.

George Belitsos, Lorna Mae Burnside, Deborah S. Roberson, Lee E. Poppen, William Westendorf and R. Dean Wright — Criminal and Juvenile Justice Advisory Council.

Wanda E. Everage, Barbara Binnie, Robert A. Jackson, Joanne C. Lorence and Walter L. Saur (member and chairperson) — Board of Parole.

LOCAL GOVERNMENT

Nita L. Taggart — City Development Board.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

William T. Dible, Lois H. Eichacker, F. Forbes Olberg and Joan T. Phillips — Iowa Economic Development Board.

STATE GOVERNMENT

Ruth A. Daggett and James O'Neill — Cosmetology Examining Board.

Marilyn J. May, Doreen J. Loughran and Bruce Charles Heilman — Dental Examining Board.

Kathy E. Buffington — Dietetic Examining Board.

Gary Darland, Virginia Ruark and Harold Wight — Engineering and Land Surveying Examining Board.

Mary M. Smith and Robert S. Klopp — Board of Examiners for the Licensing and Regulation of Hearing Aid Dealers.

Jeffrey D. Benson, Steve A. Schroeder and Cecelia Burnett — Landscape Architectural Examining Board.

Joan Axel, Monroe J. Colston, Emma M. Chance and Gary Hughes — Iowa Lottery Board.

Paul S. Stave and Betty Jane Groe — Accountancy Examining Board.

Joan B. Poe and Wayne Richard Venter — Alcoholic Beverages Commission.

Richard Morrell — Administrator of the Alcoholic Beverages Division.

Barbara Welander, Kenneth Steffen and Gwen Boeke — Architectural Examining Board.

Carroll Anderson and Karen Ann Voecks — Barber Examining Board.

Yvonne J. Brockington, Jonathan R. Narcisse, George A. Rossum and McKenzly Wilson — Commission on the Status of Blacks.

Ann Young, John W. Quinlan and F. Dow Bates — Chiropractic Examining Board.

Michael K. Eberle and Janice Stillman — Iowa Board of Veterinary Medicine.

Daniel L. Mack, Martha H. Thien and Kathryn Diane Eilers — Physician and Occupational Therapy Examining Board.

James D. Heddens and Marjorie E. Rodgers — Podiatry Examining Board.

K. Marie Thayer — Administrator of the Professional Licensing and Regulation Division.

Edra E. Broich, Dr. Cecil L. Peterson and Dr. John Olds — Medical Examining Board.

Alvin E. Bremer and Margaret A. Holmes — Mortuary Science Examining Board.

Cherie Oetker, Edna D. Eaton and James R. Heyer — Board of Nursing Examiners.

Murray D. Berggren and Sally A. Mathis — State Board of Examiners for Nursing Home Administrators.

Merle Kjonaas and Donovan L. Crouch — Optometry Examining Board.

Phyllis A. Olson, Donna Flower and Alan M. Shepley — Pharmacy Examining Board.

Cynthia M. Lyon, Joan Egenes, Rick Jennings and Kathryn Clark Gerken — Psychology Examining Board.

Michael R. Lura — Administrator of the Racing and Gaming Division.

Leo K. Monaghan and Rita Dolores Sealock — State Racing and Gaming Commission.

Mary P. Mitchell and John L. Felderman — Real Estate Appraiser Examining Board.

E. Joe Ann Lutz and Robert H. Christensen — Real Estate Commission.

Dr. Greg A. Hicklin and Joan M. Treirvieler — Respiratory Care Advisory Committee.

Bruce D. Buchanan and Francis Millard Hellert — Social Work Examining Board.

Katherine J. Howe and Colette J. Kunkel — Speech Pathology and Audiology Examining Board.

TRANSPORTATION

Gordon Plepla, John D. Crotty and Dana R. Peterson — Iowa Law Enforcement Academy Council.

Paul H. Wieck — Commissioner of Public Safety.

Robert H. Meier and Austin B. Turner — State Transportation Commission.

WAYS AND MEANS

Fred E. McKim, Jr. and Noral D. Johnson — Iowa Railway Finance Authority.

BILL HUTCHINS, Chair

AMENDMENTS FILED

S—5265	S. F.	2255	Wally Horn
S—5266	S. F.	2169	Al Sturgeon
S—5267	S. F.	2256	James Riordan
S—5268	S. F.	2403	Mike Connolly
S—5269	S. F.	2256	Michael Gronstal
			Larry Murphy
			Joy Corning

AFTERNOON SESSION

The Senate reconvened at 3:32 p.m., Senator Kinley presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent and a quorum present.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2403.

Senate File 2403

On motion of Senator Deluhery, Senate File 2403, a bill for an act relating to energy efficiency, was taken up for consideration.

Senator Gronstal offered amendment S—5262 filed by Senators Gronstal, et al., on February 27, 1990, to pages 1 through 19 and 22 through 24 of the bill.

President Zimmerman took the chair at 3:58 p.m.

Senator Varn offered amendment S—5275 filed by Senators Varn, et al., from the floor to page 4 of amendment S—5262 and moved its adoption.

Amendment S—5275 was adopted by a voice vote.

Senator Gronstal offered amendment S—5270 filed by Senators Gronstal, Hedge and Deluhery from the floor to pages 8 and 9 of amendment S—5262 and moved its adoption.

Amendment S—5270 was adopted by a voice vote.

Senator Connolly offered amendment S—5268 filed by him from the floor to page 11 of amendment S—5262 and moved its adoption.

Amendment S—5268 was adopted by a voice vote.

Senator Pate offered amendment S—5279 filed by Senators Pate and Varn from the floor to pages 11 through 13 of amendment S—5262 and moved its adoption.

Amendment S—5279 was adopted by a voice vote.

Senator Gronstal moved the adoption of amendment S—5262 as amended which motion prevailed by a voice vote.

Senator Deluhery moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2403) the vote was:

Ayes, 32:

Bruner	Connolly	Corning	Deluhery
Dieleman	Doyle	Gettings	Gronstal
Hannon	Hedge	Horn	Husak
Hutchins	Kibbie	Kinley	Lind
Miller	Murphy	Palmer	Pate
Peterson	Rensink	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Tieden	Tinsman	Varn	Welsh

Nays, 16:

Boswell	Coleman	Drake	Fraise
Fuhrman	Gentleman	Goodwin	Hagerla
Hester	Hultman	Jensen	Nystrom
Priebe	Rife	Taylor	Vande Hoef

Absent or not voting, 2:

Lloyd-Jones	Mann
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **Senate File 2403** be **immediately messaged** to the House.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

H.F.	2092	Commerce
H.F.	2153	Human Resources
H.F.	2272	Transportation
H.F.	2289	Local Government
H.F.	2304	Local Government
H.F.	2329	State Government
H.F.	2346	Business & Labor Relations
H.F.	2457	Transportation
H.F.	2459	Education
H.F.	2471	Judiciary
H.F.	2472	Transportation
H.F.	2482	Small Business & Economic Development
H.F.	2502	Local Government
H.F.	2506	Commerce
H.F.	2512	Local Government

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2298 passed the Senate on February 27, 1990.

JIM LIND

STUDY BILL RECEIVED

SSB 2292 Judiciary

A concurrent resolution relating to the establishment of an interim study committee to review court decisions and Attorney General opinions for the purpose of determining the necessity of legislative action.

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 28, 1990, to investigate the appointment and reappointment of the following Governor's appointees:

AGRICULTURE

As members of the Agricultural Development Authority:

STEVEN A. BASLER: Boswell, Chair; Fraise and Fuhrman
SONJA L. LARSEN: Hedge, Chair; Coleman and Husak
DIANE L. STADTMUELLER: Palmer, Chair; Riordan and Fuhrman

As members of the Iowa Grain Indemnity Fund Board:

MARIE G. ELLINGSON: Riordan, Chair; Scott and Hester
CAROLYN ANN ROBERTS: Vande Hoef, Chair; Miller and Palmer

BUSINESS AND LABOR RELATIONS

As Director of the Department of Employment Services:

CYNTHIA EISENHAEUER: Running, Chair; Sturgeon and Vande Hoef

As a member of the Employment Appeal Board:

WENDELL R. BENSON: Palmer, Chair; Mann and Taylor

As a member and Chairperson of the Public Employment Relations Board:

RICHARD R. RAMSEY: Gettings, Chair; Peterson and Fuhrman

As members of the Credit Union Review Board:

MARGARET M. CHADWELL: Running, Chair; Gronstal and Tieden
JAMES McCUE: Running, Chair; Gronstal and Tieden

As Superintendent of the Savings and Loan Associations:

GREGG ALAN BARCUS: Pate, Chair; Jensen and Hannon

JUDICIARY

As members of the Board of Corrections:

JOHNNY MICHAEL BROWN: Gronstal, Chair; Horn and Drake
 JEAN KLINGAMAN: Gronstal, Chair; Horn and Drake
 As members of the Board of Parole:

BARBARA BINNIE: Gronstal, Chair; Horn and Drake
 WANDA E. EVERAGE: Gronstal, Chair; Horn and Drake
 ROBERT A. JACKSON: Gronstal, Chair; Horn and Drake
 JOANNE C. LORENCE: Gronstal, Chair; Horn and Drake

As a member and chairperson of the Board of Parole:

WALTER L. SAUR: Gronstal, Chair; Horn and Drake

As a member of the Commission on Judicial Qualifications:

JACK F. BREITHAUP: Welsh, Chair; Coleman and Gentleman

As members of the Criminal and Juvenile Justice Advisory Council:

GEORGE BELITSOS: Deluhery, Chair; Horn and Fuhrman
 LORNA MAE BURNSIDE: Deluhery, Chair; Horn and Fuhrman
 LEE E. POPPEN: Deluhery, Chair; Horn and Fuhrman
 DEBORAH S. ROBERSON: Deluhery, Chair; Horn and Fuhrman
 WILLIAM WESTENDORF: Deluhery, Chair; Horn and Fuhrman
 R. DEAN WRIGHT: Deluhery, Chair; Horn and Fuhrman

As Drug Enforcement and Abuse Prevention Coordinator:

F.H. "MIKE" FORREST: Welsh, Chair; Coleman and Gentleman

LOCAL GOVERNMENT

As a member of the City Development Board:

NITA L. TAGGART: Szymoniak, Chair; Fraise and Jensen

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

As members of the Iowa Economic Development Board:

WILLIAM T. DIBLE: Hagerla, Chair; Boswell and Rife
 LOIS H. EICHACKER: Connolly, Chair; Scott and Rife
 F. FORBES OLBERG: Rife, Chair; Boswell and Scott
 JOAN Y. PHILLIPS: Scott, Chair; Kibbie and Lind

TRANSPORTATION

As Commissioner of Public Safety:

PAUL H. WIECK: Dieleman, Chair; Drake and Nystrom

As members of the Iowa Law Enforcement Academy Council:

JOHN D. CROTTY: Nystrom, Chair; Drake and Dieleman
 DANA R. PETERSON: Goodwin, Chair; Scott and Lloyd-Jones
 GORDON PLEPLA: Gettings, Chair; Goodwin and Doyle

As members of the State Transportation Commission:

ROBERT H. MEIER: Drake, Chair; Scott and Jensen
 AUSTIN B. TURNER: Coleman, Chair; Drake and Doyle

AMENDMENTS FILED

S—5270	S. F.	2403	Michael E. Gronstal H. Kay Hedge Patrick Deluhery
S—5271	H. F.	2418	Elaine Szymoniak Larry Murphy
S—5272	S. F.	2249	Linn Fuhrman
S—5273	S. F.	2249	Linn Fuhrman
S—5274	S. F.	431	Richard Varn James Riordan Calvin Hultman Richard Drake
S—5275	S. F.	2403	Richard Varn Michael Gronstal Patrick Deluhery Paul Pate
S—5276	S. F.	2085	Berl Priebe Kenneth Scott Wilmer Rensink Jack Hester Richard Vande Hoef John Jensen Jack Rife John Soorholtz Richard Drake Dale Tieden Emil Husak Jim Riordan Alvin Miller John Kibbie Joe Welsh

			Donald Gettings
			Leonard Boswell
			Linn Fuhrman
			Larry Murphy
			H. Kay Hedge
			Donald Doyle
			C. Joseph Coleman
S—5277	H.F.	2338	Wally Horn
S—5278	S.F.	2258	Wally Horn
S—5279	S.F.	2403	Paul Pate
			Richard Varn
S—5280	S.F.	2249	Calvin Hultman
S—5281	S.F.	2010	Mike Connolly
S—5282	S.F.	2355	Richard Varn
			Donald Doyle
S—5283	S.F.	2304	William W. Dieleman
S—5284	H.F.	2418	John Soorholtz
			Berl Priebe

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 2337, a bill for an act relating to state administrative rules, providing for style and form and for the assignment of identification numbers, specifying official citations, providing a pilot project for the separate publication of certain rules, and making an appropriation.

Recommendation: DO PASS.

Final Vote: Ayes, 20: Welsh, Boswell, Tieden, Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Pate, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn. Nays, none. Absent or not voting, 1: Lloyd-Jones.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2408, a bill for an act relating to and making appropriations to the justice system.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Welsh, Boswell, Bruner, Corning, Fraise, Gettings, Gronstal, Husak, Jensen, Peterson, Riordan, Running, Sturgeon and Varn. Nays, 6: Tieden, Goodwin, Lind, Pate, Rensink and Tinsman. Absent or not voting, 1: Lloyd-Jones.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: HOUSE FILE 2105, a bill for an act providing for access to certain vital statistics records which are at least seventy-five years old.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Hannon, Bruner, Corning, Connolly, Gentleman, Hagerla, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none. Absent or not voting, 1: Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2178, a bill for an act relating to state and local substitute medical decision-making boards.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Hannon, Bruner, Corning, Connolly, Gentleman, Hagerla, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none. Absent or not voting, 1: Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2421, a bill for an act providing authority under certain conditions for the release of information by the child support recovery unit to certain persons and to other units of the department of human services.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Hannon, Bruner, Corning, Connolly, Gentleman, Hagerla, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none. Absent or not voting, 1: Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2430, a bill for an act relating to the disclosure of certain mental health information to family members.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Hannon, Bruner, Corning, Connolly, Gentleman, Hagerla, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none. Absent or not voting, 1: Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 307, a bill for an act relating to the establishment of a hospital cost control board, making an appropriation and providing a civil penalty.

Recommendation: INDEFINITELY POSTPONED.

Final Vote: Ayes, 12: Kibbie, Lloyd-Jones, Nystrom, Coleman, Fraise, Gentleman, Gronstal, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 3: Dieleman, Drake and Hannon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILL

Senate File 2408, by committee on Appropriations, a bill for an act relating to and making appropriations to the justice system.

Read first time under Rule 28 and **placed on Appropriations calendar.**

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:44 p.m., until 9:00 a.m., Thursday, March 1, 1990.

JOURNAL OF THE SENATE

FIFTY-THIRD CALENDAR DAY
THIRTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 1, 1990

The Senate met in regular session at 9:07 a.m., President Zimmerman presiding.

Prayer was offered by the Honorable Maggie Tinsman, member of the Senate from Scott County, Bettendorf, Iowa.

The Journal of Wednesday, February 28, 1990, 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 27, 1990, passed the following bills in which the concurrence of the Senate is asked:

House File 2307, a bill for an act relating to the concurrent holding of the offices of city council member and fire chief of the volunteer fire department.

This bill was read first time and **passed on file**.

House File 2451, a bill for an act relating to weighing and measuring devices, and establishing fees.

This bill was read first time and **passed on file**.

House File 2496, a bill for an act requiring a group health benefits insurer to disclose certain information relating to claims experience and costs of those claims.

This bill was read first time and **passed on file**.

House File 2522, a bill for an act relating to free hunting and fishing licenses for military personnel.

This bill was read first time and **passed on file**.

House File 2529, a bill for an act relating to contracts for the care and feeding of livestock, and providing an effective date.

This bill was read first time and **passed on file**.

House File 2538, a bill for an act relating to the recording of documents for business corporations.

This bill was read first time and **passed on file**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Fuhrman for the morning on request of Senator Jensen.

MOTION TO RECONSIDER WITHDRAWN

Senate File 2311

Senator Welsh withdrew the motion to reconsider Senate File 2311, a bill for an act relating to unclaimed fees to conform with the uniform disposition of unclaimed property Act, filed by him on February 26, 1990, and found on page 719 of the Senate Journal.

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.

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 BILLS
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 2085 and 2169.

Senate File 2085

On motion of Senator Scott, Senate File 2085, a bill for an act relating to solid waste disposal on agricultural land, was taken up for consideration.

Senator Priebe offered amendment S—5276 filed by Senators Priebe et al., on February 28, 1990, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5276 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. 2085) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Connolly
Corning	Dieleman	Doyle	Drake
Fraise	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 1:

Deluhery

Absent or not voting, 2:

Fuhrman

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 2169

On motion of Senator Sturgeon, Senate File 2169, a bill for an act relating to actions by employers by prohibiting employers from taking certain deductions from employees' wages and requiring employers to provide certain services for non-English speaking employees, with report of committee recommending passage, was taken up for consideration.

Senator Sturgeon offered amendment S—5247 filed by him on February 27, 1990, to page 1 and the title page of the bill.

Senator Jensen asked and received unanimous consent that action on amendment S—5247 and **Senate File 2169** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2249.

Senate File 2249

On motion of Senator Peterson, Senate File 2249, a bill for an act relating to workers' health, safety, and welfare, by providing an expedited hearing process for certain contested cases, requiring payment of medical expenses of an injured employee in certain circumstances, staying debt collection proceedings against an employee by a person providing treatment pending resolution of a contested case before the industrial commissioner, altering certain formulas for the calculation of benefits, establishing initial hearing deadlines, requiring certain unannounced inspections, authorizing certain administrative search warrants, and imposing certain benefit payment requirements and penalties for unreasonable denial or nonpayment of medical benefits, exempting union agents and employees from certain tort liability, and providing applicability and effective dates, was taken up for consideration.

Senator Peterson asked and received unanimous consent that action on **Senate File 2249** be deferred.

Senator Horn asked and received unanimous consent to take up out of order Senate Files 431 and 2286.

Senate File 431

On motion of Senator Varn, Senate File 431, a bill for an act amending the pesticide Act of Iowa, by providing requirements for pesticide dealers and commercial applicators, providing registration requirements, and providing for fees and civil penalties, with report of committee on Environment and Energy Utilities recommending passage on February 13, 1990, was taken up for consideration.

Senator Miller offered amendment S—3575 filed by the committee on Agriculture on April 6, 1989, to pages 1, 4, 5 and the title page of the bill.

Senator Varn asked and received unanimous consent that action on amendment S—3575 and **Senate File 431** be deferred.

Senate File 2286

On motion of Senator Varn, Senate File 2286, a bill for an act relating to satisfaction of a support order by direct payment to the person who is to receive the payment, was taken up for consideration.

Senator Varn offered amendment S—5254 filed by him on February 27, 1990, to page 1 of the bill and moved its adoption.

Amendment S—5254 was adopted 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?" (S.F. 2286) the vote was:

Ayes, 49:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings

Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Fuhrman

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 **Senate File 2360** be referred from the Regular Calendar to committee on **Agriculture**.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate File 2408.

Senate File 2408

On motion of Senator Fraise, Senate File 2408, a bill for an act relating to and making appropriations to the justice system, was taken up for consideration.

Senator Lloyd-Jones offered amendment S—5295 filed by Senators Lloyd-Jones, et al., from the floor to page 2 of the bill.

Senator Jensen asked and received unanimous consent to withdraw amendment S—5295.

Senator Hutchins asked and received unanimous consent that action on **Senate File 2408** be **deferred**.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 27, 1990, passed the following bills in which the concurrence of the Senate is asked:

House File 2296, a bill for an act relating to the regulation and operation of dams.

This bill was read first time and **passed on file**.

House File 2425, a bill for an act relating to certain trust and estate documents by providing for notice requirements for claims against an estate, the validity of a voluntary trust, and voluntary petitions for conservatorships and their required contents.

This bill was read first time and **passed on file**.

House File 2485, a bill for an act relating to the establishment of the Iowa arts and culture challenge grant foundation and foundation fund.

This bill was read first time and **passed on file**.

House File 2489, a bill for an act relating to health care facilities, providing a penalty, and providing an effective date.

This bill was read first time and **passed on file**.

House File 2520, a bill for an act relating to the transfer of oil, gas, and mineral interests in agricultural land used for farming, and providing a date of applicability.

This bill was read first time and **passed on file**.

House File 2526, a bill for an act relating to the release of privileged information.

This bill was read first time and **passed on file**.

House File 2534, a bill for an act relating to sanitary disposal projects.

This bill was read first time and **passed on file**.

ALSO: That the House has on February 27, 1990, passed the following resolution in which the concurrence of the House was asked:

Senate Joint Resolution 2001, a joint resolution to nullify an administrative rule of the Iowa department of public health relating to licensure of cosmetologists and providing an effective date.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:44 a.m., until 3:00 p.m.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS FOR APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committees on February 28, 1990, to investigate the appointment and reappointment of the following appointees:

EDUCATION

As a member of the Iowa Higher Education Loan Authority:

JEWEL KINTZINGER: Varn, Chair; Lloyd-Jones and Lind

As Members of the State Board of Education:

THOMAS GLENN: Szymoniak, Chair; Kibbie and Rensink

CORINE A. HADLEY: Dieleman, Chair; Taylor and Lloyd-Jones

FRANCIS N. KENKEL: Boswell, Chair; Tieden and Bruner

HUMAN RESOURCES

As Administrator of the Division of Deaf Services:

DIANA LEONARD: Horn, Chair; Murphy and Gentleman

As members of the Board of Physician Assistant Examiners:

DR. DALE L. CHRISTENSEN: Riordan, Chair; Horn and Tinsman

WILLIAM W. CREWS: Hannon, Chair; Riordan and Hagerla

As a member of the Commission for the Blind:

MARGARET KOLCK: Taylor, Chair; Sturgeon and Riordan

As members of the Commission on the Deaf:

JILL BOUSLOG: Murphy, Chair; Sturgeon and Hagerla

GEORGE B. KERR: Connolly, Chair; Bruner and Corning

KATHRYN L. STANDING-CORDERO: Gentleman, Chair; Bruner and Connolly

As members of the Commission on the Status of Women:

RUTH I. HOLTON: Tinsman, Chair; Connolly and Murphy

MIGNON MANELLI: Gentleman, Chair; Bruner and Horn

TOM MORAIN: Riordan, Chair; Hannon and Taylor
MARY M. WIBERG: Hannon, Chair; Horn and Hagerla

As members of the State Foster Care Review Board:

KAREN KAY BAKER: Tinsman, Chair; Sturgeon and Murphy
JERRY R. FOXHOVEN: Hagerla, Chair; Bruner and Murphy
KATHRYN YOUNG: Corning, Chair; Bruner and Murphy

As a member of the State Health Facilities Council:

JANE F. ECKLUND: Sturgeon, Chair; Murphy and Corning

STATE GOVERNMENT

As members of the Accountancy Examining Board:

BETTY JANE GROE: Coleman, Chair; Fraise and Vande Hoef
PAUL S. STAVE: Kibbie, Chair; Vande Hoef and Coleman

As Administrator of the Alcoholic Beverages Division:

RICHARD MORRELL: Horn, Chair; Running and Drake

As Administrator of the Professional Licensing and Regulation Division:

K. MARIE THAYER: Coleman, Chair; Dieleman and Drake

As Administrator of the Racing and Gaming Division:

MICHAEL R. LURA: Horn, Chair; Kibbie and Rife

As members of the Alcoholic Beverages Commission:

JOAN B. POE: Running, Chair; Fraise and Rife
WAYNE RICHARD VENTER: Running, Chair; Drake and Gronstal

As members of the Architectural Examining Board:

GWEN BOEKE: Drake, Chair; Hannon and Coleman
KENNETH STEFFEN: Dieleman, Chair; Fraise and Soorholtz
BARBARA WELANDER: Lloyd-Jones, Chair; Dieleman and Soorholtz

As members of the Barber Examining Board:

CARROLL ANDERSON: Horn, Chair; Drake and Coleman
KAREN ANN VOECKS: Gentleman, Chair; Dieleman and Running

As members of the Board of Examiners for the Licensing and Regulation of
Hearing Aid Dealers:

ROBERT S. KLOPP: Horn, Chair; Dieleman and Drake
MARY M. SMITH: Running, Chair; Dieleman and Soorholtz

As members of the Board of Nursing Examiners:

EDNA D. EATON: Gronstal, Chair; Running and Drake
JAMES R. HEYER: Running, Chair; Hannon and Soorholtz
CHERIE OETKER: Soorholtz, Chair; Coleman and Fraise

As members of the Chiropractic Examining Board:

F. DOW BATES: Fraise, Chair; Running and Gentleman
JOHN W. QUINLAN: Running, Chair; Lloyd-Jones and Soorholtz
ANN YOUNG: Fraise, Chair; Running and Drake

As members of the Commission on the Status of Blacks:

YVONNE J. BROCKINGTON: Rife, Chair; Lloyd-Jones and Gronstal
JONATHAN R. NARCISSE: Dieleman, Chair; Running and Gentleman
GEORGE A. ROSSUM: Gronstal, Chair; Hannon and Nystrom
McKENZLY WILSON: Horn, Chair; Coleman and Soorholtz

As members of the Cosmetology Examining Board:

RUTH A. DAGGETT: Rife, Chair; Coleman and Running
JAMES O'NEALL: Kibbie, Chair; Coleman and Nystrom

As members of the Dental Examining Board:

BRUCE CHARLES HEILMAN: Coleman, Chair; Gronstal and Nystrom
DOREEN J. LOUGHRAN: Lloyd-Jones, Chair; Horn and Soorholtz
MARILYN J. MAY: Running, Chair; Fraise and Gentleman

As a member of the Dietetic Examining Board:

KATHY E. BUFFINGTON: Nystrom, Chair; Coleman and Lloyd-Jones

As members of the Engineering and Land Surveying Examining Board:

GARY DARLAND: Coleman, Chair; Fraise and Drake
VIRGINIA RUARK: Drake, Chair; Coleman and Fraise
HAROLD WIGHT: Coleman, Chair; Drake and Fraise

As members of the Iowa Board of Veterinary Medicine:

MICHAEL K. EBERLE: Soorholtz, Chair; Fraise and Kibbie
JANICE STILLMAN: Kibbie, Chair; Soorholtz and Fraise

As members of the Iowa Lottery Board:

JOAN AXEL: Drake, Chair; Kibbie and Horn
EMMA M. CHANCE: Gronstal, Chair; Kibbie and Rife
MONROE J. COLSTON: Gentleman, Chair; Kibbie and Horn
GARY HUGHES: Lloyd-Jones, Chair; Kibbie and Rife

As members of the Landscape Architectural Examining Board:

JEFFREY D. BENSON: Soorholtz, Chair; Fraise and Coleman
CECELIA BURNETT: Fraise, Chair; Coleman and Soorholtz
STEVEN A. SCHROEDER: Coleman, Chair; Fraise and Soorholtz

As members of the Medical Examining Board:

EDRA E. BROICH: Dieleman, Chair; Lloyd-Jones and Nystrom
DR. JOHN OLDS: Nystrom, Chair; Coleman and Horn
DR. CECIL L. PETERSON: Drake, Chair; Lloyd-Jones and Running

As members of the Mortuary Science Examining Board:

ALVIN E. BREMER: Coleman, Chair; Lloyd-Jones and Soorholtz
MARGARET A. HOLMES: Vande Hoef, Chair; Fraise and Dieleman

As members of the Optometry Examining Board:

DONOVAN L. CROUCH: Vande Hoef, Chair; Hannon and Lloyd-Jones
MERLE KJONAAS: Hannon, Chair; Lloyd-Jones and Vande Hoef

As members of the Pharmacy Examining Board:

DONNA FLOWER: Running, Chair; Dieleman and Rife
PHYLLIS A. OLSON: Coleman, Chair; Horn and Gentleman
ALAN M. SHEPLEY: Running, Chair; Nystrom and Rife

As members of the Physician and Occupational Therapy Examining Board:

KATHRYN DIANE EILERS: Rife, Chair; Horn and Running
DANIEL L. MACK: Fraise, Chair; Lloyd-Jones and Nystrom
MARTHA H. THIEN: Drake, Chair; Gronstal and Dieleman

As members of the Podiatry Examining Board:

JAMES D. HEDDENS: Soorholtz, Chair; Running and Dieleman
MARJORIE E. RODGERS: Dieleman, Chair; Hannon and Soorholtz

As members of the Psychology Examining Board:

JOAN EGENES: Gentleman, Chair; Lloyd-Jones and Running
KATHRYN CLARK GERKEN: Lloyd-Jones, Chair; Gronstal and Soorholtz
RICK JENNINGS: Nystrom, Chair; Fraise and Coleman
CYNTHIA M. LYON: Hannon, Chair; Coleman and Gentleman

As members of the Real Estate Appraiser Examining Board:

JOHN L. FELDERMAN: Coleman, Chair; Lloyd-Jones and Rife
MARY P. MITCHELL: Gronstal, Chair; Dieleman and Vande Hoef

As members of the Real Estate Commission:

ROBERT H. CHRISTENSEN: Coleman, Chair; Fraise and Nystrom
E. JOE ANN LUTZ: Gentleman, Chair; Running and Coleman

As members of the Respiratory Care Advisory Committee:

DR. GREG A. HICKLIN: Hannon, Chair; Lloyd-Jones and Gentleman
JOAN M. TREIRVIELER: Coleman, Chair; Gronstal and Gentleman

As members of the Social Work Examining Board:

BRUCE D. BUCHANAN: Lloyd-Jones, Chair; Gronstal and Gentleman
FRANCIS MILLARD HELLERT: Horn, Chair; Running and Nystrom

As members of the Speech Pathology and Audiology Examining Board:

KATHERINE J. HOWE: Kibbie, Chair; Lloyd-Jones and Vande Hoef
COLETTE J. KUNKEL: Dieleman, Chair; Fraise and Soorholtz

As members of the State Board of Examiners for Nursing Home Administrators:

MURRAY D. BERGGREN: Kibbie, Chair; Nystrom and Coleman
SALLY A. MATHIS: Lloyd-Jones, Chair; Running and Rife

As members of the State Racing and Gaming Commission:

LEO K. MONAGHAN: Horn, Chair; Running and Soorholtz
RITA DOLORES SEALOCK: Gronstal, Chair; Coleman and Drake

WAYS AND MEANS

As members of the Iowa Railway Finance Authority:

NORAL D. JOHNSON: Hultman, Chair; Murphy and Fuhrman
FRED E. McKIM, JR.: Fuhrman, Chair; Palmer and Hester

EXPLANATION OF VOTES

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on February 27, 1990, when the final votes were taken on Senate Files 2377 and 2388.

Had I been present, I would have voted "aye".

MIKE CONNOLLY

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 2403, the following corrections were made:

Amendment S—5275: Page 1, line 3, the number "7" was changed to the number "9".

Amendment S—5279: Page 1, line 30, the word "center" was changed to the word "centers".

3. Reprinted Bill: Page 16, line 27, the word "subsection" was changed to the word "subsections".

JOHN F. DWYER
Secretary of the Senate

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—5186 to Senate File 2344 was adopted by the Senate on February 28, 1990.

CHARLES BRUNER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2383 passed the Senate on February 28, 1990.

PATRICK J. DELUHERY

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: February 28, 1990, 4:50 p.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Pate, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn.

Members Absent: Lloyd-Jones (excused).

Committee Business: Approved LSB 7292 as a committee bill; recommended passage of Senate File 2337; recommended passage of House File 2514 as amended.

Adjourned: 6:15 p.m.

BUSINESS AND LABOR RELATIONS

Convened: February 28, 1990, 11:17 a.m.

Members Present: Peterson, Chair; Gettings, Hultman, Mann, Palmer, Running, Taylor and Vande Hoef.

Members Absent: Sturgeon, Vice Chair and Fuhrman, Ranking Member.

Committee Business: Assigned bills and Governor's appointees to subcommittees.

Adjourned: 11:19 a.m.

COMMERCE

Convened: February 28, 1990, 1:30 p.m.

Members Present: Palmer, Chair; Deluhery, Vice Chair; Gronstal, Hannon, Kinley, Lind, Nystrom, Priebe, Running and Tieden.

Members Absent: Jensen, Ranking Member; Mann, Pate, Rife and Welsh.

Committee Business: Assigned bills and Governor's appointees to subcommittees; recommended passage of House File 2213.

Adjourned: 1:35 p.m.

HUMAN RESOURCES

Convened: February 28, 1990, 2:40 p.m.

Members Present: Hannon, Chair; Bruner, Vice Chair; Corning, Ranking Member; Connolly, Gentleman, Hagerla, Murphy, Riordan, Sturgeon, Taylor and Tinsman.

Members Absent: Horn (excused).

Committee Business: Recommended passage of House Files 2105, 2421, 2430 and 2178; recommended passage of House Files 2177 and 2437 as amended.

Adjourned: 3:35 p.m.

STATE GOVERNMENT

Convened: February 28, 1990, 11:17 a.m.

Members Present: Kibbie, Chair; Coleman, Gentleman, Gronstal, Hannon, Rife, Running and Soorholtz.

Members Absent: Lloyd-Jones, Vice Chair (excused); Nystrom, Ranking Member; Dieleman, Drake, Fraise, Horn and Vande Hoef.

Committee Business: Assigned bills and appointees to subcommittees.

Adjourned: 11:18 a.m.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Ten twelfth grade students from Albert City-Truesdale Community School, Albert City, Iowa, accompanied by Max Grossnickle. Senator Fuhrman.

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: HOUSE FILE 2514, a bill for an act relating to human services and making appropriations to the department of human services and other properly related matters and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5292.

Final Vote: Ayes, 16: Welsh, Boswell, Bruner, Corning, Fraise, Gettings, Gronstal, Husak, Jensen, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn. Nays, 4: Tieden, Goodwin, Lind and Pate. Absent or not voting, 1: Lloyd-Jones.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: HOUSE FILE 2177, a bill for an act relating to the operation of state hospital-schools under the control of the department of human services by authorizing the offering of goods and services to the public as part of client training programs and by deleting the requirement of maintaining daily records of time worked by institutional staff.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5303.

Final Vote: Ayes, 11: Hannon, Bruner, Corning, Connolly, Gentleman, Hagerla, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none. Absent or not voting, 1: Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS

House File 2372

JUDICIARY: Murphy, Chair; Fuhrman and Varn

House File 2471

JUDICIARY: Gronstal, Chair; Gettings and Hester

AMENDMENTS FILED

S—5285	S. F.	2383	John Jensen
S—5286	S. F.	2400	Larry Murphy
S—5287	H. F.	2418	Larry Murphy
S—5288	S. F.	2320	Michael Gronstal
S—5289	S. F.	2344	William W. Dieleman
S—5290	S. F.	2357	William W. Dieleman
S—5291	S. F.	2169	Richard Vande Hoef
S—5292	H. F.	2514	Appropriations
S—5293	S. F.	2169	Richard Vande Hoef
S—5294	S. F.	2408	Calvin Hultman Julia Gentleman Maggie Tinsman Ray Taylor Mark Hagerla Dale Tieden
S—5295	S. F.	2408	Jean Lloyd-Jones John Jensen Joy Corning Jim Riordan
S—5296	S. F.	2249	Maggie Tinsman
S—5297	S. F.	2344	Charles Bruner
S—5298	S. F.	2287	Jack Rife Patrick Deluhery Maggie Tinsman
S—5299	S. F.	2408	Joe Welsh

S—5300	S. F.	2408	Joe Welsh
S—5301	S. F.	2169	Richard Running
S—5302	S. F.	2307	Jim Riordan
S—5303	H. F.	2177	Human Resources

AFTERNOON SESSION

The Senate reconvened at 3:15 p.m., President pro tempore Mann 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.

BUSINESS PENDING

Senate File 2408

The Senate resumed consideration of Senate File 2408, a bill for an act relating to and making appropriations to the justice system, previously deferred.

Senator Fraise offered amendment S—5305 filed by Senators Hannon, et al., from the floor to pages 5 and 29 of the bill and moved its adoption.

Amendment S—5305 was adopted by a voice vote.

Senator Vande Hoef offered amendment S—5309 filed by Senators Vande Hoef and Hagerla from the floor to pages 8, 22 and 23 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5309 be adopted?” (S.F. 2408) the vote was:

Ayes, 18:

Corning	Drake	Fuhrman	Goodwin
Hagerla	Hedge	Hester	Hultman
Jensen	Lind	Nystrom	Pate
Rensink	Rife	Soorholtz	Taylor
Tieden	Vande Hoef		

Nays, 31:

Boswell	Bruner	Connolly	Deluhery
Dieleman	Doyle	Fraise	Gentleman
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Peterson	Priebe	Riordan
Running	Scott	Sturgeon	Szymoniak
Tinsman	Varn	Welsh	

Absent or not voting, 1:

Coleman

Amendment S—5309 lost.

Senator Vande Hoef offered amendment S—5310 filed by Senators Vande Hoef, Taylor and Hagerla from the floor to page 8 of the bill.

Senator Welsh raised the point of order that amendment S—5310 was out of order because the same subject matter had been considered in amendment S—5309.

The Chair ruled the point not well taken and amendment S—5310 in order.

Senator Vande Hoef moved the adoption of amendment S—5310, which motion lost by a voice vote.

Senator Vande Hoef offered amendment S—5308 filed by Senators Vande Hoef, et al., from the floor to page 9, 11 through 15, 17, 19, 22 and 23 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5308 be adopted?” (S.F. 2408) the vote was:

Ayes, 20:

Corning	Fuhrman	Gentleman	Goodwin
Hagerla	Hedge	Hester	Hultman
Jensen	Lind	Lloyd-Jones	Nystrom
Pate	Rensink	Rife	Soorholtz
Taylor	Tieden	Tinsman	Vande Hoef

Nays, 29:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley
Mann	Miller	Murphy	Palmer
Peterson	Priebe	Riordan	Running
Scott	Sturgeon	Szymoniak	Varn
Welsh			

Absent or not voting, 1:

Drake

Amendment S—5308 lost.

Senator Hultman offered amendment S—5318 filed by him from the floor to pages 25 and 26 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5318 be adopted?" (S.F. 2408) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 20:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Mann
Nystrom	Pate	Rensink	Rife
Soorholtz	Taylor	Tinsman	Vande Hoef

Nays, 30:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley
Lloyd-Jones	Miller	Murphy	Palmer
Peterson	Priebe	Riordan	Running
Scott	Sturgeon	Szymoniak	Tieden
Varn	Welsh		

Amendment S—5318 lost.

Senator Welsh offered amendment S—5299 filed by him from the floor to page 25 of the bill and moved its adoption.

Amendment S—5299 was adopted by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Pate for the remainder of the day on request of Senator Hultman.

BUSINESS PENDING

Senate File 2408

The Senate resumed consideration of Senate File 2408.

Senator Hultman offered amendment S—5294 filed by Senators Hultman, et al., from the floor to page 26 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 22, nays 26.

Amendment S—5294 lost.

Senator Connolly offered amendment S—5319 filed by him from the floor to page 28 of the bill and moved its adoption.

Amendment S—5319 was adopted by a voice vote.

Senator Welsh offered amendment S—5300 filed by him from the floor to page 29 of the bill and moved its adoption.

Amendment S—5300 was adopted by a voice vote.

Senator Fraise moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2408) the vote was:

Ayes, 30:

Boswell
Deluhery

Bruner
Dieleman

Coleman
Doyle

Connolly
Fraise

Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Peterson	Priebe	Riordan
Running	Scott	Sturgeon	Szymoniak
Varn	Welsh		

Nays, 19:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Nystrom
Rensink	Rife	Soorholtz	Taylor
Tieden	Tinsman	Vande Hoef	

Absent or not voting, 1:

Pate

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

Senate File 2169

The Senate resumed consideration of Senate File 2169, a bill for an act relating to actions by employers by prohibiting employers from taking certain deductions from employees' wages and requiring employers to provide certain services for non-English speaking employees, and amendment S—5247 by Senator Sturgeon to page 1 and the title page of the bill, previously deferred.

Senator Running offered amendment S—5301 filed by him from the floor to amendment S—5247 and moved its adoption.

Amendment S—5301 was adopted by a voice vote.

Senator Fuhrman offered amendment S—5251 filed by him on February 27, 1990, to amendment S—5247 and called for a division: lines 3 through 6 as division S—5251A and lines 7 through 12 as division S—5251B.

Senator Fuhrman moved the adoption of division S—5251A.

A non record roll call was requested.

The ayes were 19, nays 26.

Division S—5251A lost.

Senator Fuhrman moved the adoption of division S—5251B, which motion lost by a voice vote.

Senator Jensen offered amendment S—5256 filed by him on February 27, 1990, to amendment S—5247 and moved its adoption.

Amendment S—5256 was adopted by a voice vote.

President Zimmerman took the chair at 5:00 p.m.

Senator Sturgeon offered amendment S—5266 filed by him on February 28, 1990, to amendment S—5247 and moved its adoption.

A non record roll call was requested.

The ayes were 26, nays 16.

Amendment S—5266 was adopted.

Senator Drake offered amendment S—5322 filed by him from the floor to amendment S—5247 and moved its adoption.

Amendment S—5322 was adopted by a voice vote.

Senator Lind offered amendment S—5324 filed by him from the floor to amendment S—5247 and moved its adoption.

Amendment S—5324 was adopted by a voice vote.

Senator Sturgeon moved the adoption of amendment S—5247 as amended.

A non record roll call was requested.

The ayes were 32, nays 12.

Amendment S—5247 as amended was adopted.

With the adoption of amendment S—5247 as amended, the Chair ruled the following amendments out of order:

S—5223 filed by Senator Fuhrman on February 26, 1990, to page 1 and the title page of the bill.

S—5291 filed by Senator Vande Hoef from the floor to page 1 of the bill.

S—5245 filed by Senator Jensen on February 27, 1990, to page 1 of the bill.

S—5293 filed by Senator Vande Hoef from the floor to page 1 of the bill.

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. 2169) 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	Coleman	Connolly
Deluhery	Dieleman	Gettings	Gronstal
Hannon	Horn	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Palmer
Peterson	Rife	Riordan	Running
Soorholtz	Sturgeon	Szymoniak	Varn
Welsh			

Nays, 17:

Corning	Doyle	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Nystrom	Priebe	Rensink
Scott	Taylor	Tieden	Tinsman
Vande Hoef			

Absent or not voting, 4:

Drake	Fraise	Husak	Pate
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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 2169** 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 28, 1990, passed the following bill in which the concurrence of the Senate is asked:

House File 2371, a bill for an act relating to and making appropriations to the civil rights commission, the department of human rights, the department for the blind, the department of elder affairs, and the Iowa department of public health.

This bill was read first time and **passed on file**.

APPENDIX

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2408 passed the Senate on March 1, 1990.

JOE WELSH

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

H.F.	2296	Natural Resources
H.F.	2307	Local Government
H.F.	2371	Appropriations
H.F.	2485	Small Business & Economic Development
H.F.	2496	Commerce
H.F.	2520	Natural Resources
H.F.	2522	Natural Resources
H.F.	2526	Judiciary
H.F.	2529	Agriculture
H.F.	2534	Environment & Energy Utilities
H.F.	2538	Judiciary

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 1, 1990, the Governor approved and transmitted to the Secretary of State the following bill:

Senate File 81 — Relating to consumer transactions involving the performance of repairs of service upon a motor vehicle, and imposing penalties.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued a certificate of recognition as follows:

Todd Huffman, Storm Lake — For third place, 119 pound class, Iowa State high school wrestling tournament. Senator Fuhrman (February 24, 1990).

SUBCOMMITTEE ASSIGNMENTS

Senate File 2405

STATE GOVERNMENT: Lloyd-Jones, Chair; Horn and Vande Hoef

House File 2289

LOCAL GOVERNMENT: Jensen, Chair; Priebe and Fraise

House File 2304

LOCAL GOVERNMENT: Fraise, Chair; Vande Hoef and Murphy

House File 2329

STATE GOVERNMENT: Gronstal, Chair; Kibbie and Nystrom

House File 2346

BUSINESS AND LABOR RELATIONS: Mann, Chair; Peterson and Fuhrman

House File 2502

LOCAL GOVERNMENT: Kinley, Chair; Priebe and Jensen

House File 2512

LOCAL GOVERNMENT: Fraise, Chair; Vande Hoef and Miller

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: HOUSE FILE 2437, a bill for an act relating to child support payments by providing for immediate withholding of an obligor's income and providing a penalty.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5304.

Final Vote: Ayes, 8: Hannon, Bruner, Corning, Connolly, Gentleman, Murphy, Riordan and Taylor. Nays, 3: Hagerla, Sturgeon and Tinsman. Absent or not voting, 1: Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: HOUSE FILE 724, 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: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5321.

Final Vote: Ayes, 12: Varn, Mann, Coleman, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Taylor and Welsh. Nays, none. Absent or not voting, 3: Gentleman, Fuhrman and Gettings.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2157, a bill for an act relating to the dates for limitations of actions on title to real property.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Varn, Mann, Coleman, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, and Welsh. Nays, 1: Taylor. Absent or not voting, 3: Gentleman, Fuhrman and Gettings.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2268, a bill for an act relating to discovery and the statute of limitations in a civil action involving sexual abuse, sexual assault, or sexual harassment and providing for the Act's applicability.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Varn, Mann, Coleman, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Taylor and Welsh. Nays, none. Absent or not voting, 3: Gentleman, Fuhrman and Gettings.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2372, a bill for an act relating to anabolic steroids, and providing a criminal penalty concerning the distribution of anabolic steroids to minors.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Varn, Mann, Coleman, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Taylor and Welsh. Nays, none. Absent or not voting, 3: Gentleman, Fuhrman and Gettings.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2390, a bill for an act relating to the right to bring a civil rights action after administrative closure.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Varn, Mann, Coleman, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Taylor and Welsh. Nays, none. Absent or not voting, 3: Gentleman, Fuhrman and Gettings.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 121, a bill for an act relating to parental leaves of absence for employees of the state and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Kibbie, Lloyd-Jones, Coleman, Fraise, Gronstal, Hannon, Horn and Running. Nays, 4: Dieleman, Drake, Soorholtz and Vande Hoef. Absent or not voting, 3: Nystrom, Gentleman and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2056, a bill for an act relating to boxing and wrestling matches by imposing certain admission fees and requiring the proceeds from the fees collected to be used to promote amateur boxing in this state.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Kibbie, Lloyd-Jones, Coleman, Dieleman, Drake, Fraise, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, 1: Gronstal. Absent or not voting, 3: Nystrom, Gentleman, Hannon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: HOUSE FILE 2322, a bill for an act relating to the duties of the county recorder by imposing a fee for recording and indexing certain instruments, and by providing for the issuance of certain transcripts.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Dieleman, Husak, Hester, Bruner, Connolly, Drake, Fraise, Fuhrman, Gentleman, Palmer, Riordan, Soorholtz and Szymoniak. Nays, none. Absent or not voting, 2: Hultman and Murphy.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5304	H. F.	2437	Human Resources
S—5305	S. F.	2408	Beverly Hannon Larry Murphy Michael Gronstal Eugene Fraise Richard Varn
S—5306	S. F.	2400	Larry Murphy
S—5307	S. F.	2400	Larry Murphy
S—5308	S. F.	2408	Richard Vande Hoef Joy Corning Jack Hester Dale Tieden Mark Hagerla Ray Taylor
S—5309	S. F.	2408	Richard Vande Hoef Mark Hagerla
S—5310	S. F.	2408	Richard Vande Hoef Ray Taylor Mark Hagerla
S—5311	S. F.	2249	Linn Fuhrman
S—5312	S. F.	2249	Calvin Hultman Linn Fuhrman
S—5313	S. F.	2249	Linn Fuhrman
S—5314	S. F.	2249	Linn Fuhrman
S—5315	S. F.	2249	Linn Fuhrman
S—5316	S. F.	2249	Linn Fuhrman
S—5317	S. F.	2184	Calvin Hultman

S—5318	S.F.	2408	Ray Taylor
S—5319	S.F.	2408	Calvin Hultman
S—5320	H.F.	2514	Mike Connolly
S—5321	H.F.	724	Charles Bruner
S—5322	S.F.	2169	Judiciary
S—5323	S.F.	431	Richard Drake
S—5324	S.F.	2169	Alvin Miller
S—5325	H.F.	2514	Jim Lind
			Charles Bruner
			Richard Varn
			Elaine Szymoniak

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:47 p.m., until 9:00 a.m., Friday, March 2, 1990.

JOURNAL OF THE SENATE

FIFTY-FOURTH CALENDAR DAY
THIRTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, March 2, 1990

The Senate met in regular session at 9:05 a.m., President Zimmerman presiding.

Prayer was offered by Candy Boucher, Senate Secretary, from Des Moines, Iowa, who vocally performed "Pilgrim," written by the Reverend Bob Beck.

The Journal of Thursday, March 1, 1990, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Mann and Deluhery for the day on request of Senator Hutchins and Senator Vande Hoef for the day on request of Senator Hultman.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 28, 1990, passed the following bills in which the concurrence of the Senate is asked:

House File 489, a bill for an act relating to the time within which a claim must be brought by a minor or incompetent under the state tort claims Act.

This bill was read first time and **passed on file**.

House File 2022, a bill for an act relating to juvenile court proceedings, the definition of a child in need of assistance, and matters related to removal of persons from a child's residence.

This bill was read first time and **passed on file**.

House File 2065, a bill for an act relating to certain alcohol-related offenses, and establishing a youthful drunk driver visitation program.

This bill was read first time and **passed on file**.

House File 2463, a bill for an act relating to the jurisdiction of the juvenile court to hear matters involving possession of alcohol by juveniles.

This bill was read first time and **passed on file**.

House File 2476, a bill for an act relating to unfair or discriminatory credit practices by including familial status as an improper basis for differential treatment in relation to a consumer credit transaction, an extension of credit by a state chartered financial institution, or the offer of credit life or health and accident insurance.

This bill was read first time and **passed on file**.

House File 2498, a bill for an act providing certain modifications to child foster care licensing requirements.

This bill was read first time and **passed on file**.

House File 2546, a bill for an act relating to child day care and the state child and dependent care tax credit and providing a retroactive applicability 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 40 present, 10 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 February 28, 1990, passed the following bills in which the concurrence of the Senate is asked:

House File 2160, a bill for an act relating to mandatory domestic abuse arrests and providing guidelines concerning a primary physical aggressor.

This bill was read first time and **passed on file**.

House File 2468, a bill for an act relating to the establishment of the division of criminal justice planning and providing an effective date.

This bill was read first time and **passed on file**.

House File 2488, a bill for an act relating to the characterization of certain corporate shares as issued, but not outstanding, shares, and making conforming amendments to reflect adoption of chapter 490, the new Iowa model business corporation Act.

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, 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 28, 1990, passed the following bills in which the concurrence of the Senate is asked:

House File 2504, a bill for an act relating to criminal and child abuse record checks concerning facilities providing care to children.

This bill was read first time and **passed on file**.

House File 2533, a bill for an act relating to the courts, establishing a family court, and providing effective dates.

This bill was read first time and **passed on file**.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration House File 2514.

House File 2514

On motion of Senator Bruner, House File 2514, a bill for an act relating to human services and making appropriations to the department of human services and other properly related matters 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 **House File 2514** be **deferred**.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 2036 and House File 2338.

Senate File 2036

On motion of Senator Scott, Senate File 2036, a bill for an act relating to the issuance of prisoner of war registration plates to the surviving spouse of a prisoner of war, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Scott offered amendment S—5057 filed by the committee on Transportation on February 7, 1990, to page 1 of the bill and moved its adoption.

Amendment S—5057 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. 2036) the vote was:

Ayes, 43:

Boswell	Bruner	Coleman	Connolly
Corning	Dieleman	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Varn	Welsh	

Nays, none.

Absent or not voting, 7:

Deluhery	Doyle	Gronstal	Jensen
Mann	Murphy	Vande Hoef	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2338

On motion of Senator Coleman, House File 2338, a bill for an act relating to special motor vehicle registration plates for recipients of the purple heart medal, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Coleman asked and received unanimous consent to withdraw amendment S—5260 filed by the committee on Transportation on February 27, 1990, to page 1 and the title page of the bill.

Senator Horn offered amendment S—5277 filed by him on February 28, 1990, to page 1 and the title page of the bill.

Senator Boswell raised the point of order that amendment S—5277 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5277 in order.

Senator Horn asked and received unanimous consent that action on amendment S—5277 and **House File 2338** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2269.

Senate File 2269

On motion of Senator Running, Senate File 2269, a bill for an act relating to the percent of receipts from games of skill and games of chance dedicated and distributed by a qualified organization, was taken up for consideration.

Senator Running offered amendment S—5333 filed by Senators Running, Horn and Pate from the floor to page 1 and the title page of the bill and moved its adoption.

Amendment S—5333 was adopted by a voice vote.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Jensen and Nystrom for the remainder of the day on request of Senator Hultman.

BUSINESS PENDING

Senate File 2269

The Senate resumed consideration of Senate File 2269.

Senator Running moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2269) the vote was:

Ayes, 32:

Boswell	Bruner	Coleman	Connolly
Corning	Doyle	Fraise	Gettings
Gronstal	Hagerla	Horn	Hultman
Husak	Hutchins	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Palmer	Pate	Priebe	Rife

Riordan	Running	Soorholtz	Szymoniak
Tieden	Tinsman	Varn	Welsh

Nays, 13:

Dieleman	Drake	Fuhrman	Gentleman
Goodwin	Hannon	Hedge	Hester
Peterson	Rensink	Scott	Sturgeon
Taylor			

Absent or not voting, 5:

Deluhery	Jensen	Mann	Nystrom
Vande Hoef			

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 2269 and 2036** be **immediately messaged** to the House.

BUSINESS PENDING

House File 2514

The Senate resumed consideration of House File 2514, a bill for an act relating to human services and making appropriations to the department of human services and other properly related matters and providing an effective date, previously deferred.

Senator Bruner offered amendment S—5292 filed by the committee on Appropriations on March 1, 1990, to pages 2, 8, 11, 17 through 23, 26, 35, 39, 41, 43, 45 and 47 of the bill.

Senator Bruner offered amendment S—5320 filed by him on March 1, 1990, to amendment S—5292 and moved its adoption.

Amendment S—5320 was adopted by a voice vote.

Senator Bruner offered amendment S—5328 filed by Senators Bruner and Tieden from the floor to amendment S—5292 and moved its adoption.

Amendment S—5328 was adopted by a voice vote.

Senator Bruner moved the adoption of amendment S—5292 as amended, which motion prevailed by a voice vote.

Senator Bruner offered amendment S—5325 filed by Senators Bruner, Varn and Szymoniak on March 1, 1990, to pages 3, 5 and 7 of the bill and moved its adoption.

Amendment S—5325 was adopted by a voice vote.

Senator Priebe offered amendment S—5334 filed by him from the floor to page 5 of the bill and moved its adoption.

Amendment S—5334 was adopted by a voice vote.

Senator Fuhrman offered amendment S—5326 filed by him from the floor to page 10 of the bill and moved its adoption.

Amendment S—5326 was adopted by a voice vote.

Senator Bruner offered amendment S—5330 filed by Senators Gronstal and Bruner from the floor to page 39 of the bill and moved its adoption.

Amendment S—5330 was adopted by a voice vote.

Senator Varn offered amendment S—5335 filed by him from the floor to page 45 of the bill and moved its adoption.

Amendment S—5335 was adopted by a voice vote.

With the adoption of amendment S—5335, the Chair ruled amendment S—5327 filed by Senator Bruner to page 45 of the bill, out of order.

Senator Welsh offered amendment S—5336 filed by him from the floor to page 23 of the bill and moved its adoption.

Amendment S—5336 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. 2514) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 33:

Boswell	Bruner	Coleman	Connolly
Corning	Dieleman	Doyle	Fraise
Fuhrman	Gettings	Gronstal	Hannon
Horn	Husak	Hutchins	Kibbie
Kinley	Lloyd-Jones	Miller	Murphy
Palmer	Peterson	Priebe	Rensink
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Tinsman	Varn
Welsh			

Nays, 12:

Drake	Gentleman	Goodwin	Hagerla
Hedge	Hester	Hultman	Lind
Pate	Rife	Taylor	Tieden

Absent or not voting, 5:

Deluhery	Jensen	Mann	Nystrom
Vande Hoef			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **House File 2514** be **immediately messaged** to the House.

HOUSE MESSAGE RECEIVED (Corrected)

The following corrective 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 27, 1990, passed the following resolution in which the concurrence of the House was asked:

Senate Joint Resolution 2002, a joint resolution suspending for a limited period of time the enforcement of state banking laws, including branch banking restrictions, to the extent such law may conflict or interfere with the administration of the federal Financial Institutions Reform, Recovery, and Enforcement Act

of 1989, and providing an effective date (**correction to message received on March 1, 1990, for Senate Joint Resolution 2001 instead of Senate Joint Resolution 2002.**)

APPENDIX**REPORTS OF COMMITTEE MEETINGS****JUDICIARY**

Convened: March 1, 1990, 11:15 a.m.

Members Present: Varn, Chair; Mann, Vice Chair; Coleman, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Taylor and Welsh.

Members Absent: Gentleman, Ranking Member; Fuhrman and Gettings (all excused).

Committee Business: Recommended passage of House Files 2157, 2268, 2390 and 2372; recommended passage of House File 724 as amended.

Adjourned: 12:07 p.m.

LOCAL GOVERNMENT

Convened: March 1, 1990, 8:07 a.m.

Members Present: Miller, Chair; Szymoniak, Vice Chair; Vande Hoef, Ranking Member; Fraise (arrived 8:12), Goodwin, Jensen, Kinley (arrived 8:14), Murphy, Priebe and Tinsman.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; discussed and deferred House File 2154.

Adjourned: 8:30 a.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: March 2, 1990, 8:06 a.m.

Members Present: Boswell, Chair; Hannon, Vice Chair; Hagerla, Ranking Member; Connolly, Kibbie, Lind, Peterson and Scott.

Members Absent: Pate, Rife, Szymoniak (excused) and Vande Hoef (excused).

Committee Business: Richard L. Timmerman, Governor's appointee as Director of the Iowa Department of Economic Development, appeared before the committee.

Adjourned: 8:55 a.m.

STATE GOVERNMENT

Convened: March 1, 1990, 2:27 p.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef.

Members Absent: Nystrom, Ranking Member (excused).

Committee Business: Recommended passage of House Files 121 and 2056.

Adjourned: 2:50 p.m.

WAYS AND MEANS

Convened: March 1, 1990, 1:40 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hester, Ranking Member; Bruner, Connolly, Drake, Fraise, Fuhrman, Gentleman, Palmer, Riordan, Soorholtz and Szymoniak.

Members Absent: Hultman and Murphy.

Committee Business: Assigned bills to subcommittees; Gerald Bair, Department of Revenue and Finance, appeared before the committee; recommended passage of House File 2322.

Adjourned: 2:20 p.m.

PRESENTATION OF VISITORS

The Chair welcomed the Honorable Lucas DeKoster, former member of the Senate from Sioux County, who was present in the Senate chamber.

The Chair welcomed the following visitors who were present in the Senate gallery:

Eighteen students from the Ames Baptist Church Academy, Ames, Iowa, accompanied by Ray Coffey. Senator Bruner.

SUBCOMMITTEE ASSIGNMENTS

House File 2153

HUMAN RESOURCES: Connolly, Chair; Hannon and Tinsman

House File 2272

TRANSPORTATION: Coleman, Chair; Nystrom and Scott

House File 2440

EDUCATION: Lloyd-Jones, Chair; Varn, Corning, Szymoniak and Tinsman

House File 2457

TRANSPORTATION: Jensen, Chair; Goodwin and Lloyd-Jones

House File 2472

TRANSPORTATION: Drake, Chair; Dieleman and Doyle

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

H.F.	489	Judiciary
H.F.	2022	Judiciary
H.F.	2065	Judiciary
H.F.	2160	Judiciary
H.F.	2463	Judiciary
H.F.	2468	Judiciary
H.F.	2476	Commerce
H.F.	2488	Judiciary
H.F.	2498	Human Resources
H.F.	2504	Human Resources
H.F.	2533	Judiciary
H.F.	2546	Ways and Means

STUDY BILL RECEIVED

SSB 2293 Ways and Means

Relating to the imposition of an excise tax on certain rentals

of motor vehicles and providing a use tax exemption for certain motor vehicles used for rental purposes.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 122, by Tinsman, Corning, Gentleman, Hannon, Lloyd-Jones and Szymoniak, a concurrent resolution designating March 1990 as Iowa Women's History Month.

Read first time under Rule 28 and passed on file.

AMENDMENTS FILED

S-5326	H.F.	2514	Linn Fuhrman
S-5327	H.F.	2514	Charles Bruner
S-5328	H.F.	2514	Charles Bruner
			Dale Tieden
S-5329	S.F.	2010	Mike Connolly
			Eugene Fraise
S-5330	H.F.	2514	Michael Gronstal
			Charles Bruner
S-5331	S.F.	2011	Beverly Hannon
			Jim Lind
S-5332	S.F.	2255	Joe Welsh
S-5333	S.F.	2269	Richard Running
			Wally Horn
			Paul Pate
S-5334	H.F.	2514	Berl Priebe
S-5335	H.F.	2514	Richard Varn
S-5336	H.F.	2514	Joe Welsh
S-5337	H.F.	2437	Charles Bruner
S-5338	S.F.	2369	Jean Lloyd-Jones
			Berl Priebe

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 11:58 a.m., until 10:00 a.m., Monday, March 5, 1990.

JOURNAL OF THE SENATE

FIFTY-SEVENTH CALENDAR DAY
THIRTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 5, 1990

The Senate met in regular session at 10:05 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 Friday, March 2, 1990, 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 1, 1990, passed the following bills in which the concurrence of the Senate is asked:

House File 2464, a bill for an act relating to the refund of tuition by certain institutions or other persons offering courses of instruction at the postsecondary level for profit, and imposing a penalty.

This bill was read first time and **passed on file**.

House File 2475, a bill for an act relating to the surcharge for dishonored instruments.

This bill was read first time and **passed on file**.

House File 2505, a bill for an act relating to insurance by prohibiting certain inquiries relating to HIV testing if the test results were negative.

This bill was read first time and **passed on file**.

House File 2516, a bill for an act regulating certain motor vehicle service contracts and establishing an annual fee.

This bill was read first time and **passed on file**.

House File 2517, a bill for an act establishing a youthful offenders program by transferring authority over the facilities of the state training school at Eldora to the department of corrections, providing for the establishment of replacement facilities under the department of human services, providing for other related matters, and providing an effective date.

This bill was read first time and **passed on file**.

House File 2518, a bill for an act relating to licensure and discipline of certain practice professionals and providing a penalty.

This bill was read first time and **passed on file**.

House File 2524, a bill for an act relating to the final disposition of human remains and arrangements for such disposition and imposing penalties.

This bill was read first time and **passed on file**.

House File 2537, a bill for an act relating to the sale of funeral services and merchandise.

This bill was read first time and **passed on file**.

SPECIAL GUESTS

Senator Szymoniak presented winners of the essay contest sponsored by the Iowa Commission on the Status of Women, Iowa Department of Education and the Iowa State Historical Society to "Write Women Back Into History" in celebration of Women's History Month:

Sixth and Seventh Grade:

First Place: Jessica Lea Swats (6th grade), Urbandale Middle School, Urbandale.

Second Place: Lisa Downing (6th grade), Lincoln Elementary School, Charles City.

Third Place: Amy Nielsen (6th grade), Battle Creek Elementary, Battle Creek.

Eighth and Ninth Grade:

First Place: Heather Kramer (8th grade), Central Middle School, Muscatine.

Second Place: Rachel Bilyeu (8th grade), Nevada Jr. High School, Nevada.

Third Place: Tiffany Wickerman (8th grade), Hoyt Middle School, Des Moines.

Edith Sackett Memorial Award:

Jessica Lea Swats.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent and a quorum present.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Mann for the day and Senator Scott for a portion of 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 Files 2154, 2231, 2284 and 2297.

Senate File 2154

On motion of Senator Gronstal, Senate File 2154, a bill for an act delaying the repeal of the Iowa boundary commission and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that **House File 2212** be substituted for **Senate File 2154**.

Senator Gronstal asked and received unanimous consent that action on **House File 2212** be deferred.

Senate File 2231

On motion of Senator Miller, Senate File 2231, a bill for an act relating to disposition of instruments filed with the county recorder, and providing for the applicability of certain provisions, was taken up for consideration.

Senator Miller asked and received unanimous consent that **House File 2324** be substituted for **Senate File 2231**.

Senator Miller asked and received unanimous consent that action on **House File 2324** be deferred.

Senate File 2284

On motion of Senator Drake, Senate File 2284, a bill for an act relating to establishing title where a surviving spouse is a joint tenant of real estate with a deceased spouse, was taken up for consideration.

Senator Drake asked and received unanimous consent that **House File 2423** be substituted for **Senate File 2284**.

Senator Drake asked and received unanimous consent that action on **House File 2423** be deferred.

Senate File 2297

On motion of Senator Gettings, Senate File 2297, a bill for an act relating to arbitration agreements between manufacturers, distributors, or importers of motor vehicles and motor vehicle dealers, was taken up for consideration.

Senator Gettings asked and received unanimous consent that **House File 2453** be substituted for **Senate File 2297**.

Senator Gettings asked and received unanimous consent that action on **House File 2453** be deferred.

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 2287, 2319, 2369, Senate Joint Resolution 2003 and Senate File 2184.

Senate File 2287

On motion of Senator Deluhery, Senate File 2287, a bill for an act relating to the creation of an interstate metropolitan authority, by specifying the powers and duties of the authority, by authorizing certain counties to join the authority, by providing for the imposition of a retail sales tax and the certification of a property tax levy, by providing for the issuance of revenue bonds, by authorizing the imposition of fines for certain violations, and by providing an effective date, with report of committees on Local Government and Ways and Means recommending amendment and passage, was taken up for consideration.

Senator Deluhery offered amendment S—5096 filed by committee on Local Government on February 15, 1990, to pages 3, 4, 8, 12 through 14, 17, 18, 21 and 22 of the bill.

Senator Deluhery offered amendment S—5209 filed by the committee on Ways and Means on February 22, 1990, to amendment S—5096 and moved its adoption.

Amendment S—5209 was adopted by a voice vote.

Senator Deluhery moved the adoption of amendment S—5096 as amended, which motion prevailed by a voice vote.

Senator Rife offered amendment S—5298 filed by Senators Rife, Deluhery and Tinsman on March 1, 1990, to pages 1 and 3 of the bill and moved its adoption.

Amendment S—5298 was adopted by a voice vote.

Senator Deluhery moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2287) the vote was:

Ayes, 49:

Boswell
Corning

Bruner
Deluhery

Coleman
Dieleman

Connolly
Doyle

Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Mann

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2319

On motion of Senator Lloyd-Jones, Senate File 2319, a bill for an act relating to private farm railway crossings, was taken up for consideration.

Senator Doyle offered amendment S—5179 filed by him on February 21, 1990, to page 1 of the bill and moved its adoption.

Amendment S—5179 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?" (S.F. 2319) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Nystrom	Palmer	Pate
Priebe	Rensink	Rife	Riordan

Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 1:

Peterson

Absent or not voting, 2:

Connolly Mann

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2369

On motion of Senator Lloyd-Jones, Senate File 2369, a bill for an act relating to the historic resource development program, was taken up for consideration.

Senator Coleman took the chair at 10:58 a.m.

Senator Lloyd-Jones offered amendment S—5338 filed by Senators Lloyd-Jones and Priebe on March 2, 1990, to page 2 of the bill and moved its adoption.

Amendment S—5338 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?" (S.F. 2369) the vote was:

Ayes, 48:

Boswell	Bruner	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz

Sturgeon
Tinsman

Szymoniak
Vande Hoef

Taylor
Varn

Tieden
Welsh

Nays, none.

Absent or not voting, 2:

Connolly

Mann

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate Joint Resolution 2003

On motion of Senator Hannon, Senate Joint Resolution 2003, a joint resolution proposing the establishment of a state office of disability prevention activities and requiring certain state agencies to perform various activities and to submit a report relating to coordination of disability prevention programs, with report of committee recommending passage, was taken up for consideration.

Senator Riordan took the chair at 11:12 a.m.

Senator Rensink asked and received unanimous consent to withdraw amendment S—5141 filed by Senators Rensink and Hannon on February 20, 1990, to page 1 of the bill.

Senator Hannon 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 pass?" (S.J.R. 2003) the vote was:

Ayes, 43:

Boswell
Corning
Gettings
Hannon
Husak
Kinley
Murphy
Peterson
Riordan
Sturgeon

Bruner
Dieleman
Goodwin
Hester
Hutchins
Lind
Nystrom
Priebe
Running
Szymoniak

Coleman
Doyle
Gronstal
Horn
Jensen
Lloyd-Jones
Palmer
Rensink
Scott
Taylor

Connolly
Drake
Hagerla
Hultman
Kibbie
Miller
Pate
Rife
Soorholtz
Tieden

Tinsman Varn Welsh

Nays, 3:

Gentleman Hedge Vande Hoef

Absent or not voting, 4:

Deluhery Fraise Fuhrman Mann

The resolution having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2184

On motion of Senator Coleman, Senate File 2184, a bill for an act relating to the use of blue flashing lights on privately owned motor vehicles of certain emergency medical care providers and making penalties applicable, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Coleman offered amendment S—5116 filed by the committee on Transportation on February 19, 1990, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5116 was adopted by a voice vote.

Senator Lloyd-Jones offered amendment S—5229 filed by her on February 26, 1990, to page 1 of the bill and called for a division: lines 2 through 12 and lines 17 and 18 as division S—5229A; lines 13 through 16 as division S—5229B.

President Zimmerman took the chair at 11:45 a.m.

Senator Coleman called for a further division of amendment S—5229: lines 2 and 3 as division S—5229C.

Senator Coleman asked and received unanimous consent to take up division S—5229C.

Senator Hutchins asked and received unanimous consent that action on division S—5229C and **Senate File 2184** be **deferred** (Divisions S—5229A and S—5229B pending).

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 26, 1990, passed the following bill in which the concurrence of the Senate is asked:

House File 2481, a bill for an act extending the waiver provisions relating to educational standards for guidance programs and media services for one additional year.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 2, 1990, passed the following bills in which the concurrence of the Senate is asked:

House File 2131, a bill for an act relating to housing cooperatives by authorizing the creation of local housing authorities to encourage and organize sweat equity housing cooperative associations with state financial assistance as available, and providing procedures and requirements.

This bill was read first time and **passed on file**.

House File 2281, a bill for an act relating to ethanol technology, by providing for a consortium for ethanol research and technology.

This bill was read first time and **passed on file**.

House File 2312, a bill for an act relating to nonsubstantive Code and Act corrections.

This bill was read first time and **passed on file**.

House File 2313, 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.

This bill was read first time and **passed on file**.

House File 2450, a bill for an act relating to court costs to the city for certain dismissals of parking violations and court costs and fees for certain parking violations.

This bill was read first time and **passed on file**.

House File 2466, a bill for an act relating to the regulation of insurers, insurance, and annuity contracts.

This bill was read first time and **passed on file**.

House File 2486, a bill for an act relating to the regulation of tanning facilities, providing penalties, and providing for the establishment of fees.

This bill was read first time and **passed on file**.

House File 2494, a bill for an act relating to the financing of water treatment plant and waste water treatment plan projects.

This bill was read first time and **passed on file**.

House File 2500, a bill for an act relating to the enforcement of outdoor recreation and natural resource laws, by defining repeat offenders, by requiring the reporting of hunting accidents, by providing for the suspension of licenses, permits, and certificates, and by providing penalties.

This bill was read first time and **passed on file**.

House File 2511, a bill for an act relating to an assault without intent to inflict serious injury which results in a serious injury, and serious injury constituting willful injury.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 2, 1990, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 2212, a bill for an act relating to and making supplemental appropriations or decreasing appropriations to the department of human services, Iowa department of public health, state board of regents, department of general services, department of inspections and appeals, department of employment services, department of commerce, state department of transportation, department of corrections, department of public safety,

department of justice, judicial department, department of elder affairs, department of agriculture and land stewardship, department of natural resources, department of cultural affairs, department of education, and college aid commission for the remainder of the fiscal year ending June 30, 1990, and providing an effective date (S—5341).

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 2287 and 2319** and **Senate Joint Resolution 2003** be **immediately messaged** to the House.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:58 a.m., until 3:30 p.m.

APPENDIX

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued a certificate of recognition as follows:

Dan Costello, Long Grove — For attaining the rank of Eagle Scout. Senator Rife (March 4, 1990).

PETITION

The following petition was presented and placed on file by:

Senator Hutchins from three thousand two hundred fifty residents of Shelby County opposing proposed medical waste incinerators in Harlan.

NOTICE OF HEARING

Dr. Merle Kjonaas, reappointed by the Governor to the Optometry Examining Board, will appear before the Senate State Government investigating committee on March 7, 1990, at 12:00 noon, Room 116, State Capitol Building.

BEVERLY A. HANNON, Chair
SENATE INVESTIGATING COMMITTEE

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2369 passed the Senate on March 5, 1990.

BERL E. PRIEBE

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2369 passed the Senate on March 5, 1990.

CALVIN HULTMAN

SUBCOMMITTEE ASSIGNMENTS

House File 2092

COMMERCE: Deluhery, Chair; Palmer and Nystrom

House File 2296

NATURAL RESOURCES: Miller, Chair; Kibbie and Goodwin

House File 2459

EDUCATION: Boswell, Chair; Szymoniak and Rensink

House File 2476

COMMERCE: Running, Chair; Deluhery and Jensen

House File 2485

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Szymoniak, Chair; Scott and Lind

House File 2496

COMMERCE: Gronstal, Chair; Hannon and Tieden

House File 2498

HUMAN RESOURCES: Tinsman, Chair; Connolly and Bruner

House File 2504

HUMAN RESOURCES: Murphy, Chair; Bruner and Corning

House File 2506

COMMERCE: Palmer, Chair; Hannon and Lind

House File 2520

NATURAL RESOURCES: Priebe, Chair; Husak and Tieden

House File 2522

NATURAL RESOURCES: Doyle, Chair; Kibbie and Hedge

House File 2546

WAYS AND MEANS: Bruner, Chair; Palmer and Gentleman

SSB 2293

WAYS AND MEANS: Connolly, Chair; Szymoniak and Drake

AMENDMENTS FILED

S—5339	S. F.	2249	John Peterson
S—5340	S. F.	2405	Jean Lloyd-Jones
S—5341	S. F.	2212	House

AFTERNOON SESSION

The Senate reconvened at 3:32 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, 1990, passed the following bill in which the concurrence of the Senate is asked:

House File 2377, a bill for an act adopting the model state commodity Code as recommended by the North American securities administrators association, regulating the commodities markets and participants, authorizing the securities bureau of the insurance division to administer the chapter, requiring licensing of commodity broker-dealers and sales representatives, authorizing civil remedies, sanctions, penalties, and imposing criminal penalties.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 2, 1990, passed the following bills in which the concurrence of the Senate is asked:

House File 2305, a bill for an act eliminating certain filings requirements of a sheriff in an action for condemnation of property.

This bill was read first time and **passed on file**.

House File 2501, a bill for an act relating to grain management, by providing for the regulation of grain dealers and grain warehouse operators, providing for the indemnification of grain depositors and sellers, providing for penalties, and the retroactive applicability of a certain provision.

This bill was read first time and **passed on file**.

QUORUM CALL

Senator Husak requested a non record roll call to determine that a quorum was present.

The vote revealed 36 present, 14 absent and a quorum present.

BUSINESS PENDING

Senate File 2184

The Senate resumed consideration of Senate File 2184, a bill for an act relating to the use of blue flashing lights on privately owned motor vehicles of certain emergency medical care providers and making penalties applicable, and division S—5229C by Senator Lloyd-Jones to page 1 of the bill, previously deferred (divisions S—5229A and S—5229B pending).

With the adoption of amendment S—5116, the Chair ruled division S—5229B out of order.

Senator Lloyd-Jones moved the adoption of division S—5229C.

A record roll call was requested.

On the question “Shall division S—5229C be adopted?” (S.F. 2184) the vote was:

Ayes, 4:

Bruner	Gentleman	Lloyd-Jones	Szymoniak
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Nays, 40:

Boswell	Coleman	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Absent or not voting, 6:

Connolly	Horn	Kibbie	Mann
Riordan	Running		

Division S—5229C lost.

Senator Lloyd-Jones withdrew division S—5229A.

Senator Lloyd-Jones withdrew amendment S—5252 filed by her on February 27, 1990, to page 1 of the bill.

Senator Lloyd-Jones withdrew amendments S—5234, S—5230 and S—5231 filed by her on February 26, 1990, to page 1 of the bill.

With the adoption of amendment S—5116, the Chair ruled amendment S—5317 filed by Senators Hultman and Taylor on March 1, 1990, to page 1 and the title page of the bill, out of order.

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. 2184) the vote was:

Ayes, 42:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Drake
Fraise	Fuhrman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Miller
Murphy	Nystrom	Palmer	Pate
Priebe	Rensink	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 5:

Doyle	Gentleman	Lind	Lloyd-Jones
Rife			

Absent or not voting, 3:

Hedge

Mann

Peterson

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 Husak asked and received unanimous consent to take up out of order Senate Files 2011 and 2385.

Senate File 2011

On motion of Senator Hannon, Senate File 2011, a bill for an act providing for a minimum number of toilets for women and men in public buildings and private buildings intended for use by the general public, with report of committee recommending passage, was taken up for consideration.

Senator Hannon offered amendment S—5331 filed by Senators Hannon and Lind on March 2, 1990, to page 1 of the bill and moved its adoption.

Amendment S—5331 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. 2011) the vote was:

Ayes, 36:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Doyle	Fraise
Gentleman	Gettings	Gronstal	Hannon
Hester	Horn	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Riordan	Running	Scott	Sturgeon
Szymoniak	Tinsman	Varn	Welsh

Nays, 12:

Dieleman	Drake	Fuhrman	Goodwin
Hagerla	Hultman	Rensink	Rife
Soorholtz	Taylor	Tieden	Vande Hoef

Absent or not voting, 2:

Hedge	Mann
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2385

On motion of Senator Pate, Senate File 2385, a bill for an act establishing a new agricultural products and processes program and creating a state fund to support the program, was taken up for consideration.

Senator Priebe raised the point of order that Senate File 2385 should be referred to the committee on Appropriations.

The Chair ruled the point not well taken.

Senator Priebe asked unanimous consent that action on Senate File 2385 be deferred.

Senator Priebe withdrew his request for unanimous consent to defer.

Senator Pate moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2385) the vote was:

Ayes, 43:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Nystrom
Palmer	Pate	Peterson	Rensink
Rife	Running	Scott	Sturgeon

Szymoniak
Vande Hoef

Taylor
Varn

Tieden
Welsh

Tinsman

Nays, 6:

Fuhrman
Riordan

Gentleman
Soorholtz

Murphy

Priebe

Absent or not voting, 1:

Mann

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MOTION TO RECONSIDER WITHDRAWN

Senate File 2369

Senator Hultman withdrew the motion to reconsider Senate File 2369, a bill for an act relating to the historic resource development program, filed by him on March 5, 1990, and found on page 866 of the Senate Journal.

WITHDRAWN

Senator Sturgeon asked and received unanimous consent that **Senate File 162** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS

(Deferred March 1, 1990)

Senate File 2249

The Senate resumed consideration of Senate File 2249, a bill for an act relating to workers' health, safety, and welfare, by providing an expedited hearing process for certain contested cases, requiring payment of medical expenses of an injured employee in certain circumstances, staying debt collection proceedings against an employee by a person providing treatment pending resolution of a contested case before the industrial commissioner, altering certain formulas for the calculation of benefits,

establishing initial hearing deadlines, requiring certain unannounced inspections, authorizing certain administrative search warrants, and imposing certain benefit payment requirements and penalties for unreasonable denial or nonpayment of medical benefits, exempting union agents and employees from certain tort liability, and providing applicability and effective dates, deferred March 1, 1990.

Senator Peterson offered amendment S—5077 filed by him on February 9, 1990, to pages 1 and 8 of the bill and moved its adoption.

Amendment S—5077 was adopted by a voice vote.

Senator Fuhrman offered amendment S—5315 filed by him on March 1, 1990, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—5315 lost by a voice vote.

Senator Hultman offered amendment S—5280 filed by him on February 28, 1990, to page 2 of the bill and called for a division: lines 2 through 14 as division S—5280A and line 15 as division S—5280B.

Senator Hultman asked and received unanimous consent that action on divisions S—5280A and S—5280B be deferred.

Senator Peterson offered amendment S—5339 filed by him from the floor to page 2 of the bill.

Senator Fuhrman called for a division of amendment S—5339: line 2 as division S—5339A and line 3 as division S—5339B.

Senator Peterson moved the adoption of division S—5339A, which motion prevailed by a voice vote.

Senator Peterson asked and received unanimous consent that action on division S—5339B be deferred.

With the adoption of division S—5339A, the Chair ruled division S—5280A by Senator Hultman, previously deferred, out of order.

Senator Hultman moved the adoption of division S—5280B, previously deferred.

A non record roll call was requested.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 22, nays 25.

Division S—5280B lost.

Senator Peterson moved the adoption of division S—5339B, previously deferred, which motion prevailed by a voice vote.

Senator Fuhrman offered amendment S—5311 filed by him on March 1, 1990, to page 3 of the bill and moved its adoption.

Amendment S—5311 lost by a voice vote.

Senator Fuhrman offered amendment S—5313 filed by him on March 1, 1990, to page 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 23, nays 25.

Amendment S—5313 lost.

Senator Husak asked and received unanimous consent that action on **Senate File 2249** be **deferred**.

IMMEDIATELY MESSAGED

Senator Husak asked and received unanimous consent that **Senate Files 2184, 2011 and 2385** be **immediately messaged** to the House.

APPENDIX

COMMITTEE REPORTS

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 2339, a bill for an act relating to costs associated with the Iowa management training revolving fund.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Kibbie, Lloyd-Jones, Nystrom, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Rife, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 2: Horn and Running.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 2093, a bill for an act to reduce the markup percentage on state alcoholic liquor sales.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5343.

Final Vote: Ayes, 9: Husak, Hester, Fraise, Fuhrman, Gentleman, Hultman, Palmer, Riordan and Szymoniak. Nays, 2: Dieleman and Bruner. Absent or not voting, 4: Connolly, Drake, Murphy and Soorholtz.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

S. C. R.	122	Rules and Administration
H. F.	2131	Commerce
H. F.	2281	Agriculture
H. F.	2305	Local Government
H. F.	2312	Judiciary
H. F.	2313	Judiciary
H. F.	2377	Commerce
H. F.	2450	Judiciary
H. F.	2466	Commerce

H.F.	2481	Education
H.F.	2486	Human Resources
H.F.	2494	Environment & Energy Utilities
H.F.	2500	Natural Resources
H.F.	2501	Agriculture
H.F.	2505	Commerce
H.F.	2511	Judiciary
H.F.	2516	Commerce
H.F.	2517	Judiciary
H.F.	2518	State Government
H.F.	2524	Commerce
H.F.	2537	Commerce

EXPLANATION OF VOTES

MADAM PRESIDENT: I was necessarily absent from the Senate chamber when the votes were taken on Senate Files 2184 and 2011 on March 5, 1990.

Had I been present, I would have voted "nay" on the bills.

H. KAY HEDGE

AMENDMENTS FILED

S-5342	S. F.	2330	Elaine Szymoniak
S-5343	S. F.	2093	Ways and Means
S-5344	S. F.	2386	William Dieleman
S-5345	S. F.	2397	George Kinley Donald Doyle
S-5346	S. F.	2386	Larry Murphy

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 5:00 p.m., until 9:00 a.m., Tuesday, March 6, 1990.

JOURNAL OF THE SENATE

FIFTY-EIGHTH CALENDAR DAY
FORTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 6, 1990

The Senate met in regular session at 9:04 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend David R. Ray, pastor of the United Church of Christ Congregational Church, Emmetsburg, Iowa.

The Journal of Monday, March 5, 1990, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Nystrom for the morning on request of Senator Hultman and Senator Riordan for a portion of 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 22, 1990, passed the following bill in which the concurrence of the Senate is asked:

House File 2412, a bill for an act providing for the enactment of municipal infractions relating to the environment and providing penalties.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 5, 1990, passed the following bills in which the concurrence of the Senate is asked:

House File 2342, a bill for an act relating to jurisdictional transfers of roads to cities and counties.

This bill was read first time and **passed on file**.

House File 2391, a bill for an act increasing the penalty for a person convicted of driving without a valid motor vehicle or chauffeur's license if the person has three or more such convictions within a five-year period.

This bill was read first time and **passed on file**.

House File 2531, a bill for an act to require a business, as a condition of the receipt of state financial assistance for economic development purposes, to meet certain requirements relating to federal and state environmental protection laws and the disposal of solid and hazardous waste.

This bill was read first time and **passed on file**.

MOTION TO RECONSIDER WITHDRAWN

Senate File 2245

Senator Welsh withdrew the motion to reconsider Senate File 2245, a bill for an act relating to bids for certain specialized highway or bridge construction projects, filed by him on February 20, 1990, and found on page 639 of the Senate Journal.

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.

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

H.F.	2391	Transportation
H.F.	2412	Environment & Energy Utilities
H.F.	2464	Education
H.F.	2531	Environment & Energy Utilities

**CONSIDERATION OF BILL
(Regular Calendar)**

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 2265.

Senate File 2265

On motion of Senator Horn, Senate File 2265, a bill for an act relating to medical examiners' certifications prior to cremations, was taken up for consideration.

Senator Horn offered amendment S—5120 filed by him on February 19, 1990, to strike everything after the enacting clause of the bill and moved its adoption.

Amendment S—5120 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. 2265) the vote was:

Ayes, 37:

Boswell	Bruner	Connolly	Corning
Deluhery	Doyle	Fraise	Gettings
Gronstal	Hagerla	Hannon	Hester
Horn	Hultman	Husak	Hutchins
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Palmer
Pate	Priebe	Rensink	Riordan
Running	Scott	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Varn
Welsh			

Nays, 12:

Coleman	Dieleman	Drake	Fuhrman
Gentleman	Goodwin	Hedge	Jensen
Peterson	Rife	Soorholtz	Vande Hoef

Absent or not voting, 1:

Nystrom

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred February 28, 1990)

Senate File 2344

The Senate resumed consideration of Senate File 2344, a bill for an act relating to modification of child support orders, deferred February 28, 1990.

Senator Bruner called up the motion to reconsider the vote by which amendment S—5186 to Senate File 2344 was adopted by the Senate on February 28, 1990, filed by him on March 1, 1990, found on page 821 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and amendment S—5186 by Senator Bruner to strike everything after the enacting clause was taken up for reconsideration.

Senator Dieleman offered amendment S—5289 filed by him on March 1, 1990, to amendment S—5186 and moved its adoption.

Amendment S—5289 was adopted by a voice vote.

Senator Bruner offered amendment S—5297 filed by him on March 1, 1990, to amendment S—5186 and moved its adoption.

Amendment S—5297 was adopted by a voice vote.

Senator Bruner moved the adoption of amendment S—5186 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. 2344) the vote was:

Ayes, 47:

Bruner	Coleman	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon

Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Boswell Hultman Nystrom

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 2336.

Senate File 2336

On motion of Senator Husak, Senate File 2336, a bill for an act relating to certain property interests by providing for the return of certain subsurface property rights to the surface owner and ancillary surface property rights to adjacent landowners when subsurface rights are relinquished by the person who has obtained underground natural gas storage rights, was taken up for consideration.

Senator Priebe asked and received unanimous consent that action on **Senate File 2336** be **deferred**.

UNFINISHED BUSINESS (Deferred March 5, 1990)

Senate File 2249

The Senate resumed consideration of Senate File 2249, a bill for an act relating to workers' health, safety, and welfare, by providing an expedited hearing process for certain contested cases,

requiring payment of medical expenses of an injured employee in certain circumstances, staying debt collection proceedings against an employee by a person providing treatment pending resolution of a contested case before the industrial commissioner, altering certain formulas for the calculation of benefits, establishing initial hearing deadlines, requiring certain unannounced inspections, authorizing certain administrative search warrants, and imposing certain benefit payment requirements and penalties for unreasonable denial or nonpayment of medical benefits, exempting union agents and employees from certain tort liability, and providing applicability and effective dates, deferred on March 5, 1990.

Senator Fuhrmann offered amendment S—5273 filed by him on February 28, 1990, to pages 5 and 6 of the bill.

Senator Hultman asked and received unanimous consent that action on amendment S—5273 be deferred.

Senator Fuhrman offered amendment S—5272 filed by him on February 28, 1990, to page 6 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 20, nays 25.

Amendment S—5272 lost.

Senator Fuhrman offered amendment S—5316 filed by him on March 1, 1990, to page 6 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 25.

Amendment S—5316 lost.

Senator Hultman offered amendment S—5312 filed by Senators Hultman and Fuhrman on March 1, 1990, to page 6 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5312 be adopted?" (S.F. 2249) the vote was:

Ayes, 20:

Boswell	Corning	Dieleman	Fuhrman
Gentleman	Goodwin	Hagerla	Hedge
Hester	Hultman	Jensen	Lind
Pate	Rensink	Scott	Taylor
Tieden	Tinsman	Vande Hoef	Varn

Nays, 28:

Bruner	Coleman	Connolly	Deluhery
Doyle	Fraise	Gettings	Gronstal
Hannon	Horn	Husak	Hutchins
Kibbie	Kinley	Lloyd-Jones	Mann
Miller	Murphy	Palmer	Peterson
Priebe	Rife	Riordan	Running
Soorholtz	Sturgeon	Szymoniak	Welsh

Absent or not voting, 2:

Drake	Nystrom
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Amendment S—5312 lost.

Senator Tinsman offered amendment S—5296 filed by her on March 1, 1990, to page 7 of the bill and moved its adoption.

Amendment S—5296 lost by a voice vote.

Senator Fuhrman offered amendment S—5314 filed by him on March 1, 1990, to pages 7 and 8 and the title page of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 20, nays 27.

Amendment S—5314 lost.

Senator Horn offered amendment S—5347 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5347 was adopted by a voice vote.

Senator Mann offered amendment S—5350 filed by him from the floor to page 5 of the bill and moved its adoption.

Amendment S—5350 was adopted by a voice vote.

Senator Hutchins asked and received unanimous consent that action on **Senate File 2249** be **deferred**.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 2265, 2344 and 2245** be **immediately messaged** to the House.

MOTION TO RECONSIDER WITHDRAWN

Senate File 2052

Senator Husak withdrew the motion to reconsider Senate File 2052, 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, filed by him on February 27, 1990, and found on page 765 of the Senate Journal.

The Senate stood at ease until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session, President Zimmerman presiding.

INTRODUCTION OF BILL

Senate File 2409, by Sturgeon, a bill for an act relating to urban renewal and tax increment financing.

Read first time and **passed on file**.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate File 2052** be **immediately messaged** to the House.

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:17 p.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

STATE GOVERNMENT

Convened: March 5, 1990, 2:40 p.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Rife, Soorholtz and Vande Hoef.

Members Absent: Horn and Running (both excused).

Committee Business: Recommended confirmation of Governor's appointees; recommended passage of House File 2339.

Adjourned: 2:55 p.m.

WAYS AND MEANS

Convened: March 5, 1990, 1:40 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hester, Ranking Member; Bruner, Drake, Fraise, Fuhrman, Gentleman, Hultman, Palmer, Riordan and Szymoniak.

Members Absent: Connolly (excused), Murphy and Soorholtz.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 2093 as amended; recommended confirmation of Governor's appointees.

Adjourned: 2:00 p.m.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirteen seventh and eighth grade students from Peoria Christian School, Peoria, Iowa, accompanied by Connie Stout. Senator Hedge.

EXPLANATION OF VOTES

MADAM PRESIDENT: Due to illness, I was necessarily absent from the Senate when the final votes were taken on the following bills. Had I been present, I would have voted "aye" on Senate Files 2049, 2268, 2003, 2387, 2298, 2383, 2261 and 2358; Senate Joint Resolution 2002; House Files 2114, 2016, 252, 2120 and 178.

I would have voted "nay" Senate Files 2084, 2408 and 2169.

PAUL D. PATE

RESOLUTION 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 6th day of March, 1990:

Senate Joint Resolution 2002.

JOHN F. DWYER
Secretary of the Senate

SUBCOMMITTEE ASSIGNMENTS

House File 489

JUDICIARY: Mann, Chair; Gronstal and Hester

House File 2022

JUDICIARY: Murphy, Chair; Deluhery and Fuhrman

House File 2065

JUDICIARY: Murphy, Chair; Horn and Fuhrman

House File 2131

COMMERCE: Deluhery, Chair; Hannon and Tieden

House File 2160

JUDICIARY: Horn, Chair; Deluhery and Fuhrman

House File 2281

AGRICULTURE: Coleman, Chair; Fraise and Rensink

House File 2305

LOCAL GOVERNMENT: Murphy, Chair; Goodwin and Miller

House File 2307

LOCAL GOVERNMENT: Szymoniak, Chair; Jensen and Murphy

House File 2312

JUDICIARY: Mann, Chair; Varn and Drake

House File 2313

JUDICIARY: Varn, Chair; Horn and Hester

House File 2377

COMMERCE: Mann, Chair; Priebe and Nystrom

House File 2391

TRANSPORTATION: Doyle, Chair; Coleman and Goodwin

House File 2450

JUDICIARY: Gronstal, Chair; Horn and Drake

House File 2463

JUDICIARY: Gronstal, Chair; Deluhery and Fuhrman

House File 2464

EDUCATION: Horn, Chair; Varn and Rensink

House File 2466

COMMERCE: Palmer, Chair; Gronstal and Jensen

House File 2468

JUDICIARY: Gronstal, Chair; Murphy and Fuhrman

House File 2481

EDUCATION: Murphy, Chair; Horn and Taylor

House File 2482

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Scott, Chair; Boswell and Rife

House File 2488

JUDICIARY: Varn, Chair; Horn and Drake

House File 2494

ENVIRONMENT & ENERGY UTILITIES: Connolly, Chair; Deluhery and Hedge

House File 2500

NATURAL RESOURCES: Doyle, Chair; Kibbie and Hedge

House File 2501

AGRICULTURE: Husak, Chair; Soorholtz and Scott

House File 2505

COMMERCE: Palmer, Chair; Running and Pate

House File 2511

JUDICIARY: Gettings, Chair; Murphy and Hester

House File 2516

COMMERCE: Deluhery, Chair; Kinley and Tieden

House File 2517

JUDICIARY: Deluhery, Chair; Horn and Fuhrman

House File 2524

COMMERCE: Gronstal, Chair; Palmer and Pate

House File 2526

JUDICIARY: Drake, Chair; Horn and Gronstal

House File 2529

AGRICULTURE: Boswell, Chair; Soorholtz and Palmer

House File 2533

JUDICIARY: Mann, Chair; Varn and Fuhrman

House File 2534

ENVIRONMENT & ENERGY UTILITIES: Deluhery, Chair; Gronstal and Pate

House File 2537

COMMERCE: Gronstal, Chair; Palmer and Pate

House File 2538

JUDICIARY: Varn, Chair; Mann and Drake

SSB 2294

APPROPRIATIONS: Welsh, Chair; Sturgeon and Lind

REPORTS OF STANDING COMMITTEE
(Place nominees on En Bloc Confirmation Calendar)

STATE GOVERNMENT

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the following Governor's appointments, completed its investigations on March 5, 1990, and recommended the appointees be confirmed:

K. Marie Thayer for reappointment as Administrator of the Professional Licensing and Regulation Division.

Betty Jane Groe and Paul S. Stave for appointment as members of the Accountancy Examining Board.

Joan B. Poe for reappointment and Wayne Richard Venter for appointment as members of the Alcoholic Beverages Commission.

Gwen Boeke, Kenneth Steffen and Barbara Welander for reappointment as members of the Architectural Examining Board.

Karen Ann Voecks for reappointment as a member of the Barber Examining Board.

Mary M. Smith for reappointment as a member of the Board of Examiners for the Licensing and Regulation of Hearing Aid Dealers.

Edna D. Eaton for reappointment, James R. Heyer for appointment and Cherie Oetker for reappointment as members of the Board of Nursing Examiners.

F. Dow Bates for reappointment, John W. Quinlan for appointment and Ann Young for appointment as members of the Chiropractic Examining Board.

Yvonne J. Brockington, Jonathan R. Narcisse and George A. Rossum for reappointment as members of the Commission on the Status of Blacks.

Ruth A. Daggett for appointment and James O'Neill for reappointment as members of the Cosmetology Examining Board.

Bruce Charles Heilman for appointment, Doreen J. Loughran for appointment and Marilyn J. May for reappointment as members of the Dental Examining Board.

Kathy E. Buffington for appointment as a member of the Dietetic Examining Board.

Gary Darland, Virginia Ruark and Harold Wight for reappointment as members of the Engineering and Land Surveying Examining Board.

Michael K. Eberle and Janice Stillman for reappointment as members of the Iowa Board of Veterinary Medicine.

Joan Axel, Emma M. Chance, Monroe J. Colston and Gary Hughes for reappointment as members of the Iowa Lottery Board.

Jeffrey D. Benson, Cecelia Burnett and Steve A. Schroeder for reappointment as members of the Landscape Architectural Examining Board.

Edra E. Broich, Dr. John Olds and Dr. Cecil L. Peterson for reappointment as members of the Medical Examining Board.

Alvin E. Bremer for reappointment and Margaret A. Holmes for appointment as members of the Mortuary Science Examining Board.

Donovan L. Crouch for appointment as a member of the Optometry Examining Board.

Donna Flower for reappointment, Phyllis A. Olson for appointment and Alan M. Shepley for reappointment as members of the Pharmacy Examining Board.

Kathryn Diane Eilers for appointment, Daniel L. Mack for appointment and Martha H. Thien for reappointment as members of the Physical and Occupational Therapy Examining Board.

James D. Heddens and Marjorie E. Rodgers for reappointment as members of the Podiatry Examining Board.

Joan Egenes for reappointment, Kathryn Clark Gerken for appointment and Rick Jennings for reappointment as members of the Psychology Examining Board.

John L. Felderman and Mary P. Mitchell for reappointment as members of the Real Estate Appraiser Examining Board.

Robert H. Christensen and E. Joe Ann Lutz for reappointment as members of the Real Estate Commission.

Dr. Greg A. Hicklin and Joan M. Treirvieler for reappointment as members of the Respiratory Care Advisory Committee.

Bruce D. Buchanan for reappointment as a member of the Social Work Examining Board.

Katherine J. Howe and Colette J. Kunkel for reappointment as members of the Speech Pathology and Audiology Examining Board.

Murray D. Berggren and Sally A. Mathis for reappointment as members of the State Board of Examiners for Nursing Home Administrators.

Rita Dolores Sealock for reappointment as a member of the State Racing and Gaming Commission.

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 March 5, 1990, and **made no recommendation**:

Merle Kjonaas for reappointment as a member of the Optometry Examining Board.

Cynthia M. Lyon for appointment as a member of the Psychology Examining Board.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: HOUSE FILE 731, a bill for an act relating to constructive notice of rights conferred upon drainage districts by the filing of files and records with the county auditor.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Priebe, Soorholtz, Boswell, Coleman, Fraise, Fuhrman, Hedge, Hester, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 2: Riordan and Husak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: HOUSE FILE 2132, a bill for an act to change the effective date for programs for at-risk children and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 16: Murphy, Horn, Taylor, Boswell, Bruner, Corning, Deluhery, Dieleman, Hedge, Lind, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn. Nays, none. Absent or not voting, 1: Kibbie.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2440, a bill for an act relating to the duties of the board of educational examiners, providing for alternative routes to licensing, and defining which persons are teachers for purposes of educational excellence programs.

Recommendation: DO PASS.

Final Vote: Ayes, 16: Murphy, Horn, Taylor, Boswell, Bruner, Corning, Deluhery, Dieleman, Hedge, Lind, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn. Nays, none. Absent or not voting, 1: Kibbie.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-5347	S.F.	2249	Wally Horn
S-5348	S.F.	2212	John Jensen
S-5349	S.F.	2093	Linn Fuhrman William D. Palmer
S-5350	S.F.	2249	Tom Mann, Jr.
S-5351	S.F.	2249	Tom Mann, Jr.
S-5352	S.F.	2212	John W. Jensen
S-5353	S.F.	2093	William W. Dieleman
S-5354	S.F.	2113	Michael Gronstal
S-5355	S.F.	18	Donald Doyle
S-5356	S.F.	2273	Beverly Hannon
S-5357	S.F.	2093	Richard Vande Hoef

AFTERNOON SESSION

The Senate reconvened at 4:23 p.m., Senator Kinley 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 2249

The Senate resumed consideration of Senate File 2249, a bill for an act relating to workers' health, safety, and welfare, by providing an expedited hearing process for certain contested cases, requiring payment of medical expenses of an injured employee in certain circumstances, staying debt collection proceedings against an employee by a person providing treatment pending resolution of a contested case before the industrial commissioner, altering certain formulas for the calculation of benefits, establishing initial hearing deadlines, requiring certain unannounced inspections, authorizing certain administrative search warrants, and imposing certain benefit payment requirements and penalties for unreasonable denial or nonpayment of medical benefits, exempting union agents and employees from certain tort liability, and providing applicability and effective dates, and amendment S—5273, previously deferred.

President Zimmerman took the chair at 4:33 p.m.

Senator Fuhrman moved the adoption of amendment S—5273 to pages 5 and 6 of the bill.

A non record roll call was requested.

The ayes were 17, nays 24.

Amendment S—5273 lost.

Senator Fuhrman offered amendment S—5360 filed by him from the floor to pages 3 and 4 of the bill and moved its adoption.

Amendment S—5360 lost by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Lind for the remainder of the day on request of Senator Jensen.

BUSINESS PENDING

Senate File 2249

The Senate resumed consideration of Senate File 2249.

Senator Fuhrman offered amendment S—5362 filed by him from the floor to page 5 of the bill.

Senator Mann raised the point of order that amendment S—5362 was out of order.

The Chair ruled the point not well taken and amendment S—5362 in order.

Senator Fuhrman moved the adoption of amendment S—5362, which motion lost by a voice vote.

Senator Mann offered amendment S—5351 filed by him from the floor to page 6 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 23, nays 18.

Amendment S—5351 was adopted.

Senator Fuhrman offered amendment S—5359 filed by him from the floor to page 7 of the bill and moved its adoption.

Amendment S—5359 lost by a voice vote.

Senator Fuhrman offered amendment S—5363 filed by him from the floor to page 7 of the bill and moved its adoption.

Amendment S—5363 lost by a voice vote.

Senator Fuhrman offered amendment S—5364 filed by him from the floor to page 7 of the bill and moved its adoption.

Amendment S—5364 lost by a voice vote.

Senator Fuhrman offered amendment S—5361 filed by him from the floor to page 7 of the bill and moved its adoption.

Amendment S—5361 lost 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. 2249) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 28:

Bruner	Coleman	Connolly	Deluhery
Doyle	Fraise	Gettings	Gronstal
Hagerla	Hannon	Horn	Hultman
Husak	Hutchins	Kibbie	Kinley
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Peterson	Riordan	Running
Soorholtz	Sturgeon	Szymoniak	Welsh

Nays, 18:

Boswell	Corning	Dieleman	Fuhrman
Gentleman	Goodwin	Hedge	Hester
Jensen	Pate	Priebe	Rife
Scott	Taylor	Tieden	Tinsman
Vande Hoef	Varn		

Absent or not voting, 4:

Drake	Lind	Nystrom	Rensink
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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 February 19, 1990, passed the following bill in which the concurrence of the Senate is asked:

House File 2422, a bill for an act relating to retroactive modification of support orders.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 1, 1990, passed the following bill in which the concurrence of the Senate is asked:

House File 2503, a bill for an act relating to the notification or testing of persons receiving health or correctional services regarding the human immunodeficiency virus.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 5, 1990, passed the following bills in which the concurrence of the Senate is asked:

House File 436, a bill for an act relating to the foreclosure and sale of real property.

This bill was read first time and **passed on file**.

House File 2287, a bill for an act relating to a subsequent employer's unemployment benefit contribution rate upon the purchase or transference of a small business.

This bill was read first time and **passed on file**.

House File 2314, a bill for an act relating to property taxes and mobile home taxes by providing for monthly or quarterly payments and providing an applicability date.

This bill was read first time and **passed on file**.

House File 2487, a bill for an act relating to the appointment of an environmental advocate and the establishment of an environmental advocate advisory committee.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 5, 1990, concurred in the Senate amendment and passed the following bill in which the concurrence of the House was asked:

House File 2514, a bill for an act relating to human services and making appropriations to the department of human services and other properly related matters and providing an effective date.

ALSO: That the House has on March 6, 1990, passed the following bill in which the concurrence of the Senate is asked:

House File 2473, a bill for an act requiring certain information to be provided to adopting parents.

This bill was read first time and **passed on file**.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 123, by committee on Agriculture, a concurrent resolution relating to manipulative practices by the Chicago Board of Trade and the Commodity Futures Commission causing hardship on agricultural economies, and emphasizing the need to support fair and equitable pricing of agricultural commodities.

Read first time and **placed on calendar**.

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

S.F.	2409	Ways and Means
H.F.	436	Judiciary
H.F.	2287	Business & Labor Relations
H.F.	2314	Local Government
H.F.	2473	Human Resources
H.F.	2487	Environment & Energy Utilities
H.F.	2503	Human Resources

APPENDIX**STUDY BILL RECEIVED****SSB 2294 Appropriations**

A concurrent resolution relating to the provision of cable television service.

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2249 passed the Senate on March 6, 1990.

CALVIN HULTMAN

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2249 passed the Senate on March 6, 1990.

JOHN A. PETERSON

COMMITTEE REPORTS**AGRICULTURE**

Final Bill Action: *SENATE CONCURRENT RESOLUTION 123, a concurrent resolution relating to manipulative practices by the Chicago Board of Trade and the Commodity Futures Commission causing hardship on agricultural economies, and emphasizing the need to support fair and equitable pricing of agricultural commodities.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 13: Priebe, Soorholtz, Boswell, Coleman, Fraise, Fuhrman, Hedge, Hester, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 2: Riordan and Husak.

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 Agriculture Committee on Senate Concurrent Resolution 123 and they were attached to the committee report.

ALSO:

Final Bill Action: HOUSE FILE 2170, a bill for an act relating to the prohibition of the use of certain pesticides, and making a penalty applicable.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5358.

Final Vote: Ayes, 13: Priebe, Soorholtz, Boswell, Coleman, Fraise, Fuhrman, Hedge, Hester, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 2: Riordan and Husak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

APPROPRIATIONS

Final Bill Action: HOUSE FILE 2418, 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.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Welsh, Boswell, Tieden, Corning, Fraise, Gettings, Goodwin, Husak, Pate, Peterson, Riordan, Running, Tinsman and Varn. Nays, none. Absent or not voting, 7: Bruner, Gronstal, Jensen, Lind, Lloyd-Jones, Rensink and Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: HOUSE FILE 2115, a bill for an act regulating the commercial cleaning of private sewage disposal facilities, by providing for the adoption of standards and the issuance of licenses, providing license fees, providing a civil penalty, and providing effective and applicability dates.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5371.

Final Vote: Ayes, 8: Deluhery, Gronstal, Pate, Connolly, Hedge, Miller, Soorholtz and Sturgeon. Nays, 1: Rife. Absent or not voting, 1: Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2401, a bill for an act relating to the reporting of a hazardous condition involving a hazardous substance to the department of natural resources, to the local law enforcement agency, and to operators of affected public or private water supply systems.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Deluhery, Gronstal, Pate, Connolly, Hedge, Miller, Rife, Soorholtz and Sturgeon. Nays, none. Absent or not voting, 1: Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2494, a bill for an act relating to the financing of water treatment plant and waste water treatment plant projects.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Deluhery, Gronstal, Pate, Connolly, Hedge, Miller, Rife and Sturgeon. Nays, none. Absent or not voting, 2: Soorholtz and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2534, a bill for an act relating to sanitary disposal projects.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5372.

Final Vote: Ayes, 9: Deluhery, Gronstal, Pate, Connolly, Hedge, Miller, Rife, Soorholtz and Sturgeon. Nays, none. Absent or not voting, 1: Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: HOUSE FILE 2304, a bill for an act relating to notice requirements for sales under execution.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Kinley, Murphy, Priebe and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2341, a bill for an act relating to airport zoning regulations by allowing conformance with federal aviation regulations.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Kinley, Murphy, Priebe and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2512, a bill for an act altering the statutory monetary limitation on the local option E911 emergency telephone service surcharge, authorizing the Iowa finance authority to issue bonds and notes secured by certain designated sources to finance E911 service nonrecurring and recurring expenses, providing related procedures and conditions, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Priebe and Tinsman. Nays, none. Absent or not voting, 2: Kinley and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: HOUSE FILE 2393, a bill for an act relating to minimum liability limits for motor carriers and related procedures.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5368.

Final Vote: Ayes, 10: Coleman, Scott, Drake, Dieleman, Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2457, a bill for an act relating to aircraft registration and special certificate fees.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Coleman, Scott, Drake, Dieleman, Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2465, a bill for an act relating to the removal of railway track from a grade crossing once the railway corporation has abandoned the line or permitted interim use for the establishment of a trail.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5367.

Final Vote: Ayes, 10: Coleman, Scott, Drake, Dieleman, Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5358	H.F.	2170	Agriculture
S—5359	S.F.	2249	Linn Fuhrman
S—5360	S.F.	2249	Linn Fuhrman
S—5361	S.F.	2249	Linn Fuhrman
S—5362	S.F.	2249	Linn Fuhrman
S—5363	S.F.	2249	Linn Fuhrman
S—5364	S.F.	2249	Linn Fuhrman
S—5365	H.F.	724	C. Joseph Coleman
S—5366	S.F.	2333	Richard Varn Michael Gronstal
S—5367	H.F.	2465	Transportation
S—5368	H.F.	2393	Transportation
S—5369	S.F.	2396	Pat Deluhery
S—5370	S.F.	2369	Jean Lloyd-Jones Berl Priebe

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:35 p.m., until 9:00 a.m., Wednesday, March 7, 1990.

JOURNAL OF THE SENATE

FIFTY-NINTH CALENDAR DAY
FORTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 7, 1990

The Senate met in regular session at 9:06 a.m., Senator Coleman presiding.

Prayer was offered by the Honorable John Kibbie, member of the Senate from Palo Alto County, Emmetsburg, Iowa.

The Journal of Tuesday, March 6, 1990, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bruner for a portion of the morning on request of Senator Lloyd-Jones.

President Zimmerman took the chair at 9:11 a.m.

MOTIONS TO RECONSIDER WITHDRAWN

Senate File 2383

Senators Priebe and Jensen withdrew the motions to reconsider Senate File 2383, a bill for an act relating to the issuance of general permits for environmental quality control purposes by the department of natural resources, and subjecting violators to existing penalties, filed by them on February 28, 1990, and found on page 791 of the Senate Journal.

Senator Deluhery withdrew the motion to reconsider Senate File 2383, filed by him on March 1, 1990, and found on page 821 of the Senate Journal.

Senator Hutchins asked and received unanimous consent that **Senate File 2383** be **immediately messaged** to the House.

Senate File 2408

Senator Welsh withdrew the motion to reconsider Senate File 2408, a bill for an act relating to and making appropriations to the justice system, filed by him on March 1, 1990, and found on page 834 of the Senate Journal.

Senator Hutchins asked and received unanimous consent that **Senate File 2408 be immediately messaged to the House.**

MOTION TO RECONSIDER LOST**Senate File 2298**

Senator Szymoniak called up the motion to reconsider Senate File 2298, a bill for an act relating to zoning regulations for homes for developmentally disabled persons, filed by her on February 27, 1990, found on page 772 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 2298) the vote was:

Ayes, 9:

Doyle	Fuhrman	Hultman	Lind
Pate	Running	Sturgeon	Tinsman
Welsh			

Nays, 34:

Boswell	Coleman	Connolly	Corning
Deluhery	Dieleman	Drake	Fraise
Gentleman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Husak	Hutchins	Jensen	Kibbie
Kinley	Lloyd-Jones	Miller	Nystrom
Palmer	Peterson	Rensink	Rife
Riordan	Scott	Szymoniak	Tieden
Vande Hoef	Varn		

Absent or not voting, 7:

Bruner	Horn	Mann	Murphy
Priebe	Soorholtz	Taylor	

The motion lost.

The motion to reconsider Senate File 2298 filed by Senator Lind on February 28, 1990, and found on page 801 of the Senate Journal, was out of order.

The Senate stood at ease until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session, President 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 21, 1990, passed the following bill in which the concurrence of the Senate is asked:

House File 2438, a bill for an act relating to the crime victim reparation and victim assistance programs, specifying that the crime victim reparation program may be included in a restitution plan, establishing a priority for payment in a restitution plan, relieving the clerk of the supreme court of victim notification requirements on appeals and transferring those duties to the department of justice, providing confidentiality requirements concerning victims and witnesses with certain exceptions, permitting victims of simple misdemeanors to participate in the crime victim reparation program, and permitting certain victims of crimes committed outside of this state to participate in the crime victim reparation program.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 6, 1990, passed the following bills in which the concurrence of the Senate is asked:

House File 268, a bill for an act relating to grandparent visitation rights and a determination that the visitations are in the best interests of the child.

This bill was read first time and **passed on file**.

House File 2270, a bill for an act relating to the department of human rights.

This bill was read first time and **passed on file**.

House File 2365, a bill for an act relating to facsimiles, the filing of certain public records by facsimile, the transmission of unsolicited advertising by facsimile, and providing a criminal penalty and a civil remedy.

This bill was read first time and **passed on file**.

House File 2497, a bill for an act regulating dealers of liquefied petroleum gas.

This bill was read first time and **passed on file**.

House File 2508, a bill for an act relating to the commitment and treatment of chronic substance abusers.

This bill was read first time and **passed on file**.

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

H.F.	268	Judiciary
H.F.	2365	Judiciary
H.F.	2438	Judiciary
H.F.	2497	Environment & Energy Utilities
H.F.	2508	Judiciary

CONSIDERATION OF BILLS

(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 2400 and 2338.

Senate File 2400

On motion of Senator Murphy, Senate File 2400, a bill for an act relating to the disposition of seizable and forfeitable property, by modifying provisions relating to seizable property and seizure of vehicles, amending the burden of proof at forfeiture proceedings, providing for conditions of forfeiture, establishing certain affirmative defenses, presumptions, and counterclaims, providing

for the award of attorney fees, and providing an applicability date and an effective date, was taken up for consideration.

Senator Murphy asked and received unanimous consent that action on **Senate File 2400** be **deferred** and the bill be placed on the calendar under **Unfinished Business**.

Senate File 2338

On motion of Senator Kibbie, Senate File 2338, a bill for an act relating to the administration and benefits for certain public retirement systems, and providing for the applicability of the Act, was taken up for consideration.

Senator Kibbie asked and received unanimous consent that action on **Senate File 2338** be **deferred** and the bill be placed on the calendar under **Unfinished Business**.

UNFINISHED BUSINESS (Deferred February 27, 1990)

Senate File 2010

The Senate resumed consideration of Senate File 2010, a bill for an act relating to disposal of solid waste on agricultural land and making penalties applicable, and amendment S—5250, deferred on February 27, 1990.

Senator Fraise offered amendment S—5329 filed by Senators Connolly and Fraise on March 2, 1990, to strike everything after the enacting clause and moved its adoption.

Amendment S—5329 was adopted by a voice vote.

With the adoption of amendment S—5329, the Chair ruled the following amendments out of order:

S—5250 by Senator Fraise to page 1 of the bill, deferred on February 27, 1990.

S—5281 filed by Senator Connolly on February 28, 1990, to page 1 of the bill.

Senator Fraise moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2010) the vote was:

Ayes, 46:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Riordan
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Hannon	Hultman	Rife	Running
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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 2010** be **immediately messaged** to the House.

UNFINISHED BUSINESS

(Deferred March 1, 1990)

Senate File 431

The Senate resumed consideration of Senate File 431, a bill for an act amending the pesticide Act of Iowa, by providing requirements for pesticide dealers and commercial applicators, providing registration requirements, and providing for fees and civil penalties, and amendment S—3575, deferred on March 1, 1990.

Senator Miller asked and received unanimous consent that action on amendment S—3575 by the committee on Agriculture to pages 1, 4, 5 and the title page of the bill continue to be deferred.

Senator Varn offered amendment S—5274 filed by Senators Varn, et al., on February 28, 1990, to pages 1 through 5 of the bill.

Senator Miller offered amendment S—5323 filed by him on March 1, 1990, to amendment S—5274 and moved its adoption.

Amendment S—5323 was adopted by a voice vote.

Senator Varn 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—3575, previously deferred, out of order.

Senator Husak offered amendment S—5377 filed by him from the floor to pages 4 and 5 of the bill and moved its adoption.

Amendment S—5377 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. 431) the vote was:

Ayes, 46:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fuhrman	Gentleman	Gettings
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 1:

Riordan

Absent or not voting, 3:

Fraise

Goodwin

Mann

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 2404.

Senate File 2404

On motion of Senator Varn, Senate File 2404, a bill for an act relating to the accessibility and confidentiality of certain information, 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. 2404) the vote was:

Ayes, 45:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Varn
Welsh			

Nays, none.

Absent or not voting, 5:

Drake

Lloyd-Jones

Mann

Running

Vande Hoef

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 431 and 2404** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2093.

Senate File 2093

On motion of Senator Horn, Senate File 2093, a bill for an act to reduce the markup percentage on state alcoholic liquor sales, with report of committee on Ways and Means recommending amendment and passage, was taken up for consideration.

Senator Fuhrman offered amendment S—5349 filed by Senators Fuhrman and Palmer on March 6, 1990, to strike everything after the enacting clause and to the title page of the bill.

Senator Horn raised the point of order that amendment S—5349 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5349 out of order.

Senator Dieleman offered amendment S—5343 filed by the committee on Ways and Means on March 5, 1990, to page 1 of the bill and moved its adoption.

Amendment S—5343 lost by a voice vote.

Senator Dieleman offered amendment S—5353 filed by him on March 6, 1990, to page 1 and the title page of the bill.

Senator Horn raised the point of order that amendment S—5353 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5353 out of order.

Senator Vande Hoef offered amendment S—5357 filed by him on March 6, 1990, to page 1 and the title page of the bill.

Senator Horn raised the point of order that amendment S—5357 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5357 out of order.

Senator Vande Hoef offered amendment S—5385 filed by Senators Vande Hoef, et al., from the floor to page 1 and the title page of the bill.

Senator Horn raised the point of order that amendment S—5385 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5385 out of order.

Senator 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. 2093) the vote was:

Ayes, 33:

Boswell	Coleman	Connolly	Corning
Deluhery	Doyle	Fraise	Gettings
Hagerla	Hester	Horn	Husak
Hutchins	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Pate	Priebe	Rife
Riordan	Scott	Soorholtz	Sturgeon
Szymoniak	Tieden	Tinsman	Varn
Welsh			

Nays, 15:

Bruner	Dieleman	Drake	Fuhrman
Gentleman	Goodwin	Gronstal	Hannon
Hedge	Jensen	Mann	Peterson
Rensink	Taylor	Vande Hoef	

Absent or not voting, 2:

Hultman Running

The bill having 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 2093** 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 7, 1990, passed the following bill in which the concurrence of the Senate is asked:

House File 2250, a bill for an act relating to the importation of bees and bee-related items, increasing certain fees, and providing penalties.

This bill was read first time and **passed on file**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:55 a.m., until 1:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: March 6, 1990, 8:30 a.m.

Members Present: Priebe, Chair; Soorholtz, Ranking Member; Boswell, Coleman, Fraise, Fuhrman, Hedge, Hester, Miller, Palmer, Rensink, Scott and Vande Hoef.

Members Absent: Riordan, Vice Chair and Husak (both excused).

Committee Business: Recommended confirmation of Governor's appointees; approved LSB 8401 as a committee resolution; recommended passage of House File 731; recommended passage of House File 2170 as amended; assigned bills to subcommittees.

Adjourned: 8:50 a.m.

APPROPRIATIONS

Convened: March 6, 1990, 5:43 p.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Corning, Fraise, Gettings, Goodwin, Husak, Pate, Peterson, Riordan, Running, Tinsman and Varn.

Members Absent: Bruner, Gronstal, Jensen, Lind, Lloyd-Jones, Rensink and Sturgeon (all excused).

Committee Business: Recommended passage of House File 2418.

Adjourned: 5:44 p.m.

EDUCATION

Convened: March 6, 1990, 1:40 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Boswell, Bruner, Corning, Deluhery, Dieleman, Hedge, Lind, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn.

Members Absent: Kibbie (excused).

Committee Business: Recommended passage of House Files 2132 and 2440.

Adjourned: 2:30 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: March 6, 1990, 2:40 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Pate, Ranking Member; Connolly, Hedge, Miller, Rife, Soorholtz, Sturgeon and Varn.

Members Absent: none.

Committee Business: Recommended passage of House Files 2534 and 2115 as amended; recommended passage of House Files 2401 and 2494.

Adjourned: 3:16 p.m.

TRANSPORTATION

Convened: March 6, 1990, 2:35 p.m.

Members Present: Coleman, Chair; Scott, Vice Chair; Drake, Ranking Member; Dieleman, Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Nystrom.

Members Absent: none.

Committee Business: Assigned bill to subcommittee; recommended confirmation of Governor's appointees; recommended passage of House File 2457; recommended passage of House Files 2393 and 2465 as amended; discussed and deferred action on House File 2472.

Adjourned: 2:50 p.m.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Nine 4-H students from Danville and Mediapolis High Schools, accompanied by Joyce Stover and Evelyn Swearingen. Senator Hagerla.

Forty-five fifth grade students from Hanawalt Elementary School, Des Moines, Iowa, accompanied by Karen Bush. Senator Gentleman.

COMMITTEE REPORTS

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: HOUSE FILE 705, a bill for an act establishing primary and satellite research and marketing centers for economic development programs and services.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5381.

Final Vote: Ayes, 10: Boswell, Hannon, Hagerla, Connolly, Kibbie, Lind, Rife, Scott, Szymoniak and Vande Hoef. Nays, none. Absent or not voting, 2: Pate and Peterson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2482, a bill for an act establishing an entrepreneurship task force.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Boswell, Hagerla, Connolly, Kibbie, Lind, Rife, Scott and Vande Hoef. Nays, none. Absent or not voting, 4: Hannon, Pate, Peterson and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS

House File 705

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Boswell, Chair; Kibbie and Hagerla

House File 2412

ENVIRONMENT & ENERGY UTILITIES: Connolly, Chair; Miller and Pate

House File 2486

HUMAN RESOURCES: Riordan, Chair; Connolly and Taylor

House File 2487

ENVIRONMENT & ENERGY UTILITIES: Connolly, Chair; Deluhery and Soorholtz

House File 2518

STATE GOVERNMENT: Running, Chair; Coleman and Vande Hoef

House File 2531

ENVIRONMENT & ENERGY UTILITIES: Gronstal, Chair; Deluhery and Pate

REPORTS OF STANDING COMMITTEES
(Place nominees on En Bloc Confirmation Calendar)

LOCAL GOVERNMENT

Pursuant to Senate Rule 59, the committee on Local Government assigned to investigate the following Governor's appointment, completed its investigation on March 6, 1990, and recommended the appointee be confirmed:

Nita L. Taggart for appointment as a member of the City Development Board.

TRANSPORTATION

Pursuant to Senate Rule 59, the committee on Transportation assigned to investigate the following Governor's appointments, completed its investigations on March 6, 1990, and recommended the appointees be confirmed:

Paul H. Wieck for appointment as Commissioner of Public Safety.

John D. Crotty for reappointment, Dana R. Peterson for appointment and Gordon Plepla for reappointment as members of the Iowa Law Enforcement Academy Council.

Robert H. Meier and Austin B. Turner for reappointment as members of the State Transportation Commission.

AMENDMENTS FILED
(Filed March 6, 1990)

S—5371	H.F.	2115	Environment & Energy Utilities
S—5372	H.F.	2534	Environment & Energy Utilities
S—5373	H.F.	2465	Jean Lloyd-Jones

AMENDMENTS FILED
(Filed March 7, 1990)

S-5374	S.F.	2391	Michael Gronstal
S-5375	H.F.	673	Don Gettings
S-5376	S.F.	2383	Ray Taylor
			Alvin Miller
			Berl Priebe
			Kenneth Scott
			C. Joseph Coleman
			Emil Husak
			Leonard Boswell
			Jack Hester
			Linn Fuhrman
			H. Kay Hedge
			Richard Vande Hoef
			John Jensen
			Norman Goodwin
			Richard Drake
			Dale Tieden
			Jack Rife
			John Soorholtz
S-5377	S.F.	431	Emil Husak
S-5378	S.F.	2113	Emil Husak
			Michael Gronstal
S-5379	H.F.	121	Richard Running
S-5380	H.F.	737	Larry Murphy
			Wally Horn
S-5381	H.F.	705	Small Business & Economic Development
S-5382	S.F.	2331	James Riordan
S-5383	S.F.	2354	Jack Hester
S-5384	S.F.	2217	Jack Hester
S-5385	S.F.	2093	Richard Vande Hoef
			H. Kay Hedge
			Wilmer Rensink
			Ray Taylor
			William W. Dieleman
S-5386	H.F.	2418	Wally E. Horn

AFTERNOON SESSION

The Senate reconvened at 1:09 p.m., Senator Boswell 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 35 present, 15 absent and a quorum present.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 2307 and 2331.

Senate File 2307

On motion of Senator Riordan, Senate File 2307, a bill for an act relating to health care facilities and providing a penalty, was taken up for consideration.

Senator Riordan offered amendment S—5302 filed by him on March 1, 1990, to pages 1, 3, 4, 8 and the title page of the bill and moved its adoption.

Amendment S—5302 was adopted by a voice vote.

Senator Riordan withdrew amendment S—5225 filed by him on February 26, 1990, to pages 2, 4, 8 and the title page of the bill.

With the adoption of amendment S—5302, the Chair ruled amendment S—5143 filed by Senator Riordan on February 20, 1990, to page 3 of the bill, out of order.

Senator Riordan asked and received unanimous consent that **House File 2489 be substituted for Senate File 2307, as amended.**

Senator Riordan asked and received unanimous consent that action on **House File 2489** be **deferred** and the bill be placed on the calendar under **Unfinished Business**.

Senate File 2331

On motion of Senator Riordan, Senate File 2331, a bill for an act relating to mediation assistance, by expanding the responsibilities of the farm mediation service, granting additional authority to the farm mediation service, extending the date of repeal for certain provisions, and providing an effective date, was taken up for consideration.

Senator Riordan offered amendment S—5382 filed by him from the floor to pages 2, 3, 10 and the title page of the bill and moved its adoption.

Amendment S—5382 was adopted by a voice vote.

Senator Riordan asked and received unanimous consent that **House File 2404** be **substituted** for **Senate File 2331**, as amended.

Senator Riordan asked and received unanimous consent that action on **House File 2404** be **deferred** and the bill be on the calendar under **Unfinished Business**.

Senator Horn asked and received unanimous consent to take up out of order Senate Files 2243, 2361, 2399 and 2241.

Senate File 2243

On motion of Senator Dieleman, Senate File 2243, a bill for an act relating to jurisdictional transfers of roads to cities and counties, was taken up for consideration.

Senator Dieleman asked and received unanimous consent that action on **Senate File 2243** be **deferred**.

Senate File 2361

On motion of Senator Dieleman, Senate File 2361, a bill for an act relating to the acquisition of rights-of-way for highways, was taken up for consideration.

Senator Dieleman asked and received unanimous consent that action on **Senate File 2361** be **deferred**.

Senate File 2399

On motion of Senator Hester, Senate File 2399, a bill for an act relating to notarial officers and notarial acts providing effective and applicability dates, was taken up for consideration.

Senator Hester asked and received unanimous consent that action on **Senate File 2399** be **deferred**.

Senate File 2241

On motion of Senator Hester, Senate File 2241, a bill for an act relating to the importation of bees and bee-related items, increasing certain fees, and providing penalties, with report of committee on Ways and Means recommending amendment and passage, was taken up for consideration.

Senator Hester offered amendment S—5243 filed by the committee on Ways and Means on February 26, 1990, to pages 1 through 3 of the bill and moved its adoption.

Amendment S—5243 was adopted by a voice vote.

Senator Hester asked and received unanimous consent that **House File 2250** be **substituted** for **Senate File 2241**, as amended.

Senator Hester asked and received unanimous consent that action on **House File 2250** be **deferred**.

MOTION TO RECONSIDER ADOPTED

Senator Priebe called up the motion to reconsider Senate File 2369 filed by him on March 5, 1990, found on page 866 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 2369) the vote was:

Ayes, 46:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie

Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tinsman
Varn	Welsh		

Nays, 3:

Hagerla	Tieden	Vande Hoef
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Absent or not voting, 1:

Kinley

The motion prevailed.

Senator Priebe moved to reconsider the vote by which Senate File 2369 went to its last reading, which motion prevailed by a voice vote.

Senate File 2369

On motion of Senator Lloyd-Jones, Senate File 2369, a bill for an act relating to the historic resource development program, was taken up for reconsideration.

Senator Priebe 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—5338 to Senate File 2369 was adopted by the Senate on March 5, 1990.

The motion prevailed by a voice vote and amendment S—5338 by Senators Lloyd-Jones and Priebe was taken up for reconsideration.

Senator Priebe asked and received unanimous consent to withdraw amendment S—5338 to page 2 of the bill.

Senator Lloyd-Jones offered amendment S—5370 filed by Senators Lloyd-Jones and Priebe on March 6, 1990, ~~to~~ page 2 of the bill and moved its adoption.

Amendment S—5370 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?" (S.F. 2369) the vote was:

Ayes, 49:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Running

The bill having 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 2369** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration House File 2418.

House File 2418

On motion of Senator Varn, House File 2418, 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., with report of committee recommending passage, was taken up for consideration.

Senator Varn offered amendment S—5388 filed by him from the floor to pages 1 through 7, 9, 10, 21, 31 through 34, 43 and 44 and called for a division:

Division S—5388A: Page 1, lines 3 through 45 and line 50; pages 2 and 3; page 4, lines 1 through 15.

Division S—5388B: Page 1, lines 46 through 49.

Senator Varn withdrew division S—5388B.

Senator Vande Hoef called for a further division of amendment S—5388: page 1, line 45 as division S—5388C.

Senator Rife offered amendment S—5390 filed by him from the floor to division S—5388A and moved its adoption.

Amendment S—5390 lost by a voice vote.

Senator Varn asked and received unanimous consent that action on division S—5388A be deferred.

Senator Varn moved the adoption of division S—5388C, which motion prevailed by a voice vote.

Senator Rife asked and received unanimous consent that action on amendment S—5389 filed by him from the floor to pages 14, 15, 17 and 38 of the bill be deferred.

Senator Rife offered amendment S—5391 filed by Senators Rife, et al, from the floor to pages 20 and 21 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5391 be adopted?" (H.F. 2418) 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	Hagerla	Hannon	Hedge
Hester	Hultman	Jensen	Kinley
Lind	Pate	Peterson	Rensink
Rife	Scott	Taylor	Tieden
Tinsman	Vande Hoef		

Nays, 26:

Boswell	Coleman	Connolly	Deluhery
Dieleman	Doyle	Fraise	Gettings
Gronstal	Horn	Husak	Hutchins
Kibbie	Lloyd-Jones	Mann	Miller
Murphy	Palmer	Priebe	Riordan
Running	Soorholtz	Sturgeon	Szymoniak
Varn	Welsh		

Absent or not voting, 2:

Bruner	Nystrom
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Amendment S—5391 lost.

Senator Hannon offered amendment S—5395 filed by Senators Hannon and Murphy from the floor to pages 7, 35 and 43 of the bill and moved its adoption.

Amendment S—5395 was adopted by a voice vote.

Senator Fuhrman offered amendment S—5406 filed by Senators Fuhrman, et al., from the floor to page 9 of the bill and moved its adoption.

Amendment S—5406 was adopted by a voice vote.

Senator Varn offered amendment S—5387 filed by him from the floor to page 21 of the bill and moved its adoption.

Amendment S—5387 was adopted by a voice vote.

Senator Soorholtz offered amendment S—5284 filed by Senators Soorholtz and Priebe on February 28, 1990, to page 31 of the bill and moved its adoption.

Amendment S—5284 was adopted by a voice vote.

Senator Lind offered amendment S—5401 filed by Senators Lind and Murphy from the floor to page 31 of the bill and moved its adoption.

Amendment S—5401 was adopted by a voice vote.

Senator Szymoniak offered amendment S—5402 filed by Senators Szymoniak, Tinsman and Corning from the floor to page 33 of the bill and moved its adoption.

Amendment S—5402 was adopted by a voice vote.

Senator Szymoniak asked and received unanimous to withdraw amendment S—5271 filed by Senators Szymoniak and Murphy on February 28, 1990, to page 33 of the bill.

Senator Murphy offered amendment S—5392 filed by him from the floor to page 33 of the bill and moved its adoption.

Amendment S—5392 was adopted by a voice vote.

Senator Taylor offered amendment S—5397 filed by him from the floor to page 33 of the bill.

Senator Taylor asked and received unanimous consent that action on amendment S—5397 be deferred.

Senator Corning offered amendment S—5400 filed by her from the floor to page 33 of the bill.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Dieleman for the remainder of the week on request of Senator Hutchins and Senator Nystrom for the remainder of the day on request of Senator Hultman.

BUSINESS PENDING

House File 2418

The Senate resumed consideration of House File 2418.

Senator Corning moved the adoption of amendment S—5400.

A record roll call was requested.

On the question "Shall amendment S—5400 be adopted?" (H.F. 2418) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 18:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Pate
Rensink	Rife	Soorholtz	Taylor
Tinsman	Vande Hoef		

Nays, 30:

Boswell	Bruner	Coleman	Connolly
Deluhery	Doyle	Fraise	Gettings
Gronstal	Hannon	Horn	Husak
Hutchins	Kibbie	Kinley	Lloyd-Jones
Mann	Miller	Murphy	Palmer
Peterson	Priebe	Riordan	Running
Scott	Sturgeon	Szymoniak	Tieden
Varn	Welsh		

Absent or not voting, 2:

Dieleman Nystrom

Amendment S—5400 lost.

Senator Taylor moved the adoption of amendment S—5397 to page 33 of the bill, previously deferred.

A record roll call was requested.

On the question "Shall amendment S—5397 be adopted?" (H.F. 2418) the vote was:

Ayes, 20:

Corning	Drake	Fuhrman	Goodwin
Hagerla	Hedge	Hester	Hultman
Husak	Jensen	Lind	Pate
Rensink	Rife	Scott	Soorholtz
Taylor	Tieden	Tinsman	Vande Hoef

Nays, 28:

Boswell	Bruner	Coleman	Connolly
Deluhery	Doyle	Fraise	Gentleman
Gettings	Gronstal	Hannon	Horn

Hutchins	Kibbie	Kinley	Lloyd-Jones
Mann	Miller	Murphy	Palmer
Peterson	Priebe	Riordan	Running
Sturgeon	Szymoniak	Varn	Welsh

Absent or not voting, 2:

Dieleman Nystrom

Amendment S—5397 lost.

Senator Horn offered amendment S—5386 filed by him from the floor to page 34 of the bill and moved its adoption.

Amendment S—5386 was adopted by a voice vote.

Senator Murphy withdrew amendment S—5287 filed by him on March 1, 1990, to pages 35 and 48 of the bill.

Senator Murphy offered amendment S—5404 filed by him from the floor to pages 35 and 48 of the bill and called for a division:

Division S—5404A: Page 1, lines 3 through 50 and page 2, lines 1 through 28.

Division S—5404B: Page 2, lines 29 through 50 and page 3, lines 1 through 12.

Division S—5404C: Page 3, lines 13 through 20.

Senator Murphy moved the adoption of division S—5404A, which motion prevailed by a voice vote.

Senator Murphy moved the adoption of division S—5404B.

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.

Division S—5404B was adopted.

Senator Murphy moved the adoption of division S—5404C, which motion prevailed by a voice vote.

Senator Mann offered amendment S—5398 filed by him from the floor to page 40 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 34, nays 10.

Amendment S—5398 was adopted.

Senator Murphy offered amendment S—5399 filed by Senators Murphy and Corning from the floor to page 41 of the bill and moved its adoption.

Amendment S—5399 was adopted by a voice vote.

Senator Murphy offered amendment S—5403 filed by Senators Murphy and Corning from the floor to page 41 of the bill and moved its adoption.

Amendment S—5403 was adopted by a voice vote.

The Senate resumed consideration of division S—5388A by Senator Varn, previously deferred.

Senator Lind offered amendment S—5407 filed by Senators Lind, Dieleman and Tieden from the floor to division S—5388A and moved its adoption.

A non record roll call was requested.

The ayes were 19, nays 23.

Amendment S—5407 lost.

Senator Lind withdrew amendment S—5408 filed by him from the floor to page 31 of the bill.

Senator Taylor offered amendment S—5409 filed by him from the floor to division S—5388A and moved its adoption.

A non record roll call was requested.

The ayes were 11, nays 28.

Amendment S—5409 lost.

Senator Varn moved the adoption of division S—5388A, which motion prevailed by a voice vote.

Senator Rife withdrew amendment S—5389 to pages 14, 15, 17 and 38 of the bill, previously deferred.

Senator Hutchins asked and received unanimous consent that action on **House File 2418** be **deferred**.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2113.

Senate File 2113

On motion of Senator Gronstal, Senate File 2113, a bill for an act relating to reporting ingredients of pesticides, making penalties applicable, and providing penalties, with report of committee on Agriculture recommending amendment and passage, was taken up for consideration..

Senator Husak asked and received unanimous consent that action on amendment S—5088 filed by the committee on Agriculture on February 13, 1990, to pages 1 and 2 and the title page of the bill be deferred.

Senator Gronstal offered amendment S—5354 filed by him on March 6, 1990, to page 1 of the bill.

President pro tempore Mann took the chair at 4:36 p.m.

Senator Gronstal moved the adoption of amendment S—5354, which motion prevailed by a voice vote.

With the adoption of amendment S—5354, the Chair ruled the following amendments out of order:

S—5088 by the committee on Agriculture, previously deferred.

S—5378 filed by Senators Husak and Gronstal from the floor to page 1 of the bill.

S—5110 filed by Senator Gronstal on February 19, 1990, to page 1 of the bill.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Priebe for the remainder of the day on request of Senator Husak; Senator Kinley for the remainder of the day on request of Senator Hutchins; Senators Lind and Fuhrman for the remainder of the day on request of Senator Hultman.

BUSINESS PENDING

Senate File 2113

The Senate resumed consideration of Senate File 2113.

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. 2113) the vote was:

Ayes, 42:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Doyle	Drake
Fraise	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Lloyd-Jones	Mann
Miller	Murphy	Palmer	Pate
Peterson	Rensink	Rife	Riordan
Running	Scott	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 8:

Dieleman	Fuhrman	Hannon	Kinley
Lind	Nystrom	Priebe	Soorholtz

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2345.

Senate File 2345

On motion of Senator Murphy, Senate File 2345, a bill for an act relating to the investigation of deaths of patients in state mental health institutes, was taken up for consideration.

Senator Murphy offered amendment S—5180 filed by Senators Murphy and Hannon on February 21, 1990, to pages 1 and 2 of the bill.

Senator Murphy offered amendment S—5236 filed by him on February 26, 1990, to amendment S—5180 and moved its adoption.

Amendment S—5236 was adopted by a voice vote.

Senator Husak asked and received unanimous consent that action on amendment S—5180 as amended and **Senate File 2345** be **deferred**.

Senator Horn asked and received unanimous consent to take up out of order Senate File 2152.

Senate File 2152

On motion of Senator Szymoniak, Senate File 2152, a bill for an act relating to the definition of child abuse and to the testing of young children for the presence of certain drugs, with report of committee recommending amendment and passage, was taken up for consideration.

President Zimmerman took the chair at 5:10 p.m.

Senator Szymoniak offered amendment S—5114 filed by the committee on Human Resources on February 19, 1990, to page 2 of the bill.

Senator Szymoniak asked and received unanimous consent that action on amendment S—5114 and **Senate File 2152** be **deferred**.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate File 2113** be **immediately messaged** to the House.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Jensen and Pate for the remainder of the day on request of Senator Hultman.

BUSINESS PENDING

The Senate resumed consideration of House File 2418, 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, previously deferred.

Senator Running offered amendment S—5411 filed by Senators Running, et al., from the floor to pages 35 and 40 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5411 be adopted?" (H.F. 2418) 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	Connolly	Deluhery
Doyle	Drake	Fraise	Gettings
Gronstal	Hannon	Horn	Husak
Hutchins	Kibbie	Lloyd-Jones	Mann
Miller	Murphy	Palmer	Peterson
Riordan	Running	Scott	Sturgeon
Szymoniak	Varn	Welsh	

Nays, 13:

Corning	Gentleman	Goodwin	Hagerla
Hedge	Hester	Hultman	Rensink

Rife	Taylor	Tieden	Tinsman
Vande Hoef			

Absent or not voting, 10:

Coleman	Dieleman	Fuhrman	Jensen
Kinley	Lind	Nystrom	Pate
Priebe	Soorholtz		

Amendment S—5411 was adopted.

Senator Running offered amendment S—5413 filed by Senators Running, et al., from the floor to page 34 of the bill and moved its adoption.

Amendment S—5413 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. 2418) 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	Coleman	Connolly
Deluhery	Doyle	Fraise	Gettings
Gronstal	Hannon	Horn	Husak
Hutchins	Kibbie	Lloyd-Jones	Mann
Miller	Murphy	Palmer	Riordan
Running	Scott	Sturgeon	Szymoniak
Varn	Welsh		

Nays, 15:

Corning	Drake	Gentleman	Goodwin
Hagerla	Hedge	Hester	Hultman
Peterson	Rensink	Rife	Taylor
Tieden	Tinsman	Vande Hoef	

Absent or not voting, 9:

Dieleman	Fuhrman	Jensen	Kinley
Lind	Nystrom	Pate	Priebe
Soorholtz			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **House File 2418** 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 6, 1990, passed the following bills in which the concurrence of the Senate is asked:

House File 2455, a bill for an act relating to state chartered legal entities, especially nonprofit corporations and cooperative associations, by altering requirements and procedure for filing corporate documents in the office of the secretary of state and by requiring corporations organized under or subject to Iowa Code chapter 504 to convert to chapter 504A within a certain period of time.

This bill was read first time and **passed on file**.

House File 2536, a bill for an act relating to the regulation of persons providing courses of instruction for profit, by revising requirements for corporate surety bonds, and repealing certain disclosure requirements.

This bill was read first time and **passed on file**.

BILL ASSIGNED TO COMMITTEE

President Zimmerman announced that **House File 2536** was assigned to the committee on **State Government**.

APPENDIX

STUDY BILL RECEIVED

SSB 2295 Ways and Means

Providing a seed capital income tax credit, authorizing expedited registration by filing for small issues under the state securities law, and providing effective and applicability dates.

SUBCOMMITTEE ASSIGNMENTS

House File 2287

BUSINESS AND LABOR RELATIONS: Fuhrman, Chair; Palmer and Taylor

House File 2314

LOCAL GOVERNMENT: Miller, Chair; Priebe and Jensen

House File 2473

HUMAN RESOURCES: Hannon, Chair; Murphy and Tinsman

House File 2503

HUMAN RESOURCES: Murphy, Chair; Connolly and Corning

AMENDMENTS FILED

S—5387	H.F.	2418	Richard Varn
S—5388	H.F.	2418	Richard Varn
S—5389	H.F.	2418	Jack Rife
S—5390	H.F.	2418	Jack Rife
S—5391	H.F.	2418	Jack Rife
			John Jensen
			Julia Gentleman
			Richard Vande Hoef
S—5392	H.F.	2418	Larry Murphy
S—5393	H.F.	2422	Richard Running
S—5394	S.F.	2375	Beverly Hannon
S—5395	H.F.	2418	Beverly Hannon
			Larry Murphy
S—5396	S.F.	2392	Larry Murphy

S—5397	H.F.	2418	Ray Taylor
S—5398	H.F.	2418	Tom Mann, Jr.
S—5399	H.F.	2418	Larry Murphy Joy Corning
S—5400	H.F.	2418	Joy Corning
S—5401	H.F.	2418	Jim Lind Larry Murphy
S—5402	H.F.	2418	Elaine Szymoniak Maggie Tinsman Joy Corning
S—5403	H.F.	2418	Larry Murphy Joy Corning
S—5404	H.F.	2418	Larry Murphy
S—5405	H.F.	2503	Donald Doyle
S—5406	H.F.	2418	Linn Fuhrman Richard Vande Hoef Richard Varn Berl Priebe
S—5407	H.F.	2418	Jim Lind William Dieleman Dale Tieden
S—5408	H.F.	2418	Jim Lind
S—5409	H.F.	2418	Ray Taylor
S—5410	S.F.	2399	Donald Doyle Jack Hester
S—5411	H.F.	2418	Richard Running Wally Horn Beverly Hannon Emil Husak Richard Varn Joe Welsh Mike Connolly Bill Hutchins Al Sturgeon
S—5412	S.F.	2175	Ray Taylor
S—5413	H.F.	2418	Richard Running Richard Varn Wally Horn Joe Welsh

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:00 p.m., until 9:00 a.m., Thursday, March 8, 1990.

JOURNAL OF THE SENATE

SIXTIETH CALENDAR DAY
FORTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 8, 1990

The Senate met in regular session at 9:12 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Jack Van Marian, pastor of the Christian Reformed Church, Des Moines, Iowa.

The Journal of Wednesday, March 7, 1990, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Pate for the day on request of Senator Hultman and Senator Welsh for the day and March 9, 1990, on request of Senator Hutchins.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 41 present, 9 absent and a quorum present.

MOTION TO RECONSIDER ADOPTED

Senator Doyle called up the motion to reconsider Senate File 18 filed by him on February 28, 1990, found on page 790 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 18) the vote was:

Ayes, 42:

Boswell	Brüner	Coleman	Connolly
Corning	Deluhery	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hannon	Hedge
Hester	Horn	Hultman	Husak
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Nystrom
Palmer	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Sturgeon	Szymoniak	Taylor	Tinsman
Vande Hoef	Varn		

Nays, 2:

Hagerla	Tieden
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Absent or not voting, 6:

Dieleman	Hutchins	Murphy	Pate
Soorholtz	Welsh		

The motion prevailed.

Senator Doyle moved to reconsider the vote by which Senate File 18 went to its last reading, which motion prevailed by a voice vote.

Senate File 18

On motion of Senator Corning, Senate File 18, a bill for an act relating to the time period within which an information or indictment for sexual abuse with a child under the age of twelve shall be found, was taken up for reconsideration.

Senator Doyle offered amendment S—5355 filed by him on March 6, 1990, to page 1 of the bill and moved its adoption.

Amendment S—5355 was adopted by a voice vote.

Senator Corning moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 18) the vote was:

Ayes, 45:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Nystrom	Palmer	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn			

Nays, none.

Absent or not voting, 5:

Dieleman	Murphy	Pate	Soorholtz
Welsh			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

The motion to reconsider Senate File 18 filed by Senator Corning on February 28, 1990, and found on page 791 of the Senate Journal was out of order.

MOTIONS TO RECONSIDER WITHDRAWN

Senate File 2249

Senators Hultman and Peterson withdrew the motions to reconsider Senate File 2249, a bill for an act relating to workers' health, safety, and welfare, by providing an expedited hearing process for certain contested cases, requiring payment of medical expenses of an injured employee in certain circumstances, staying debt collection proceedings against an employee by a person providing treatment pending resolution of a contested case before the industrial commissioner, altering certain formulas for the calculation of benefits, establishing initial hearing deadlines, requiring certain unannounced inspections, authorizing certain administrative search warrants, and imposing certain benefit payment requirements and penalties for unreasonable denial or nonpayment of medical benefits, exempting union agents and

employees from certain tort liability, and providing applicability and effective dates, filed by them on March 6, 1990, and found on page 901 of the Senate Journal.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 2395, 2031, 2375 and 2392.

Senate File 2395

On motion of Senator Gronstal, Senate File 2395, a bill for an act relating to the protection of trade secrets and providing remedies, was taken up for consideration.

Senator Gronstal offered amendment S—5414 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5414 was adopted by a voice vote.

Senator Lind asked and received unanimous consent that action on **Senate File 2395** be **deferred**.

IMMEDIATELY MESSAGED

Senator Lloyd-Jones asked and received unanimous consent that **Senate Files 18** and **2249** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 2031

On motion of Senator Coleman, Senate File 2031, a bill for an act relating to vacation leave sharing by state employees, with report of committee recommending passage, was taken up for consideration.

Senator Running offered amendment S—5170 filed by the committee on State Government on February 21, 1990, to page 2 of the bill and moved its adoption.

Amendment S—5170 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. 2031) the vote was:

Ayes, 29:

Boswell	Bruner	Coleman	Connolly
Deluhery	Doyle	Fraise	Gettings
Gronstal	Hannon	Horn	Husak
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Peterson	Priebe	Riordan
Running	Sturgeon	Szymoniak	Tinsman
Varn			

Nays, 16:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Rensink	Rife
Scott	Taylor	Tieden	Vande Hoef

Absent or not voting, 5:

Dieleman	Hutchins	Pate	Soorholtz
Welsh			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2375

On motion of Senator Hannon, Senate File 2375, a bill for an act relating to access to official meetings open to the public by persons with disabilities, was taken up for consideration.

Senator Hannon offered amendment S—5394 filed by her on March 7, 1990, to strike everything after the enacting clause of the bill and moved its adoption.

Amendment S—5394 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. 2375) the vote was:

Ayes, 39:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Doyle	Drake
Fraise	Gettings	Gronstal	Hagerla
Hannon	Hester	Horn	Hultman
Husak	Hutchins	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Peterson
Priebe	Rensink	Riordan	Running
Scott	Sturgeon	Szymoniak	Taylor
Tieden	Vande Hoef	Varn	

Nays, 6:

Fuhrman	Gentleman	Goodwin	Hedge
Rife	Tinsman		

Absent or not voting, 5:

Dieleman	Jensen	Pate	Soorholtz
Welsh			

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 2031 and 2375** be **immediately messaged** to the House.

BUSINESS PENDING

Senate File 2395

The Senate resumed consideration of Senate File 2395, a bill for an act relating to the protection of trade secrets and providing remedies, previously deferred.

Senator Lind asked and received unanimous consent to withdraw amendment S—5415 filed by Senators Lind and Corning from the floor to page 4 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. 2395) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	

Nays, none.

Absent or not voting, 3:

Dieleman	Pate	Welsh
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 2392

On motion of Senator Murphy, Senate File 2392, a bill for an act relating to the allocation of moneys between phases II and III in the educational excellence program, was taken up for consideration.

Senator Murphy offered amendment S—5139 filed by him on February 20, 1990, to page 1 of the bill.

Senator Murphy offered amendment S—5396 filed by him on March 7, 1990, to amendment S—5139.

Senator Taylor raised the point of order that amendment S—5396 to amendment S—5139 was not germane.

Senator Husak raised the point of order that Senator Taylor's point of order was not in order because he has spoken on the amendment prior to raising his point of order.

The Chair ruled the point by Senator Husak well taken and Senator Taylor's point out of order.

Senator Hultman raised the point of order that amendment S—5396 to amendment S—5139 was not germane.

The Chair ruled the point well taken and amendment S—5396 to amendment S—5139 out of order.

Senator Murphy moved the adoption of amendment S—5139, 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?" (S.F. 2392) the vote was:

Ayes, 10:

Boswell	Gronstal	Hannon	Horn
Hutchins	Kibbie	Lloyd-Jones	Miller
Murphy	Peterson		

Nays, 36:

Bruner	Coleman	Connolly	Corning
Deluhery	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Hagerla	Hedge	Hester	Hultman
Husak	Jensen	Lind	Mann
Nystrom	Palmer	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn

Absent or not voting, 4:

Dieleman	Kinley	Pate	Welsh
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The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate File 2395** be **immediately messaged** to the House.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:35 a.m., until 1:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: March 7, 1990, 11:55 a.m.

Members Present: Varn, Chair; Mann, Vice Chair; Gentleman, Ranking Member; Coleman, Deluhery, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Taylor and Welsh.

Members Absent: Murphy (excused).

Committee Business: Assigned bills to subcommittees; recommended confirmation of Governor's appointees; recommended passage of House Files 2312 and 2517 as amended; recommended passage of House Files 2533, 489, 2526, 512, 2450 and 2364.

Adjourned: 12:25 p.m.

LOCAL GOVERNMENT

Convened: March 6, 1990, 3:36 p.m.

Members Present: Miller, Chair; Szymoniak, Vice Chair; Vande Hoef, Ranking Member; Fraise, Goodwin, Jensen, Kinley (arrived 3:50), Murphy (arrived 3:50), Priebe and Tinsman.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended confirmation of Governor's appointees; recommended passage of House Files 2512, 2341 and 2304; House File 2289 failed recommendation for passage; discussed and deferred action on House File 366.

Adjourned: 4:22 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: March 7, 1990, 8:10 a.m.

Members Present: Boswell, Chair; Hannon, Vice Chair; Hagerla, Ranking Member; Connolly, Kibbie, Lind, Rife, Scott, Szymoniak and Vande Hoef.

Members Absent: Pate and Peterson (both excused).

Committee Business: Recommended confirmation of Governor's appointees; recommended passage of House File 705 as amended; recommended passage of House File 2482.

Adjourned: 8:50 a.m.

EXPLANATION OF VOTES

MADAM PRESIDENT: I was unavoidably absent from the Senate chamber when the vote was taken on Senate File 2010.

Had I been present, I would have voted "aye".

BEVERLY A. HANNON

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued certificates of recognition as follows on March 8, 1990:

East Buchanan School District — Recognition of the school's efforts in dealing with drug/alcohol abuse through the D.A.R.E. program and other efforts. Senator Pate.

Independence School District — Recognition of the school's efforts in dealing with drug/alcohol abuse through the D.A.R.E. program and other efforts. Senator Pate.

St. Athanasius School, Jesup — Recognition of the school's efforts in dealing with drug/alcohol abuse through the D.A.R.E. program and other efforts. Senator Pate.

Wapsie Valley School District — Recognition of the school's efforts in dealing with drug/alcohol abuse through the D.A.R.E. program and other efforts. Senator Pate.

Buchanan County Sheriff Department — Recognition of Sheriff Leonard Davis and the department's efforts in dealing with drug/alcohol abuse through the D.A.R.E. program in Buchanan County schools. Senator Pate.

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2392 failed to pass the Senate on March 8, 1990.

MICHAEL W. CONNOLLY

RESOLUTION SIGNED BY THE GOVERNOR

A communication was received announcing that on March 8, 1990, the Governor approved and transmitted to the Secretary of State the following resolution:

Senate Joint Resolution 2002 — a joint resolution suspending for a limited period of time the enforcement of state banking laws, including branch banking restrictions, to the extent such law may conflict or interfere with the administration of the federal Financial Institutions Reform, Recovery, and Enforcement Act of 1989, and providing an effective date.

PRESENTATION OF VISITORS

Senator Vande Hoef presented the Honorable John Timmer, State Representative from Sioux Falls, South Dakota, who was present in the Senate chamber.

The Chair welcomed, as the guests of Senator Szymoniak, Brett Van Roekel and Garin Buttermore, students at Hoover High School, and Jerry Waage, Drake University student, who were accompanied by Jay Mennenga, a consultant for the TAG program in the Des Moines Public Schools.

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: HOUSE FILE 489, a bill for an act relating to the time within which a claim must be brought by a minor or incompetent under the state tort claims Act.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Varn, Mann, Gentleman, Coleman, Deluhery, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Taylor and Welsh. Nays, none. Absent or not voting, 1: Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 512, a bill for an act relating to the payment of a support obligation out of garnisheed funds.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Varn, Mann, Gentleman, Coleman, Deluhery, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn and Taylor. Nays, none. Absent or not voting, 3: Drake, Murphy and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2312, a bill for an act relating to nonsubstantive Code and Act corrections.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5417.

Final Vote: Ayes, 13: Varn, Mann, Gentleman, Coleman, Deluhery, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Taylor and Welsh. Nays, none. Absent or not voting, 2: Horn and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2364, a bill for an act relating to increasing the penalty for failure to file a release and satisfaction when a judgment is paid in full.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Varn, Mann, Gentleman, Coleman, Deluhery, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn and Taylor. Nays, none. Absent or not voting, 3: Drake, Murphy and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2450, a bill for an act relating to court costs to the city for certain dismissals of parking violations and court costs and fees for certain parking violations.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Varn, Mann, Gentleman, Coleman, Deluhery, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn and Taylor. Nays, none. Absent or not voting, 3: Drake, Murphy and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2517, a bill for an act establishing a youthful offenders program by transferring authority over the facilities of the state training school at Eldora to the department of corrections, providing for the establishment of replacement facilities under the department of human services, providing for other related matters, and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5418.

Final Vote: Ayes, 14: Varn, Mann, Gentleman, Coleman, Deluhery, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Taylor and Welsh. Nays, none. Absent or not voting, 1: Murphy.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2533, a bill for an act relating to the courts, establishing a family court, and providing effective dates.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 13: Varn, Mann, Gentleman, Coleman, Deluhery, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Taylor and Welsh. Nays, none. Absent or not voting, 2: Horn and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: HOUSE FILE 366, a bill for an act authorizing a county to exercise certain governmental powers to protect the public health and welfare, and to levy special assessments against affected property.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5419.

Final Vote: Ayes, 10: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Kinley, Murphy, Priebe and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2057, a bill for an act relating to prohibited interests in public contracts.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5420.

Final Vote: Ayes, 10: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Kinley, Murphy, Priebe and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2154, a bill for an act relating to civil rights by requiring certain cities to maintain a local civil rights agency or commission and provide adequate funding for the agency or commission, and providing for the continuation in effect of certain local civil rights laws.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5421.

Final Vote: Ayes, 10: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Kinley, Murphy, Priebe and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2307, a bill for an act relating to the concurrent holding of the offices of city council member and fire chief of the volunteer fire department.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Priebe and Tinsman. Nays, none. Absent or not voting, 2: Kinley and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2314, a bill for an act relating to property taxes and mobile home taxes by providing for monthly or quarterly payments and providing an applicability date.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Kinley, Murphy and Tinsman. Nays, none. Absent or not voting, 1: Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2502, a bill for an act relating to the issuance of bonds under the hotel and motel tax and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Miller, Szymoniak, Fraise, Goodwin, Kinley, Murphy, Priebe and Tinsman. Nays, 2: Vande Hoef and Jensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5414	S.F.	2395	Michael E. Gronstal
S—5415	S.F.	2395	Jim Lind
			Joy Corning
S—5416	S.F.	2345	Larry Murphy
			Emil J. Husak
S—5417	H.F.	2312	Judiciary
S—5418	H.F.	2517	Judiciary
S—5419	H.F.	366	Local Government
S—5420	H.F.	2057	Local Government
S—5421	H.F.	2154	Local Government

AFTERNOON SESSION

The Senate reconvened at 1:50 p.m., Senator Coleman presiding.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Doyle presiding.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Coleman presiding.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 124, by committee on Rules and Administration, a concurrent resolution to amend subsection 2, unnumbered paragraph 2, of Joint Rule 20, by advancing the second deadline date in that paragraph.

Read first time and **placed on calendar**.

COMMITTEE REPORTS

RULES AND ADMINISTRATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 112, a concurrent resolution relating to Vietnam veterans and recognizing the need for programs and services for veterans and their families.

Recommendation: DO PASS.

Final Vote: Ayes, 5: Hutchins, Gettings, Hultman, Jensen and Lloyd-Jones. Nays, none. Absent or not voting, 1: Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 124, a concurrent resolution to amend subsection 2, unnumbered paragraph 2, of Joint Rule 20, by advancing the second deadline date in that paragraph.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 5: Hutchins, Gettings, Hultman, Jensen and Lloyd-Jones. Nays, none. Absent or not voting, 1: Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

**CONSIDERATION OF RESOLUTION
(Regular Calendar)**

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 124.

Senate Concurrent Resolution 124

On motion of Senator Hutchins, Senate Concurrent Resolution 124, a concurrent resolution to amend subsection 2, unnumbered paragraph 2, of Joint Rule 20, by advancing the second deadline date in that paragraph, was taken up for consideration.

Senator Hutchins moved the adoption of Senate Concurrent Resolution 124, which motion prevailed by a voice vote.

Senator Hutchins asked and received unanimous consent that **Senate Concurrent Resolution 124** be **immediately messaged** to the House.

APPENDIX**CERTIFICATE OF RECOGNITION**

The Secretary of the Senate issued a certificate of recognition as follows:

Heather Kramer, Muscatine — For first place in the "Write Women Back Into History" essay contest, 8th and 9th grade category. Senator Drake (March 5, 1990).

SUBCOMMITTEE ASSIGNMENTS**House File 268**

JUDICIARY: Horn, Chair; Deluhery and Fuhrman

House File 436

JUDICIARY: Varn, Chair; Horn and Drake

House File 2365

JUDICIARY: Hagerla, Chair; Deluhery and Gettings

House File 2438

JUDICIARY: Murphy, Chair; Varn and Hagerla

House File 2508

JUDICIARY: Gronstal, Chair; Varn and Hester

House File 2536

STATE GOVERNMENT: Running, Chair; Drake and Horn

COMMITTEE REPORTS**EDUCATION**

Final Bill Action: HOUSE FILE 2271, a bill for an act relating to phase III pay plans.

Recommendation: DO PASS.

Final Vote: Ayes, 16: Murphy, Horn, Taylor, Boswell, Bruner, Corning, Deluhery, Hedge, Kibbie, Lind, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn. Nays, none. Absent or not voting, 1: Dieleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2357, a bill for an act relating to the applicability of school district reorganization incentives and providing an effective date and a retroactive applicability date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5427.

Final Vote: Ayes, 16: Murphy, Horn, Taylor, Boswell, Bruner, Corning, Deluhery, Hedge, Kibbie, Lind, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn. Nays, none. Absent or not voting, 1: Dieleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2406, a bill for an act relating to student financial aid programs administered by the college aid commission.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5424.

Final Vote: Ayes, 16: Murphy, Horn, Taylor, Boswell, Bruner, Corning, Deluhery, Hedge, Kibbie, Lind, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn. Nays, none. Absent or not voting, 1: Dieleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2416, a bill for an act relating to corporal punishment.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5425.

Final Vote: Ayes, 16: Murphy, Horn, Taylor, Boswell, Bruner, Corning, Deluhery, Hedge, Kibbie, Lind, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn. Nays, none. Absent or not voting, 1: Dieleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2459, a bill for an act relating to the employment of personnel under sharing agreements between school districts.

Recommendation: DO PASS.

Final Vote: Ayes, 16: Murphy, Horn, Taylor, Boswell, Bruner, Corning, Deluhery, Hedge, Kibbie, Lind, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn. Nays, none. Absent or not voting, 1: Dieleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2464, a bill for an act relating to the refund of tuition by certain institutions or other persons offering courses of instruction at the postsecondary level for profit, and imposing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 16: Murphy, Horn, Taylor, Boswell, Bruner, Corning, Deluhery, Hedge, Kibbie, Lind, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn. Nays, none. Absent or not voting, 1: Dieleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2481, a bill for an act extending the waiver provisions relating to educational standards for guidance programs and media services for one additional year.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5426.

Final Vote: Ayes, 16: Murphy, Horn, Taylor, Boswell, Bruner, Corning, Deluhery, Hedge, Kibbie, Lind, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn. Nays, none. Absent or not voting, 1: Dieleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: HOUSE FILE 2153, a bill for an act relating to the fifteen-day report filed by an administrator or chief medical officer of a hospital or facility with the court after the commitment hearing in civil commitment proceedings.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Hannon, Bruner, Corning, Connolly, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2368, a bill for an act requiring the department of human services to adopt administrative rules which apply a civil penalty to certain health care facilities reimbursed under the medical assistance program.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Hannon, Bruner, Corning, Connolly, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2486, a bill for an act relating to the regulation of tanning facilities, providing penalties, and providing for the establishment of fees.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Hannon, Bruner, Corning, Connolly, Hagerla, Horn, Riordan, Sturgeon, Taylor and Tinsman. Nays, 2: Gentleman and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2498, a bill for an act providing certain modifications to child foster care licensing requirements.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Hannon, Bruner, Corning, Connolly, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2504, a bill for an act relating to criminal and child abuse record checks concerning facilities providing care to children.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Hannon, Bruner, Corning, Connolly, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: HOUSE FILE 2365, a bill for an act relating to facsimiles, the filing of certain public records by facsimile, the transmission of unsolicited advertising by facsimile, and providing a criminal penalty and a civil remedy.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Varn, Mann, Deluhery, Drake, Gettings, Gronstal, Hagerla, Hester and Horn. Nays, 1: Murphy. Absent or not voting, 5: Gentleman, Coleman, Fuhrman, Taylor and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2463, a bill for an act relating to the jurisdiction of the juvenile court to hear matters involving possession of alcohol by juveniles.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Varn, Mann, Deluhery, Drake, Gettings, Gronstal, Hagerla, Hester, Horn and Murphy. Nays, none. Absent or not voting, 5: Gentleman, Coleman, Fuhrman, Taylor and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2471, a bill for an act relating to the jurisdiction of small claims court over executions of personal property, including garnishments, and providing for the Act's applicability.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Varn, Mann, Deluhery, Drake, Gettings, Gronstal, Hagerla, Hester, Horn and Murphy. Nays, none. Absent or not voting, 5: Gentleman, Coleman, Fuhrman, Taylor and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2526, a bill for an act relating to the release of privileged information.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Varn, Mann, Coleman, Deluhery, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Taylor and Welsh. Nays, none. Absent or not voting, 2: Gentleman and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: HOUSE FILE 2485, a bill for an act relating to the establishment of the Iowa arts and culture challenge grant foundation and foundation fund.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Boswell, Hannon, Connolly, Kibbie, Peterson, Scott and Szymoniak. Nays, 3: Hagerla, Lind and Vande Hoef. Absent or not voting, 2: Pate and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-5422	S.F.	2152	Tom Mann, Jr. Charles Bruner
S-5423	S.F.	2338	Mark Hagerla
S-5424	H.F.	2406	Education
S-5425	H.F.	2416	Education
S-5426	H.F.	2481	Education
S-5427	H.F.	2357	Education

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:48 p.m., until 9:00 a.m., Monday, March 12, 1990.

JOURNAL OF THE SENATE

SIXTY-FOURTH CALENDAR DAY
 FORTY-THIRD SESSION DAY

Senate Chamber
 Des Moines, Iowa, Monday, March 12, 1990

The Senate met in regular session at 9:04 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Daird Korth, pastor of the Redeemer Lutheran Church, Ventura, Iowa.

The Journal of Thursday, March 8, 1990, 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 7, 1990, passed the following bill in which the concurrence of the Senate is asked:

House File 2528, a bill for an act relating to the right of cities and counties to enter into lease, lease-purchase, or loan agreements, and by requiring an election under certain conditions and providing an applicability date.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 8, 1990, 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 2418, 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 (S—5431 to H—5566).

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 2041** be referred from the Regular Calendar to the committee on **Agriculture**.

Senator Hutchins asked and received unanimous consent that **Senate Files 64, 2279, 2320 and 2380** be referred from the Regular Calendar to the committee on **Judiciary**.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 2247, 2258, 2333, 2351 and 2354.

Senate File 2247

On motion of Senator Hagerla, Senate File 2247, a bill for an act relating to schedule II controlled substances, was taken up for consideration.

Senator Hagerla asked and received unanimous consent that **House File 2309** be substituted for **Senate File 2247**.

Senator Hagerla asked and received unanimous consent that action on **House File 2309** be deferred and that the bill be placed on the calendar under **unfinished business**.

Senate File 2258

On motion of Senator Horn, Senate File 2258, a bill for an act restricting the conditions under which a third-party payor of medical benefits may limit coverage for prescription drugs, was taken up for consideration.

Senator Horn offered amendment S—5278 filed by him on February 28, 1990, to page 1 of the bill and moved its adoption.

Amendment S—5278 was adopted by a voice vote.

Senator Horn asked and received unanimous consent that **House File 2436** be substituted for **Senate File 2258** as amended.

Senator Horn asked and received unanimous consent that action on **House File 2436** be deferred and that the bill be placed on the calendar under **unfinished business**.

Senate File 2333

On motion of Senator Gronstal, Senate File 2333, a bill for an act relating to surcharges imposed upon the makers of dishonored negotiable instruments, was taken up for consideration.

Senator Gronstal offered amendment S—5366 filed by Senators Varn and Gronstal on March 6, 1990, to strike everything after the enacting clause of the bill and moved its adoption.

Amendment S—5366 was adopted by a voice vote.

Senator Gronstal asked and received unanimous consent that **House File 2475** be substituted for **Senate File 2333** as amended.

Senator Gronstal asked and received unanimous consent that action on **House File 2475** be deferred and that the bill be placed on the calendar under **unfinished business**.

Senate File 2351

On motion of Senator Murphy, Senate File 2351, a bill for an act relating to the establishment, maintenance, and operation of storm water drainage systems and the payment of rates or charges, was taken up for consideration.

Senator Murphy offered amendment S—5173 filed by him on February 21, 1990, to strike everything after the enacting clause of the bill and moved its adoption.

Amendment S—5173 was adopted by a voice vote.

Senator Murphy asked and received unanimous consent that **House File 2495** be substituted for **Senate File 2351** as amended.

Senator Murphy asked and received unanimous consent that action on **House File 2495** be deferred and that the bill be placed on the calendar under **unfinished business**.

Senate File 2354

On motion of Senator Hester, Senate File 2354, a bill for an act relating to voluntary petitions for conservatorships and their required contents, was taken up for consideration.

Senator Hester asked and received unanimous consent to withdraw amendment S—5132 filed by Senators Varn and Hester on February 19, 1990, to page 1 of the bill.

Senator Hester offered amendment S—5383 filed by him on March 7, 1990, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5383 was adopted by a voice vote.

Senator Hester asked and received unanimous consent that **House File 2425** be substituted for **Senate File 2354** as amended.

Senator Hester asked and received unanimous consent that action on **House File 2425** 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 Files 2337, 2347, 2378, 2371 and 2217.

Senate File 2337

On motion of Senator Gronstal, Senate File 2337, a bill for an act relating to state administrative rules, providing for style and form and for the assignment of identification numbers, specifying official citations, providing a pilot project for the separate publication of certain rules, and making an appropriation, with report of committee on Appropriations recommending passage, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that action on **Senate File 2337** be deferred.

Senate File 2347

On motion of Senator Hagerla, Senate File 2347, a bill for an act relating to the ability of one spouse to relinquish inchoate dower rights and homestead rights as an attorney in fact for the other spouse, was taken up for consideration.

Senator Hagerla asked and received unanimous consent that action on **Senate File 2347** be deferred and that the bill be placed on the calendar under **unfinished business**.

Senate File 2378

On motion of Senator Fraise, Senate File 2378, a bill for an act relating to state chartered legal entities, especially nonprofit corporations and cooperative associations, by altering requirements and procedure for filing corporate documents in the office of the secretary of state and by requiring corporations organized under or subject to Iowa Code chapter 504 to convert to chapter 504A within a certain period of time, was taken up for consideration.

Senator Fraise asked and received unanimous consent that action on **Senate File 2378** be deferred and that the bill be placed on the calendar under **unfinished business**.

Senate File 2371

On motion of Senator Gentleman, Senate File 2371, a bill for an act relating to the department of human rights, was taken up for consideration.

Senator Gentleman asked and received unanimous consent that action on **Senate File 2371** be deferred and that the bill be placed on the calendar under **unfinished business**.

Senate File 2217

On motion of Senator Hester, Senate File 2217, a bill for an act relating to the illegal taking or possession of certain animals and providing an increased civil penalty, with report of committee recommending passage, was taken up for consideration.

Senator Hester offered amendment S—5384 filed by him on March 7, 1990, to page 1 of the bill and moved its adoption.

Amendment S—5384 was adopted by a voice vote.

Senator Hester asked and received unanimous consent that **House File 2355** be substituted for **Senate File 2217** as amended.

Senator Hester 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**.

CONSIDERATION OF RESOLUTION
(Appropriations Calendar)

Senate Concurrent Resolution 121

On motion of Senator Bruner, Senate Concurrent Resolution 121, a concurrent resolution encouraging the selection of Iowa as an evaluation state for a national study of welfare reform, was taken up for consideration.

Senator Bruner moved the adoption of Senate Concurrent Resolution 121, which motion prevailed by voice vote.

CONSIDERATION OF RESOLUTIONS
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Concurrent Resolutions 120 and 123.

Senate Concurrent Resolution 120

On motion of Senator Miller, Senate Concurrent Resolution 120, a concurrent resolution to urge the immediate repeal of federal regulations inhibiting the sale of recyclable pesticide containers, was taken up for consideration.

Senator Miller moved the adoption of Senate Concurrent Resolution 120, which motion prevailed by voice vote.

Senate Concurrent Resolution 123

On motion of Senator Boswell, Senate Concurrent Resolution 123, a concurrent resolution relating to manipulative practices by the Chicago Board of Trade and the Commodity Futures Commission causing hardship on agricultural economies, and emphasizing the need to support fair and equitable pricing of agricultural commodities, was taken up for consideration.

Senator Boswell moved the adoption of Senate Concurrent Resolution 123, which motion prevailed by voice vote.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Concurrent Resolutions 120, 121 and 123** be **immediately messaged** to the House.

BILL ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of **House File 2528** to the committee on **Local Government**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:45 a.m., until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:04 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 38 present, 12 absent and a quorum present.

UNFINISHED BUSINESS

(Deferred March 7, 1990)

Senate File 2152

The Senate resumed consideration of Senate File 2152, a bill for an act relating to the definition of child abuse and to the testing of young children for the presence of certain drugs, and amendment S—5114 by the committee on Human Resources to page 2 of the bill, deferred on March 7, 1990.

Senator Bruner offered amendment S—5422 filed by Senators Mann and Bruner on March 8, 1990, to strike everything after the enacting clause and to the title page of the bill.

Senator Hutchins asked and received unanimous consent that action on amendment S—5422 and **Senate File 2152** be **deferred** (amendment S—5114 pending).

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 2418

Senator Varn called up for consideration House File 2418, 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, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5431 to Senate amendment H—5566 filed March 12, 1990.

A non record roll call was requested.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 27, nays 18.

The motion prevailed 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. 2418) 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	Coleman	Connolly
Deluhery	Dieleman	Fraise	Gettings
Gronstal	Hannon	Horn	Husak
Hutchins	Kibbie	Lloyd-Jones	Miller
Murphy	Palmer	Priebe	Rensink

Running Varn	Soorholtz Welsh	Sturgeon	Szymoniak
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Nays, 20:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Nystrom
Pate	Peterson	Rife	Scott
Taylor	Tieden	Tinsman	Vande Hoef

Absent or not voting, 4:

Doyle	Kinley	Mann	Riordan
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **House File 2418** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 2212

Senator Welsh called up for consideration Senate File 2212, a bill for an act relating to and making supplemental appropriations or decreasing appropriations to the department of human services, Iowa department of public health, state board of regents, department of general services, department of inspections and appeals, department of employment services, department of commerce, state department of transportation, department of corrections, department of public safety, department of justice, judicial department, department of elder affairs, department of agriculture and land stewardship, department of natural resources, department of cultural affairs, department of education, and college aid commission for the remainder of the fiscal year ending June 30, 1990, and providing an effective date, amended by the House in House amendment S—5341 filed March 5, 1990.

Senator Priebe offered amendment S—5438 filed by him from the floor to House amendment S—5341 and moved its adoption.

Amendment S—5438 was adopted by a voice vote.

Senator Jensen offered amendment S—5352 filed by him on March 6, 1990, to House amendment S—5341 and moved its adoption.

A non record roll call was requested.

The ayes were 17, nays 25.

Amendment S—5352 lost.

Senator Murphy offered amendment S—5441 filed by him from the floor to House amendment S—5341.

Senator Hultman asked and received unanimous consent that action on amendment S—5441 be deferred.

Senator Hultman asked and received unanimous consent that action on amendment S—5442 filed by Senators Hultman, Vande Hoef and Gentleman from the floor to House amendment S—5341 be deferred.

Senator Jensen offered amendment S—5348 filed by him on March 6, 1990, to House amendment S—5341 and moved its adoption.

Amendment S—5348 was adopted by a voice vote.

Senator Hultman asked and received unanimous consent that action on amendment S—5442 to House amendment S—5341 continue to be deferred.

Senator Hutchins asked and received unanimous consent that action on House amendment S—5341 and **Senate File 2212** be **deferred** (amendment S—5442 pending).

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 2227, 2396 and 2341.

Senate File 2227

On motion of Senator Szymoniak, Senate File 2227, a bill for an act relating to public improvements, by authorizing counties to create special assessment districts in areas of the county outside

cities or within cities for certain public improvements, to assess the cost of the improvements to the benefited property within the districts, to establish and collect rates and charges to maintain and operate the improvements, and by providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Szymoniak moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2227) the vote was:

Ayes, 46:

Corning	Deluhery	Dieleman	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Doyle	Kibbie	Kinley	Palmer
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **Senate File 2227** be **immediately messaged** to the House.

Senate File 2396

On motion of Senator Deluhery, Senate File 2396, a bill for an act relating to retroactive modifications of support orders, was taken up for consideration.

Senator Deluhery offered amendment S—5369 filed by him on March 6, 1990, to page 1 of the bill and moved its adoption.

Amendment S—5369 was adopted by a voice vote.

Senator Deluhery asked and received unanimous consent that **House File 2422** be substituted for **Senate File 2396** as amended.

Senator Deluhery asked and received unanimous consent that action on **House File 2422** be deferred and that the bill be placed on the calendar under **unfinished business**.

Senate File 2341

On motion of Senator Mann, Senate File 2341, a bill for an act relating to the definition of public accomodation under the civil rights law, was taken up for consideration.

Senator Mann asked and received unanimous consent that action on **Senate File 2341** be deferred and that the bill be placed on the calendar under **unfinished business**.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 125, by committee on Rules and Administration, a concurrent resolution designating March 1990 as Iowa Women's History Month.

Read first time and **placed on calendar**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 2:53 p.m., until 5:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: March 8, 1990, 4:00 p.m.

Members Present: Palmer, Chair; Deluhery, Vice Chair; Jensen, Ranking Member; Gronstal, Hannon, Lind, Mann, Nystrom, Priebe, Rife, Running and Tieden.

Members Absent: Kinley, Pate and Welsh (all excused).

Committee Business: Recommended passage of House Files 2381, 2131, 2320, 2476 and 2377; recommended passage of House Files 2431 and 2537 as amended; House Files 468 and 2092 failed recommendation for passage; deferred action of House Files 2369 and 2062.

Adjourned: 4:40 p.m.

EDUCATION

Convened: March 8, 1990, 2:00 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Boswell, Bruner, Corning, Deluhery, Hedge, Kibbie, Lind, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn.

Members Absent: Dieleman (excused).

Committee Business: Recommended passage of House Files 2271, 2464 and 2459; recommended passage of House Files 2357, 2406, 2416 and 2481 as amended.

Adjourned: 2:58 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: March 8, 1990, 4:55 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Connolly, Hedge, Miller and Varn.

Members Absent: Pate, Ranking Member (excused); Rife, Soorholtz and Sturgeon.

Committee Business: Recommended passage of House File 2412 as amended; House File 2487 failed recommendation for passage; announced subcommittee assignments.

Adjourned: 5:00 p.m.

HUMAN RESOURCES

Convened: March 8, 1990, 12:20 p.m.

Members Present: Hannon, Chair; Bruner, Vice Chair; Corning, Ranking Member; Connolly, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman.

Members Absent: none.

Committee Business: Charles Palmer, Director of the Department of Human Services, appeared before the committee to discuss foster care issues; recommended passage of House Files 2153, 2498, 2368, 2504 and 2486.

Adjourned: 1:40 p.m.

JUDICIARY

Convened: March 8, 1990, 11:40 a.m.

Members Present: Varn, Chair; Mann, Vice Chair; Gentleman, Ranking Member; Coleman, Deluhery, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Murphy and Taylor.

Members Absent: Welsh (excused).

Committee Business: Recommended passage of House File 2313 as amended; recommended passage of House Files 2365, 2471 and 2463.

Adjourned: 12:20 p.m.

LOCAL GOVERNMENT

Convened: March 8, 1990, 8:05 a.m.

Members Present: Miller, Chair; Szymoniak, Vice Chair; Vande Hoef, Ranking Member; Fraise, Goodwin, Jensen, Kinley (arrived 8:06), Murphy (arrived 8:06), Priebe and Tinsman.

Members Absent: none.

Committee Business: Assigned bill to subcommittee; recommended passage of House Files 2307, 2502 and 2314; recommended passage of House Files 2154, 2057 and 366 as amended.

Adjourned: 8:36 a.m.

RULES AND ADMINISTRATION

Convened: March 8, 1990, 1:30 p.m.

Members Present: Hutchins, Chair; Gettings, Vice Chair; Hultman, Ranking Member; Jensen and Lloyd-Jones.

Members Absent: Kinley.

Committee Business: Approved proposed committee resolution amending Joint Rule 20; recommended passage of Senate Concurrent Resolution 122 as amended; recommended passage of Senate Concurrent Resolution 112.

Adjourned: 1:45 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: March 8, 1990, 1:35 p.m.

Members Present: Boswell, Chair; Hannon, Vice Chair; Hagerla, Ranking Member; Connolly, Kibbie, Lind, Peterson, Scott, Szymoniak and Vande Hoef.

Members Absent: Pate and Rife (both excused).

Committee Business: Recommended passage of House File 2485.

Adjourned: 1:43 p.m.

STATE GOVERNMENT

Convened: March 8, 1990, 3:10 p.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Coleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef.

Members Absent: Dieleman (excused).

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 2235, 2329, 2009 and Senate File 2405 as amended; recommended passage of House Files 2518, 2536, 2384, 2454, 2188 and 2050.

Adjourned: 4:00 p.m.

PETITION

The following petition was presented and placed on file by:

Senator Fraise from fourteen residents of Lee County opposing a license fee increase by the Department of Natural Resources.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Seventy eighth grade students from Dallas Center-Grimes Community School, Grimes, Iowa, accompanied by Bill Wineland. Senators Riordan and Palmer.

Fifty-five twelfth grade students from St. Ansgar High School. Senator Scott.

Carmen Garzauzie from South Africa, AFS student attending Wellsburg-Steamboat Rock High School; Maja Hirschbuehl from Switzerland, AFS student attending Ackley Geneva High School and Max Paulin from Austria, AFS student attending Ackley-Geneva High School, the guests of Senator Jensen.

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 122

RULES & ADMINISTRATION: Lloyd-Jones, Chair; Jensen and Hutchins

House File 2141
(Reassigned)

EDUCATION: Horn, Chair; Lind, Corning, Murphy and Lloyd-Jones

House File 2340

AGRICULTURE: Scott, Chair; Miller and Rensink

House File 2497

ENVIRONMENT & ENERGY UTILITIES: Deluhery, Chair; Gronstal and Hedge

COMMITTEE REPORTS

BUSINESS AND LABOR RELATIONS

Final Bill Action: HOUSE FILE 2201, a bill for an act relating to the disclosure of the names and certain contract costs of all subcontractors by bidders on a state procurement contract.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Peterson, Sturgeon, Fuhrman, Gettings, Hultman, Palmer, Running, Taylor and Vande Hoef. Nays, none. Absent or not voting, 1: Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2287, a bill for an act relating to a subsequent employer's unemployment benefit contribution rate upon the purchase of transference of a small business.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5433.

Final Vote: Ayes, 9: Peterson, Sturgeon, Fuhrman, Gettings, Hultman, Palmer, Running, Taylor and Vande Hoef. Nays, none. Absent or not voting, 1: Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2343, a bill for an act relating to the fee charged by an employment agency for the procurement of a position of employment.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Peterson, Fuhrman, Gettings, Hultman, Taylor and Vande Hoef. Nays, 3: Sturgeon, Palmer and Running. Absent or not voting, 1: Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2346, a bill for an act relating to the minimum amount of wages required in an individual's base period to be eligible for unemployment compensation benefits.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Peterson, Sturgeon, Gettings, Mann, Palmer and Running. Nays, none. Absent or not voting, 4: Fuhrman, Hultman, Taylor and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2405, a bill for an act relating to access to personnel employment files by public and private employees.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Peterson, Sturgeon, Fuhrman, Gettings, Hultman, Palmer, Running, Taylor and Vande Hoef. Nays, none. Absent or not voting, 1: Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2460, a bill for an act relating to remedial relief for public employment relations violations and to unfair representation by a bargaining representative of a public employee.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Peterson, Sturgeon, Fuhrman, Gettings, Hultman, Mann, Palmer, Running, Taylor and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: HOUSE FILE 2131, a bill for an act relating to housing cooperatives by authorizing the creation of local housing authorities to encourage and organize sweat equity housing cooperative associations with state financial assistance as available, and providing procedures and requirements.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Palmer, Deluhery, Jensen, Gronstal, Hannon, Lind, Mann, Nystrom, Priebe, Rife, Running and Tieden. Nays, none. Absent or not voting, 3: Kinley, Pate and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2320, a bill for an act relating to fire and casualty insurance, altering the method of filing rates subject to the approval of the commissioner of insurance, except for workers' compensation liability insurance rates, providing a special effective date, and authorizing civil penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Palmer, Deluhery, Jensen, Gronstal, Hannon, Lind, Mann, Nystrom, Priebe, Rife, Running and Tieden. Nays, none. Absent or not voting, 3: Kinley, Pate and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2377, a bill for an act adopting the model state commodity Code as recommended by the North American securities administrators association, regulating the commodities markets and participants, authorizing the securities bureau of the insurance division to administer the chapter, requiring licensing of commodity broker-dealers and sales representatives, authorizing civil remedies, sanctions, penalties, and imposing criminal penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Palmer, Deluhery, Jensen, Gronstal, Hannon, Lind, Mann, Nystrom, Priebe, Rife, Running and Tieden. Nays, none. Absent or not voting, 3: Kinley, Pate and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2381, a bill for an act authorizing the conversion of a mutual property and casualty insurance company into a stock company, subject to certain conditions and procedural requirements.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Palmer, Deluhery, Jensen, Gronstal, Hannon, Lind, Mann, Nystrom, Priebe, Rife, Running and Tieden. Nays, none. Absent or not voting, 3: Kinley, Pate and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2431, a bill for an act allowing a person to purchase insurance through the Iowa comprehensive health association even if the person has coverage under another insurance plan.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5436.

Final Vote: Ayes, 12: Palmer, Deluhery, Jensen, Gronstal, Hannon, Lind, Mann, Nystrom, Priebe, Rife, Running and Tieden. Nays, none. Absent or not voting, 3: Kinley, Pate and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2476, a bill for an act relating to unfair or discriminatory credit practices by including familial status as an improper basis for differential treatment in relation to a consumer credit transaction, an extension of credit by a state chartered financial institution, or the offer of credit life or health and accident insurance.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Palmer, Deluhery, Jensen, Gronstal, Hannon, Lind, Mann, Nystrom, Priebe, Rife, Running and Tieden. Nays, none. Absent or not voting, 3: Kinley, Pate and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2537, a bill for an act relating to the sale of funeral services and merchandise.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5435.

Final Vote: Ayes, 10: Palmer, Deluhery, Jensen, Gronstal, Lind, Mann, Nystrom, Priebe, Rife and Tieden. Nays, 2: Hannon and Running. Absent or not voting, 3: Kinley, Pate and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: HOUSE FILE 2065, a bill for an act relating to certain alcohol-related offenses, and establishing a youthful drunk driver visitation program.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Varn, Mann, Gentleman, Coleman, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Murphy, Taylor and Welsh. Nays, none. Absent or not voting, 1: Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2103, a bill for an act relating to missing person reports to law enforcement agencies by amending the definition of missing person to conform with a definition used by the national crime information center.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Varn, Mann, Gentleman, Coleman, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Murphy, Taylor and Welsh. Nays, none. Absent or not voting, 1: Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2109, a bill for an act relating to computer data storage of records of a criminal justice agency after acquittal or dismissal of charges.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Varn, Mann, Gentleman, Coleman, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Murphy, Taylor and Welsh. Nays, none. Absent or not voting, 1: Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2160, a bill for an act relating to mandatory domestic abuse arrests and providing guidelines concerning a primary physical aggressor.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Varn, Mann, Gentleman, Coleman, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Murphy and Welsh. Nays, 1: Taylor. Absent or not voting, 1: Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2292, a bill for an act relating to the procedure for distribution of payments made upon a judgment or settlement of a third-party claim brought by a recipient of medical assistance.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Varn, Mann, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Murphy and Taylor. Nays, 1: Gentleman. Absent or not voting, 3: Coleman, Deluhery and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2367, a bill for an act providing for awarding a reasonable attorney's fee in an action for a quitclaim deed.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Varn, Mann, Gentleman, Coleman, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Taylor and Welsh. Nays, none. Absent or not voting, 2: Deluhery and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2488, a bill for an act relating to the characterization of certain corporate shares as issued, but no outstanding, shares, and making conforming amendments to reflect adoption of chapter 490, the new Iowa model business corporation Act.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Varn, Mann, Gentleman, Coleman, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Murphy, Taylor and Welsh. Nays, none. Absent or not voting, 1: Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2508, a bill for an act relating to the commitment and treatment of chronic substance abusers.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Varn, Mann, Gentleman, Coleman, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Murphy, Taylor and Welsh. Nays, none. Absent or not voting, 1: Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2511, a bill for an act relating to an assault without intent to inflict serious injury which results in a serious injury, and serious injury constituting willful injury.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Varn, Mann, Gentleman, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Murphy and Taylor. Nays, none. Absent or not voting, 3: Coleman, Deluhery and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 125, a concurrent resolution designating March 1990 as Iowa Women's History Month.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 5: Hutchins, Gettings, Hultman, Jensen and Lloyd-Jones. Nays, none. Absent or not voting, 1: Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 2405, a bill for an act creating the council on chemically exposed infants.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5428.

Final Vote: Ayes, 14: Kibbie, Lloyd-Jones, Nystrom, Coleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 1: Dieleman.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 656, a bill for an act relating to reducing pollution by products purchased by the state, and by setting requirements for procurement by the department of general services, the state board of regents, the state department of transportation, and the commission for the blind.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Kibbie, Lloyd-Jones, Nystrom, Coleman, Dieleman, Fraise, Gentleman, Gronstal, Hannon, Horn, Running and Vande Hoef. Nays, none. Absent or not voting, 3: Drake, Rife and Soorholtz.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2009, a bill for an act relating to elections, providing that an eligible elector residing in a precinct may register to vote at the polling place on election day, providing verification procedures, providing a durational residency requirement for voting, and increasing the penalty for improper voting.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5432.

Final Vote: Ayes, 8: Kibbie, Lloyd-Jones, Coleman, Fraise, Gronstal, Hannon, Horn and Running. Nays, 6: Nystrom, Drake, Gentleman, Rife, Soorholtz and Vande Hoef. Absent or not voting, 1: Dieleman.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2050, a bill for an act relating to the selling of goods or services by an official or employee of an agency and providing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Kibbie, Lloyd-Jones, Nystrom, Coleman, Drake, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, 1: Fraise. Absent or not voting, 1: Dieleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2188, a bill for an act relating to the issuance of alcoholic beverage licenses and permits for certain licensed premises and prescribing fees.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Kibbie, Lloyd-Jones, Nystrom, Coleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 1: Dieleman.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2235, a bill for an act relating to community action agencies by providing for an annual report and establishing membership requirements for community action agency boards.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5430.

Final Vote: Ayes. 14: Kibbie, Lloyd-Jones, Nystrom, Coleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 1: Dieleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2329, a bill for an act relating to elections and election procedures.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5429.

Final Vote: Ayes. 14: Kibbie, Lloyd-Jones, Nystrom, Coleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 1: Dieleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2384, a bill for an act establishing a state fair challenge grant foundation.

Recommendation: DO PASS.

Final Vote: Ayes. 13: Kibbie, Lloyd-Jones, Nystrom, Coleman, Drake, Fraise, Gentleman, Gronstal, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, 1: Hannon. Absent or not voting, 1: Dieleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2454, a bill for an act relating to the manufacture, distribution, and possession of gambling devices.

Recommendation: DO PASS.

Final Vote: Ayes. 14: Kibbie, Lloyd-Jones, Nystrom, Coleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 1: Dieleman.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2518, a bill for an act relating to licensure and discipline of certain practice professionals and providing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes. 14: Kibbie, Lloyd-Jones, Nystrom, Coleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 1: Dieleman.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2536, a bill for an act relating to the regulation of persons providing courses of instruction for profit, by revising requirements for corporate surety bonds, and repealing certain disclosure requirements.

Recommendation: DO PASS.

Final Vote: Ayes. 14: Kibbie, Lloyd-Jones, Nystrom, Coleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 1: Dieleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5428	S. F.	2405	State Government
S—5429	H. F.	2329	State Government
S—5430	H. F.	2235	State Government
S—5431	H. F.	2418	House
S—5432	H. F.	2009	State Government
S—5433	H. F.	2287	Business & Labor Relations
S—5434	H. F.	2526	Tom Mann, Jr.
S—5435	H. F.	2537	Commerce
S—5436	H. F.	2431	Commerce
S—5437	S. F.	2336	Berl Priebe
S—5438	S. F.	2212	Berl Priebe

S—5439	H.F.	2412	Environment & Energy Utilities
S—5440	S.F.	2152	Charles Bruner
S—5441	S.F.	2212	Larry Murphy
S—5442	S.F.	2212	Calvin O. Hultman Richard Vande Hoef Julia Gentleman
S—5443	S.F.	2212	Calvin Hultman Julia Gentleman Richard Vande Hoef
S—5444	S.F.	2212	Calvin Hultman
S—5445	S.F.	2212	Calvin Hultman
S—5446	S.F.	2212	Joe Welsh
S—5447	H.F.	2313	Judiciary
S—5448	S.F.	2212	Calvin Hultman Richard Vande Hoef Julia Gentleman

RECONVENED

The Senate reconvened at 5:08 p.m., Senator Coleman presiding.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 126, by Lloyd-Jones, Corning, Gentleman, Hannon, Szymoniak and Tinsman, a concurrent resolution relating to the reduction of defense spending in order to fund vital domestic needs.

Read first time and **passed on file**.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 42 present, 8 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Murphy for the remainder of the day on request of Senator Hutchins.

BUSINESS PENDING

Senate File 2212

The Senate resumed consideration of Senate File 2212, a bill for an act relating to and making supplemental appropriations or decreasing appropriations to the department of human services, Iowa department of public health, state board of regents, department of general services, department of inspections and appeals, department of employment services, department of commerce, state department of transportation, department of corrections, department of public safety, department of justice, judicial department, department of elder affairs, department of agriculture and land stewardship, department of natural resources, department of cultural affairs, department of education, and college aid commission for the remainder of the fiscal year ending June 30, 1990, and providing an effective date, House

amendment S—5341, and amendments S—5441 and S—5442 to House amendment S—5341, previously deferred.

Senator Sturgeon took the chair at 5:16 p.m.

Senator Bruner offered amendment S—5449 filed by him from the floor to House amendment S—5341 and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5449 to House amendment S—5341 be adopted?” (S.F. 2212) the vote was:

Ayes, 25:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Fraise	Gettings
Gronstal	Hannon	Horn	Husak
Hutchins	Kibbie	Lloyd-Jones	Miller
Palmer	Peterson	Priebe	Riordan
Running	Scott	Sturgeon	Szymoniak
Welsh			

Nays, 20:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Nystrom
Pate	Rensink	Rife	Soorholtz
Taylor	Tieden	Tinsman	Vande Hoef

Absent or not voting, 5:

Doyle	Kinley	Mann	Murphy
Varn			

Amendment S—5449 was adopted.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Soorholtz and Lind for the remainder of the day on request of Senator Jensen.

BUSINESS PENDING

Senate File 2212

The Senate resumed consideration of Senate File 2212.

Senator Hultman offered amendment S—5443 filed by Senators Hultman, Gentleman and Vande Hoef from the floor to House amendment S—5341 and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5443 to House amendment S—5341 be adopted?” (S.F. 2212) the vote was:

Ayes, 17:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Nystrom	Pate
Rensink	Rife	Taylor	Tinsman
Vande Hoef			

Nays, 25:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Fraise	Gettings
Gronstal	Hannon	Horn	Husak
Hutchins	Kibbie	Lloyd-Jones	Miller
Palmer	Priebe	Riordan	Running
Scott	Sturgeon	Szymoniak	Varn
Welsh			

Absent or not voting, 8:

Doyle	Kinley	Lind	Mann
Murphy	Peterson	Soorholtz	Tieden

Amendment S—5443 lost.

Senator Welsh offered amendment S—5446 filed by him from the floor to House amendment S—5341 and moved its adoption.

Amendment S—5446 was adopted by a voice vote.

Senator Hultman offered amendment S—5444 filed by him from the floor to House amendment S—5341 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5444 to House amendment S—5341 be adopted?" (S.F. 2212) the vote was:

Ayes, 20:

Boswell	Corning	Drake	Fuhrman
Gentleman	Gettings	Goodwin	Hagerla
Hedge	Hester	Hultman	Jensen
Nystrom	Pate	Peterson	Rensink
Rife	Taylor	Tinsman	Vande Hoef

Nays, 23:

Bruner	Coleman	Connolly	Deluhery
Dieleman	Fraise	Gronstal	Hannon
Horn	Husak	Hutchins	Kibbie
Lloyd-Jones	Miller	Palmer	Priebe
Riordan	Running	Scott	Sturgeon
Szymoniak	Varn	Welsh	

Absent or not voting, 7:

Doyle	Kinley	Lind	Mann
Murphy	Soorholtz	Tieden	

Amendment S—5444 lost.

Senator Hultman offered amendment S—5445 filed by him from the floor to House amendment S—5341 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5445 to House amendment S—5341 be adopted?" (S.F. 2212) the vote was:

Ayes, 19:

Corning	Dieleman	Drake	Fuhrman
Gentleman	Goodwin	Hagerla	Hedge
Hester	Hultman	Jensen	Nystrom
Pate	Rensink	Rife	Szymoniak
Taylor	Tinsman	Vande Hoef	

Nays, 24:

Boswell	Bruner	Coleman	Connolly
Deluhery	Fraise	Gettings	Gronstal

Hannon	Horn	Husak	Hutchins
Kibbie	Lloyd-Jones	Miller	Palmer
Peterson	Priebe	Riordan	Running
Scott	Sturgeon	Varn	Welsh

Absent or not voting, 7:

Doyle	Kinley	Lind	Mann
Murphy	Soorholtz	Tieden	

Amendment S—5445 lost.

Senator Gronstal moved the adoption of amendment S—5441 by Senator Murphy to House amendment S—5341, previously deferred, which motion prevailed by a voice vote.

Senator Hultman asked and received unanimous consent that action on amendment S—5442 to House amendment S—5341 continue to be deferred.

Senator Hultman offered amendment S—5448 filed by Senators Hultman, Vande Hoef and Gentleman from the floor to House amendment S—5341 and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5448 to House amendment S—5341 be adopted?” (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, 21:

Corning	Drake	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Hagerla
Hedge	Hester	Hultman	Husak
Jensen	Nystrom	Pate	Peterson
Rensink	Rife	Taylor	Tinsman
Vande Hoef			

Nays, 22:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Gronstal	Hannon
Horn	Hutchins	Kibbie	Lloyd-Jones
Miller	Palmer	Priebe	Riordan

Running Varn	Scott Welsh	Sturgeon	Szymoniak
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Absent or not voting, 7:

Doyle Murphy	Kinley Soorholtz	Lind Tieden	Mann
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Amendment S—5448 lost.

Senator Hultman asked and received unanimous consent to withdraw amendment S—5442 to House amendment S—5341, previously deferred.

Senator Welsh moved that the Senate concur in House amendment S—5341 as amended, which motion prevailed by a voice vote.

Senator Welsh moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 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	Bruner	Coleman	Connolly
Deluhery	Dieleman	Fraise	Gettings
Gronstal	Hannon	Horn	Husak
Hutchins	Kibbie	Lloyd-Jones	Miller
Palmer	Peterson	Priebe	Riordan
Running	Scott	Sturgeon	Szymoniak
Varn	Welsh		

Nays, 17:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Nystrom	Pate
Rensink	Rife	Taylor	Tinsman
Vande Hoef			

Absent or not voting, 7:

Doyle
Murphy

Kinley
Soorholtz

Lind
Tieden

Mann

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

APPENDIX

REPORTS OF STANDING COMMITTEES (Place nominees on En Bloc Confirmation Calendar)

EDUCATION

Pursuant to Senate Rule 59, the committee on Education assigned to investigate the following Governor's appointments, completed its investigations on March 8, 1990, and recommended the appointees be confirmed:

Jewel Kintzinger for reappointment as a member of the Iowa Higher Education Loan Authority.

Thomas Glenn for reappointment as a member of the State Board of Education.

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 8, 1990, and recommended the appointees be confirmed:

Diane Leonard for reappointment as Administrator of the Division of Deaf Services.

Dr. Dale L. Christensen and William W. Crews for reappointment as members of the Board of Physician Assistant Examiners.

Margaret Kolck for reappointment as a member of the Commission for the Blind.

Jill Bouslog for reappointment, George B. Kerr for appointment and Kathryn L. Standing-Cordero for appointment as members of the Commission on the Deaf.

Ruth I Holton, Mignon Manelli, Tom Morain and Mary W. Wiberg for reappointment as members of the Commission on the Status of Women.

Karen Kay Baker for appointment, Jerry R. Foxhoven for reappointment and Kathryn Youberg for reappointment as members of the State Foster Care Review Board.

Pursuant to Senate Rule 59, the committee on Human Resources assigned to investigate the following Governor's appointment, completed its investigation on March 8, 1990, and **made no recommendation**:

Jane F. Ecklund for appointment as a member of the State Health Facilities Council.

STATE GOVERNMENT

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the following appointments, completed its investigations on March 12, 1990, and recommended the appointees be confirmed:

Michael R. Lura for reappointment as Administrator of the Racing and Gaming Division.

Richard Morrell for reappointment as Administrator of the Alcoholic Beverages Division.

Carroll Anderson for reappointment as a member of the Barber Examining Board.

Robert S. Klopp for reappointment as a member of the Board of Examiners for the Licensing and Regulation of Hearing Aid Dealers.

McKenzly Wilson for reappointment as a member of the Commission on the Status of Blacks.

Francis Millard Hellert for reappointment as a member of the Social Work Examining Board.

Leo K. Monaghan for reappointment as a member of the State Racing and Gaming Commission.

RESOLUTION ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following resolution to committee:

S. C. R. 126 Appropriations

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2212 passed the Senate on March 12, 1990.

JOE WELSH

EXPLANATION OF VOTES

MADAM PRESIDENT: I was necessarily absent and excused from the Senate chamber on March 8, 1990.

Had I been present, I would have voted "aye" on Senate Files 18, 2031, 2375, 2395 and 2392.

JOE WELSH

COMMITTEE REPORTS

COMMERCE

Final Bill Action: HOUSE FILE 2092, a bill for an act relating to debt management service.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Palmer, Deluhery, Gronstal, Hannon, Kinley, Mann, Nystrom, Pate, Priebe, Rife, Running and Welsh. Nays, 2: Jensen and Lind. Absent or not voting, 1: Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2369, a bill for an act relating to real property by establishing a real property inspection report.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Palmer, Deluhery, Jensen, Gronstal, Hannon, Kinley, Lind, Mann, Nystrom, Pate, Priebe, Rife, Running, Tieden and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2496, a bill for an act requiring a group health benefits insurer to disclose certain information relating to claims experience and costs of those claims.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Palmer, Deluhery, Jensen, Gronstal, Hannon, Kinley, Lind, Nystrom, Priebe, Rife, Running, Tieden and Welsh. Nays, 1: Pate. Absent or not voting, 1: Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2506, a bill for an act requiring allocation of pregnancy-related health expenses equally among female and male policyholders, subscribers, or enrollees of individual third-party payor medical expense contracts.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Palmer, Deluhery, Gronstal, Hannon, Kinley, Mann, Nystrom, Priebe, Running and Welsh. Nays, 4: Jensen, Lind, Pate and Rife. Absent or not voting, 1: Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2516, a bill for an act regulating certain motor vehicle service contracts and establishing an annual fee.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Palmer, Deluhery, Jensen, Gronstal, Hannon, Kinley, Lind, Nystrom, Pate, Priebe, Rife, Running, Tieden and Welsh. Nays, none. Absent or not voting, 1: Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: HOUSE FILE 2412, a bill for an act providing for the enactment of municipal infractions relating to the environment and providing penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5439.

Final Vote: Ayes, 6: Deluhery, Gronstal, Connolly, Hedge, Miller and Varn. Nays, none. Absent or not voting, 4: Pate, Rife, Soorholtz and Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2487, a bill for an act relating to the appointment of an environmental advocate and the establishment of an environmental advocate advisory committee.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5455.

Final Vote: Ayes, 7: Deluhery, Gronstal, Pate, Connolly, Miller, Sturgeon and Varn. Nays, 3: Hedge, Rife and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2497, a bill for an act regulating dealers of liquefied petroleum gas.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5454.

Final Vote: Ayes, 8: Deluhery, Gronstal, Pate, Connolly, Miller, Rife, Sturgeon and Varn. Nays, 2: Hedge and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2531, a bill for an act to require a business, as a condition of the receipt of state financial assistance for economic development purposes, to meet certain requirements relating to federal and state environmental protection laws and the disposal of solid and hazardous waste.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5453.

Final Vote: Ayes, 10: Deluhery, Gronstal, Pate, Connolly, Hedge, Miller, Rife, Soorholtz, Sturgeon and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: HOUSE FILE 2313, 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: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5447.

Final Vote: Ayes, 9: Varn, Deluhery, Drake, Gettings, Gronstal, Hagerla, Hester, Horn and Murphy. Nays, 1: Mann. Absent or not voting, 5: Gentleman, Coleman, Fuhrman, Taylor and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2468, a bill for an act relating to the establishment of the division of criminal justice planning and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5456.

Final Vote: Ayes, 14: Varn, Mann, Gentleman, Coleman, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Murphy, Taylor and Welsh. Nays, none. Absent or not voting, 1: Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: HOUSE FILE 2279, a bill for an act permitting the department of natural resources to accept credit cards for payment of certain fees and other permitted purposes.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Scott, Kibbie, Goodwin, Hedge, Hester, Miller, Priebe, Rensink and Tieden. Nays, 1: Peterson. Absent or not voting, 2: Doyle and Husak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2296, a bill for an act relating to the regulation and operation of dams.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Scott, Kibbie, Goodwin, Hedge, Hester, Miller, Peterson, Priebe, Rensink and Tieden. Nays, none. Absent or not voting, 2: Doyle and Husak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2500, a bill for an act relating to the enforcement of outdoor recreation and natural resource laws, by defining repeat offenders, by requiring the reporting of hunting accidents, by providing for the suspension of licenses, permits, and certificates, and by providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Scott, Kibbie, Goodwin, Hedge, Hester, Miller, Priebe, Rensink and Tieden. Nays, 1: Peterson. Absent or not voting, 2: Doyle and Husak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2520, a bill for an act relating to the transfer of oil, gas, and mineral interests in agricultural land used for farming, and providing a date of applicability.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Scott, Kibbie, Goodwin, Hedge, Hester, Husak, Miller, Peterson, Priebe, Rensink and Tieden. Nays, none. Absent or not voting, 1: Doyle.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2522, a bill for an act relating to free hunting and fishing licenses for military personnel.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-5457.

Final Vote: Ayes, 11: Scott, Kibbie, Goodwin, Hedge, Hester, Husak, Miller, Peterson, Priebe, Rensink and Tieden. Nays, none. Absent or not voting, 1: Doyle.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-5449	S.F.	2212	Charles Bruner
S-5450	S.F.	2371	Julia Gentleman
S-5451	H.F.	2495	Emil Husak
			Leonard Boswell
			Berl Priebe
			Eugene Fraise
			Kenneth Scott
			James Riordan
S-5452	H.F.	2287	Linn Fuhrman
S-5453	H.F.	2531	Environment & Energy Utilities
S-5454	H.F.	2497	Environment & Energy Utilities
S-5455	H.F.	2487	Environment & Energy Utilities
S-5456	H.F.	2468	Judiciary
S-5457	H.F.	2522	Natural Resources

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:03 p.m., until 9:00 a.m., Tuesday, March 13, 1990.

JOURNAL OF THE SENATE

SIXTY-FIFTH CALENDAR DAY
FORTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 13, 1990

The Senate met in regular session at 9:10 a.m., President Zimmerman presiding.

Prayer was offered by the Honorable Norman J. Goodwin, member of the Senate from Clinton County, DeWitt, Iowa.

The Journal of Monday, March 12, 1990, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

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 March 8, 1990, passed the following bills in which the concurrence of the Senate is asked:

House File 2540, a bill for an act relating to and providing a temporary property tax exemption for certain increased valuation of historic property, providing a phase-in of increased valuation, and providing an applicability date.

This bill was read first time and **passed on file**.

House File 2549, a bill for an act relating to the length of occupancy of the homestead for purposes of the homestead credit and providing a retroactive applicability date.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 8, 1990, adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 124, a concurrent resolution to amend subsection 2, unnumbered paragraph 2, of Joint Rule 20, by advancing the second deadline date in that paragraph.

ALSO: That the House has on March 8, 1990, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 2097, a bill for an act relating to the mediation of disputes between dentists and patients by the board of dental examiners (S—5460).

Senate File 2262, a bill for an act relating to licensure to practice veterinary medicine without an examination (S—5461).

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.	228	Local Government
S. F.	2152	Human Resources
S. F.	2168	State Government
S. F.	2330	Judiciary
S. F.	2336	Natural Resources
S. F.	2345	Human Resources

Senator Hutchins asked and received unanimous consent that the following bills be referred from the Regular Calendar to committee:

S. F.	134	Transportation
S. F.	257	Small Business & Economic Development
S. F.	340	Judiciary
S. F.	392	Business & Labor Relations
S. F.	398	Judiciary
S. F.	456	Agriculture
S. F.	457	Agriculture
S. F.	476	State Government
S. F.	2043	Commerce
S. F.	2056	Transportation

S. F.	2061	Judiciary
S. F.	2062	Transportation
S. F.	2075	Agriculture
S. F.	2175	Human Resources
S. F.	2218	Natural Resources
S. F.	2224	Small Business & Economic Development
S. F.	2237	Agriculture
S. F.	2251	State Government
S. F.	2255	Commerce
S. F.	2256	Human Resources
S. F.	2272	Commerce
S. F.	2273	Commerce
S. F.	2283	Judiciary
S. F.	2285	Judiciary
S. F.	2318	Judiciary
S. F.	2321	Judiciary
S. F.	2339	Judiciary
S. F.	2346	Human Resources
S. F.	2355	Judiciary
S. F.	2356	Transportation
S. F.	2357	Local Government
S. F.	2359	Agriculture
S. F.	2373	Judiciary
S. F.	2381	Human Resources
S. F.	2389	Education
S. F.	2391	Environment & Energy Utilities
S. F.	2394	Judiciary
S. F.	2397	Judiciary
S. F.	2398	Judiciary
S. F.	2401	Human Resources
S. F.	2405	Human Resources

UNFINISHED BUSINESS
(Deferred February 28, 1990)

Senate File 2276

The Senate resumed consideration of Senate File 2276, a bill for an act relating to weighing and measuring devices, and establishing fees, deferred February 28, 1990.

Senator Fraise asked and received unanimous consent that **House File 2451** be substituted for **Senate File 2276**.

House File 2451

On motion of Senator Fraise, House File 2451, a bill for an act relating to weighing and measuring devices, and establishing fees, 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. 2451) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Connolly
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Deluhery	Mann	Murphy
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Fraise asked and received unanimous consent that **Senate File 2276** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS (Deferred March 5, 1990)

House File 2212

On motion of Senator Gronstal, House File 2212, a bill for an act delaying the repeal of the Iowa boundary commission and

providing an effective date, was taken up for further consideration (substituted for Senate File 2154 and deferred on March 5, 1990.)

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. 2212) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Connolly
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Deluhery	Mann	Murphy
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Gronstal asked and received unanimous consent that **Senate File 2154** be **withdrawn** from further consideration of the Senate.

House File 2324

On motion of Senator Miller, House File 2324, a bill for an act relating to disposition of instruments filed with the county recorder, and providing for the applicability of certain instruments, was taken up for further consideration (substituted for Senate File 2231 and deferred on March 5, 1990.)

Senator Miller moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2324) the vote was:

Ayes, 45:

Boswell	Coleman	Connolly	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 5:

Bruner	Deluhery	Gronstal	Mann
Murphy			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Miller asked and received unanimous consent that **Senate File 2231** be **withdrawn** from further consideration of the Senate.

House File 2423

On motion of Senator Drake, House File 2423, a bill for an act relating to establishing title where a surviving spouse is a joint tenant of real estate with a deceased spouse, was taken up for further consideration (substituted for Senate File 2284 and deferred on March 5, 1990.)

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. 2423) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	C Connolly
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Deluhery	Mann	Murphy
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Drake asked and received unanimous consent that **Senate File 2284** be **withdrawn** from further consideration of the Senate.

House File 2453

On motion of Senator Gettings, House File 2453, a bill for an act relating to arbitration agreements between manufacturers, distributors, or importers of motor vehicles and motor vehicle dealers, was taken up for consideration (substituted for Senate File 2297 and deferred on March 5, 1990.)

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. 2453) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	C Connolly
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings

Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Deluhery	Mann	Murphy
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Gettings asked and received unanimous consent that **Senate File 2297** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS (Deferred March 7, 1990)

House File 2489

On motion of Senator Riordan, House File 2489, a bill for an act relating to health care facilities, providing a penalty, and providing an effective date, was taken up for further consideration (substituted for Senate File 2307 and deferred on March 7, 1990.)

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. 2489) the vote was:

Ayes, 46:

Boswell	Bruner	Coleman	Cornolly
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie

Kinley	Lind	Lloyd-Jones	Miller
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Deluhery	Mann	Murphy	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 Riordan asked and received unanimous consent that **Senate File 2307** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS

(Deferred March 12, 1990)

House File 2309

On motion of Senator Hagerla, House File 2309, a bill for an act relating to schedule II controlled substances, was taken up for further consideration (substituted for Senate File 2247 and deferred on March 12, 1990.)

Senator Hagerla moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2309 the vote was:

Ayes, 45:

Boswell	Bruner	Coleman	Connolly
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Riordan	Running

Scott
Taylor
Varn

Soorholtz
Tieden

Sturgeon
Tinsman

Szymoniak
Vande Hoef

Nays, none.

Absent or not voting, 5:

Deluhery
Welsh

Mann

Murphy

Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hagerla asked and received unanimous consent that **Senate File 2247** be **withdrawn** from further consideration of the Senate.

House File 2425

On motion of Senator Hester, House File 2425, a bill for an act relating to certain trust and estate documents by providing for notice requirements for claims against an estate, the validity of a voluntary trust, and voluntary petitions for conservatorships and their required contents, was taken up for further consideration (substituted for Senate File 2354 and deferred on March 12, 1990.)

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. 2425) the vote was:

Ayes, 46:

Boswell
Corning
Fraise
Goodwin
Hedge
Hutchins
Lind
Palmer
Rensink
Scott
Taylor
Varn

Bruner
Dieleman
Fuhrman
Gronstal
Hester
Jensen
Lloyd-Jones
Pate
Rife
Soorholtz
Tieden
Welsh

Coleman
Doyle
Gentleman
Hagerla
Horn
Kibbie
Miller
Peterson
Riordan
Sturgeon
Tinsman

Connolly
Drake
Gettings
Hannon
Husak
Kinley
Nystrom
Priebe
Running
Szymoniak
Vande Hoef

Nays, none.

Absent or not voting, 4:

Deluhery

Hultman

Mann

Murphy

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hester asked and received unanimous consent that **Senate File 2354** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House Files 2143, 2199, 2104, 2044, 324 and 2118.

House File 2143

On motion of Senator Nystrom, House File 2143, a bill for an act regulating the parking of motor vehicles on snow routes, and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Nystrom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2143) the vote was:

Ayes, 33:

Boswell
Corning
Gettings
Hannon
Hutchins
Lloyd-Jones
Pate
Soorholtz
Vande Hoef

Bruner
Dieleman
Goodwin
Hedge
Jensen
Miller
Priebe
Sturgeon

Coleman
Drake
Gronstal
Horn
Kibbie
Nystrom
Rensink
Szymoniak

Connolly
Gentleman
Hagerla
Hultman
Kinley
Palmer
Rife
Tinsman

Nays, 13:

Doyle

Fraise

Fuhrman

Husak

Lind	Peterson	Riordan	Running
Scott	Taylor	Tieden	Varn
Welsh			

Absent or not voting, 4:

Deluhery	Hester	Mann	Murphy
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2199

On motion of Senator Priebe, House File 2199, a bill for an act relating to agricultural drainage wells and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Priebe moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2199) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Connolly
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Deluhery	Mann	Murphy
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2104

On motion of Senator Corning, House File 2104, a bill for an act requiring the Iowa department of public health to enter the name of the father on the certificate of birth upon a determination of paternity by a court of competent jurisdiction, with report of committee recommending passage, was taken up for consideration.

Senator Corning moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2104) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Connolly
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Deluhery	Mann	Murphy
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2044

On motion of Senator Dieleman, House File 2044, a bill for an act relating to the sale, lease, or other disposition of student-constructed buildings and related school property, 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. 2044) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Connolly
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Deluhery	Mann	Scott
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 324

On motion of Senator Vande Hoef, House File 324, a bill for an act relating to the confidentiality of county general relief records, and subjecting violators to a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Miller asked and received unanimous consent to withdraw amendment S—3442 filed by the committee on Local Government on March 28, 1989, to page 1 and the title page of the bill.

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. 324) the vote was:

Ayes, 48:

Boswell	Bruner	Coleman	Connolly
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Deluhery Mann

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2118

On motion of Senator Doyle, House File 2118, a bill for an act authorizing persons to obtain copies of their own accident reports filed with the state department of transportation, with report of committee recommending passage, was taken up for consideration.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2118) the vote was:

Ayes, 48:

Boswell	Bruner	Coleman	Connolly
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz

Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Deluhery	Mann
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order House Files 2458, 2461, 2105, 2178, 2213, 2421, 2430 and 2177.

House File 2458

On motion of Senator Nystrom, House File 2458, a bill for an act requiring restitution of persons convicted of interfering with a traffic device, sign, or signal, with report of committee recommending passage, was taken up for consideration.

Senator Nystrom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2458) the vote was:

Ayes, 44:

Boswell	Bruner	Coleman	Connolly
Corning	Djeleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Vande Hoef	Varn	Welsh

Nays, 4:

Hultman	Priebe	Tieden	Tinsman
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Absent or not voting, 2:

Deluhery Mann

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2461

On motion of Senator Gettings, House File 2461, a bill for an act relating to motor vehicle odometer requirements, 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. 2461) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Connolly
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Deluhery Hultman Mann

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2105

On motion of Senator Gentleman, House File 2105, a bill for an act providing for access to certain vital statistics records which are at least seventy-five years old, with report of committee recommending passage, was taken up for consideration.

Senator Gentleman asked and received unanimous consent that action on **House File 2105** be deferred.

House File 2178

On motion of Senator Hannon, House File 2178, a bill for an act relating to state and local substitute medical decision-making boards, with report of committee recommending passage, was taken up for consideration.

Senator Hannon moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2178) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Connolly
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Deluhery	Mann	Riordan
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2213

On motion of Senator Gronstal, House File 2213, a bill for an act relating to the regulation of banks to conform to changes in federal law contained in the Financial Institutions Reform, Recovery and Enforcement Act of 1989, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that action on **House File 2213** be **deferred**.

House File 2421

On motion of Senator Bruner, House File 2421, a bill for an act providing authority under certain conditions for the release of information by the child support recovery unit to certain persons and to other units of the department of human services, 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. 2421) the vote was:

Ayes, 46:

Boswell	Bruner	Coleman	Connolly
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Nystrom	Palmer	Peterson
Priebe	Rensink	Rife	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Deluhery	Mann	Pate	Riordan
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2430

On motion of Senator Connolly, House File 2430, a bill for an act relating to the disclosure of certain mental health information

to family members, with report of committee recommending passage, was taken up for consideration.

Senator Connolly moved that the bill be read the last time now and placed upon its passage, 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, 47:

Boswell	Bruner	Coleman	Connolly
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Deluhery	Hultman	Mann
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2177

On motion of Senator Tinsman, House File 2177, a bill for an act relating to the operation of state hospital-schools under the control of the department of human services by authorizing the offering of goods and services to the public as part of client training programs and by deleting the requirement of maintaining daily records of time worked by institutional staff, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Tinsman asked and received unanimous consent that action on **House File 2177** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order House Files 2339, 2115, 2132 and 2170.

House File 2339

On motion of Senator Dieleman, House File 2339, a bill for an act relating to costs associated with the Iowa management training revolving fund, 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. 2339) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Connolly
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Nystrom	Palmer	Pate
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Deluhery	Mann	Peterson
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2115

On motion of Senator Sturgeon, House File 2115, a bill for an act regulating the commercial cleaning of private sewage disposal facilities, by providing for the adoption of standards and the issuance of licenses, providing license fees, providing a civil penalty, and providing effective and applicability dates, with

report of committee recommending amendment and passage, was taken up for consideration.

Senator Sturgeon offered amendment S—5371 filed by the committee on Environment and Energy Utilities on March 6, 1990, to page 1 of the bill and moved its adoption.

Amendment S—5371 was adopted by a voice vote.

Senator Taylor asked and received unanimous consent that action on **House File 2115** be **deferred**.

House File 2132

On motion of Senator Lloyd-Jones, House File 2132, a bill for an act to change the effective date for programs for at-risk children and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Lloyd-Jones moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2132) the vote was:

Ayes, 48:

Boswell	Bruner	Coleman	Connolly
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Deluhery Mann

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2170

On motion of Senator Vande Hoef, House File 2170, a bill for an act relating to the prohibition of the use of certain pesticides, and making a penalty applicable, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Miller offered amendment S—5358 filed by the committee on Agriculture on March 6, 1990, to page 1 of the bill and moved its adoption.

Amendment S—5358 was adopted by a voice vote.

Senator Vande Hoef moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2170) the vote was:

Ayes, 46:

Boswell	Bruner	Coleman	Connolly
Corning	Dieleman	Doyle	Drake
Fraise	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 1:

Fuhrman

Absent or not voting, 3:

Deluhery Hultman Mann

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:58 a.m., until 1:30 p.m.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****AGRICULTURE**

Convened: March 12, 1990, 4:45 p.m.

Members Present: Priebe, Chair; Riordan, Vice Chair; Soorholtz, Ranking Member; Boswell, Coleman, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef.

Members Absent: none.

Committee Business: Recommended passage of House Files 2281, 2529, 534 and 2340; approved proposed committee resolution; recommended confirmation of Governor's appointees.

Adjourned: 5:20 p.m.

BUSINESS AND LABOR RELATIONS

Convened: March 12, 1990, 12:19 p.m.

Members Present: Peterson, Chair; Sturgeon, Vice Chair; Gettings, Mann, Palmer and Running.

Members Absent: Fuhrman, Ranking Member; Hultman, Taylor and Vande Hoef.

Committee Business: Recommended passage of House File 2346.

Adjourned: 12:20 p.m.

BUSINESS AND LABOR RELATIONS

Convened: March 12, 1990, 10:05 a.m.

Members Present: Peterson, Chair; Sturgeon, Vice Chair; Fuhrman, Ranking Member; Gettings, Hultman, Palmer, Running, Taylor and Vande Hoef.

Members Absent: Mann.

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 2201, 2343, 2405 and 2460; recommended passage of House File 2287 as amended; recommended confirmation of Governor's appointees.

Adjourned: 10:28 a.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: March 12, 1990, 2:55 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Pate, Ranking Member; Connolly, Hedge, Miller, Rife, Soorholtz, Sturgeon and Varn.

Members Absent: none.

Committee Business: Recommended passage of House Files 2531, 2497 and 2487 as amended.

Adjourned: 3:20 p.m.

HUMAN RESOURCES

Convened: March 12, 1990, 4:25 p.m.

Members Present: Hannon, Chair; Bruner, Vice Chair; Corning, Ranking Member; Connolly, Gentleman, Hagerla, Riordan, Sturgeon, Taylor and Tinsman.

Members Absent: Horn and Murphy (both excused).

Committee Business: Recommended passage of House File 2503 as amended.

Adjourned: 4:46 p.m.

JUDICIARY

Convened: March 12, 1990, 11:10 a.m.

Members Present: Varn, Chair; Mann, Vice Chair; Gentleman, Ranking Member; Coleman, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Murphy, Taylor and Welsh.

Members Absent: Deluhery (excused).

Committee Business: Recommended passage of House Files 2367, 2438, 2065, 2109, 2103, 2160, 2488, 2508, 2511 and 2292; recommended passage of House File 2468 as amended; House File 436 failed recommendation for passage.

Adjourned: 12:14 p.m.

NATURAL RESOURCES

Convened: March 12, 1990, 4:15 p.m.

Members Present: Scott, Chair; Kibbie, Vice Chair; Goodwin, Ranking Member; Hedge, Hester, Husak, Miller, Peterson, Priebe, Rensink and Tieden.

Members Absent: Doyle (excused).

Committee Business: Recommended passage of House Files 2279, 2296, 2500 and 2520; recommended passage of House File 2522 as amended.

Adjourned: 4:30 p.m.

STATE GOVERNMENT

Convened: March 12, 1990, 9:50 a.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running and Vande Hoef.

Members Absent: Coleman, Dieleman, Drake and Soorholtz (all excused).

Committee Business: Recommended confirmation of Governor's appointees.

Adjourned: 9:53 a.m.

STATE GOVERNMENT

Convened: March 12, 1990, 10:39 a.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Coleman, Dieleman, Fraise, Gentleman, Gronstal, Hannon, Horn, Running and Vande Hoef.

Members Absent: Drake, Rife and Soorholtz (all excused).

Committee Business: Recommended passage of House File 656.

Adjourned: 10:41 a.m.

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which House File 2461 passed the Senate on March 13, 1990.

JOE WELSH

MADAM PRESIDENT: I move to reconsider the vote by which House File 2339 passed the Senate on March 13, 1990.

JOE WELSH

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: HOUSE FILE 2281, a bill for an act relating to ethanol technology, by providing for a consortium for ethanol research and technology.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Priebe, Riordan, Soorholtz, Boswell, Coleman, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2340, a bill for an act providing for disposal of livestock, and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5467.

Final Vote: Ayes, 15: Priebe, Riordan, Soorholtz, Boswell, Coleman, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2529, a bill for an act relating to contracts for the care and feeding of livestock and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Priebe, Riordan, Soorholtz, Boswell, Fraise, Husak, Miller, Palmer and Scott. Nays, 5: Coleman, Hedge, Hester, Rensink and Vande Hoef. Absent or not voting, 1: Fuhrman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: HOUSE FILE 2062, a bill for an act relating to group accident and sickness insurance, group nonprofit health service plans, and prepaid group plans of health maintenance organizations by mandating inclusion of newborn infant coverage for treatment, including routine well-baby care, under certain circumstances.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-5459.

Final Vote: Ayes, 9: Palmer, Deluhery, Gronstal, Hannon, Kinley, Mann, Priebe, Running and Welsh. Nays, 5: Jensen, Lind, Nystrom, Rife and Tieden. Absent or not voting, 1: Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: HOUSE FILE 2503, a bill for an act relating to the notification or testing of persons receiving health or correctional services regarding the human immunodeficiency virus.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-5464.

Final Vote: Ayes, 9: Hannon, Corning, Connolly, Gentleman, Hagerla, Riordan, Sturgeon, Taylor and Tinsman. Nays, 1: Bruner. Absent or not voting, 2: Horn and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: HOUSE FILE 2438, a bill for an act relating to the crime victim reparation and victim assistance programs, specifying that the crime victim reparation program may be included in a restitution plan, establishing a priority for payment in a restitution plan, relieving the clerk of the supreme court of victim notification requirements on appeals and transferring those duties to the department of justice, providing confidentiality requirements concerning victims and witnesses with certain exceptions, permitting victims of simple misdemeanors

to participate in the crime victim reparation program, and permitting certain victims of crimes committed outside of this state to participate in the crime victim reparation program.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5462.

Final Vote: Ayes, 13: Varn, Mann, Gentleman, Coleman, Drake, Fuhrman, Gettings, Gronstal, Hester, Horn, Murphy, Taylor and Welsh. Nays, none. Absent or not voting, 2: Deluhery and Hagerla.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5458	H.F.	2329	Donald Doyle
S—5459	H.F.	2062	Commerce
S—5460	S.F.	2097	House amendment
S—5461	S.F.	2262	House amendment
S—5462	H.F.	2438	Judiciary
S—5463	H.F.	2482	Kenneth Scott
S—5464	H.F.	2503	Human Resources
S—5465	H.F.	2355	Jack Hester
S—5466	H.F.	2440	Joy Corning
S—5467	H.F.	2340	Agriculture
S—5468	H.F.	737	William W. Dieleman
S—5469	H.F.	2115	Ray Taylor
			Alvin Miller
			Berl Priebe
			Kenneth Scott
			C. Joseph Coleman
			Emil Husak
			Leonard Boswell
			Jack Hester
			Linn Fuhrman
			H. Kay Hedge
			Richard Vande Hoef
			John W. Jensen
			Norman Goodwin
			Richard Drake
			Dale Tieden
			Jack Rife
			John Soorholtz

AFTERNOON SESSION

The Senate reconvened at 1:33 p.m., Senator Coleman presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Szymoniak for a portion of the afternoon on request of Senator Hutchins.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House Files 2401, 2457, 2482, 2057, 705, 2153 and 2307.

House File 2401

On motion of Senator Connolly, House File 2401, a bill for an act relating to the reporting of a hazardous condition involving a hazardous substance to the department of natural resources, to the local law enforcement agency, and to operators of affected public or private water supply systems, with report of committee recommending passage, was taken up for consideration.

Senator Connolly moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2401) the vote was:

Ayes, 42:

Boswell	Bruner	Coleman	Connolly
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings

Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Lind	Lloyd-Jones	Miller	Nystrom
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Running	Scott
Sturgeon	Taylor	Tieden	Tinsman
Vande Hoef	Varn		

Nays, none.

Absent or not voting, 8:

Deluhery	Kinley	Mann	Murphy
Peterson	Soorholtz	Szymoniak	Welsh

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 Jensen, House File 2457, a bill for an act relating to aircraft registration and special certificate fees, with report of committee recommending passage, was taken up for consideration.

Senator Jensen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2457) the vote was:

Ayes, 39:

Boswell	Bruner	Coleman	Connolly
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lloyd-Jones	Miller	Nystrom	Palmer
Priebe	Rensink	Riordan	Running
Scott	Sturgeon	Taylor	Tieden
Tinsman	Vande Hoef	Varn	

Nays, 4:

Gentleman	Lind	Pate	Rife
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Absent or not voting, 7:

Deluhery
Soorholtz

Mann
Szymoniak

Murphy
Welsh

Peterson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2482

On motion of Senator Scott, House File 2482, a bill for an act establishing an entrepreneurship task force, with report of committee recommending passage, was taken up for consideration.

Senator Dieleman took the chair at 1:50 p.m.

Senator Scott offered amendment S—5463 filed by him from the floor to page 2 and the title page of the bill and moved its adoption.

Amendment S—5463 was adopted by a voice vote.

Senator Hultman raised the point of order that House File 2482 should be referred to the committee on Appropriations under Rule 38.

The Chair ruled the point well taken and **House File 2482** was referred to the committee on **Appropriations** under Senate Rule 38.

House File 2057

On motion of Senator Tinsman, House File 2057, a bill for an act relating to prohibited interests in public contracts, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Tinsman offered amendment S—5420 filed by the committee on Local Government on March 8, 1990, to page 1 of the bill and moved its adoption.

Amendment S—5420 was adopted by a voice vote.

Senator Tinsman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2057) the vote was:

Ayes, 33:

Boswell	Bruner	Connolly	Corning
Dieleman	Drake	Gentleman	Goodwin
Gronstal	Hagerla	Hedge	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Nystrom	Palmer	Pate
Rensink	Rife	Sturgeon	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 10:

Coleman	Doyle	Fraise	Fuhrman
Gettings	Peterson	Priebe	Riordan
Running	Scott		

Absent or not voting, 7:

Deluhery	Hannon	Hester	Mann
Murphy	Soorholtz	Szymoniak	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 705

On motion of Senator Boswell, House File 705, a bill for an act establishing primary and satellite research and marketing centers for economic development programs and services, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Boswell offered amendment S—5381 filed by the committee on Small Business and Economic Development on March 7, 1990, to strike everything after the enacting clause and to the title page of the bill.

Senator Kibbie offered amendment S—5471 filed by Senators Kibbie and Boswell from the floor to pages 2, 3, 4, 6 and 8 of amendment S—5381 and moved its adoption.

President Zimmerman took the chair at 2:07 p.m.

Amendment S—5471 was adopted by a voice vote.

Senator Boswell moved the adoption of amendment S—5381 as amended, which motion prevailed by a voice vote.

Senator Boswell moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 705) the vote was:

Ayes, 46:

Boswell	Bruner	Coleman	Connolly
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 1:

Jensen

Absent or not voting, 3:

Deluhery	Hannon	Mann
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

House File 2153

On motion of Senator Connolly, House File 2153, a bill for an act relating to the fifteen-day report filed by an administrator or chief medical officer of a hospital or facility with the court after the commitment hearing in civil commitment proceedings, with report of committee recommending passage, was taken up for consideration.

Senator Connolly moved that the bill be read the last time now and placed upon its passage, 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, 47:

Boswell	Bruner	Coleman	Connolly
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Deluhery	Hutchins	Mann
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2307

On motion of Senator Szymoniak, House File 2307, a bill for an act relating to the concurrent holding of the offices of city council member and fire chief of the volunteer fire department, with report of committee recommending passage, was taken up for consideration.

Senator Szymoniak moved that the bill be read the last time now and placed upon its passage, 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, 46:

Boswell	Bruner	Coleman	Connolly
Corning	Dieleman	Doyle	Drake

Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Miller	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Deluhery	Lloyd-Jones	Mann	Murphy
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

House File 2105

The Senate resumed consideration of House File 2105, a bill for an act providing for access to certain vital statistics records which are at least seventy-five years old, previously deferred.

Senator Gentleman offered amendment S—5470 filed by her from the floor to page 1 and the title page of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 14, nays 28.

Amendment S—5470 lost.

Senator Gentleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2105) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Connolly
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Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Deluhery	Hutchins	Mann
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS (Regular Calendar)

House File 2357

On motion of Senator Murphy, House File 2357, a bill for an act relating to the applicability of school district reorganization incentives and providing a retroactive applicability date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Murphy offered amendment S—5427 filed by the committee on Education on March 8, 1990, to pages 1 and 2 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5427 be adopted?" (H.F. 2357) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 23:

Bruner	Coleman	Connolly	Dieleman
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Doyle	Fraise	Gentleman	Gettings
Gronstal	Horn	Hutchins	Kinley
Lloyd-Jones	Miller	Murphy	Palmer
Pate	Riordan	Running	Sturgeon
Szymoniak	Tinsman	Varn	

Nays, 25:

Boswell	Corning	Drake	Fuhrman
Goodwin	Hagerla	Hannon	Hedge
Hester	Hultman	Husak	Jensen
Kibbie	Lind	Nystrom	Peterson
Priebe	Rensink	Rife	Scott
Soorholtz	Taylor	Tieden	Vande Hoef
Welsh			

Absent or not voting, 2:

Deluhery	Mann
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Amendment S—5427 lost.

Senator Murphy asked and received unanimous consent that action on **House File 2357** be deferred.

House File 2364

On motion of Senator Gronstal, House File 2364, a bill for an act relating to increasing the penalty for failure to file a release and satisfaction when a judgment is paid in full, 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. 2364) the vote was:

Ayes, 45:

Boswell	Bruner	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lloyd-Jones
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott

Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 2:

Gentleman	Lind
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Absent or not voting, 3:

Connolly	Deluhery	Mann
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2368

On motion of Senator Sturgeon, House File 2368, a bill for an act requiring the department of human services to adopt administrative rules which apply a civil penalty to certain health care facilities reimbursed under the medical assistance program, 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. 2368) the vote was:

Ayes, 43:

Boswell	Bruner	Coleman	Connolly
Corning	Dieleman	Doyle	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Soorholtz	Sturgeon	Szymoniak
Tinsman	Varn	Welsh	

Nays, 4:

Scott	Taylor	Tieden	Vande Hoef
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Absent or not voting, 3:

Deluhery Drake Mann

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2471

On motion of Senator Gronstal, House File 2471, a bill for an act relating to the jurisdiction of small claims court over executions of personal property, including garnishments, and providing for the Act's applicability, 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. 2471) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Connolly
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Deluhery Hultman Mann

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Riordan took the chair at 3:15 p.m.

House File 2459

On motion of Senator Boswell, House File 2459, a bill for an act relating to the employment of personnel under sharing agreements between school districts, with report of committee recommending passage, was taken up for consideration.

Senator Murphy offered amendment S—5474 filed by Senators Murphy and Lind from the floor to page 1 of the bill.

Senator Jensen raised the point of order that amendment S—5474 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5474 in order.

Senator Peterson asked and received unanimous consent that action on amendment S—5474 be deferred.

Senator Murphy offered amendment S—5475 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5475 was adopted by a voice vote.

Senator Murphy asked and received unanimous consent that action on **House File 2459** be **deferred** (S—5474 pending).

House File 2481

On motion of Senator Murphy, House File 2481, a bill for an act extending the waiver provisions relating to educational standards for guidance programs and media services for one additional year, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Taylor offered amendment S—5426 filed by the committee on Education on March 8, 1990, to page 1 of the bill.

Senator Murphy raised the point of order that amendment S—5426 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5426 in order.

Senator Taylor moved the adoption of amendment S—5426.

A record roll call was requested.

On the question "Shall amendment S—5426 be adopted?" (H.F. 2481) the vote was:

Ayes, 31:

Connolly	Dieleman	Doyle	Drake
Fuhrman	Gettings	Goodwin	Hagerla
Hannon	Hedge	Hester	Hultman
Jensen	Kibbie	Kinley	Lind
Miller	Nystrom	Palmer	Peterson
Priebe	Rensink	Rife	Riordan
Scott	Soorholtz	Taylor	Tieden
Tinsman	Vande Hoef	Welsh	

Nays, 16:

Boswell	Bruner	Coleman	Corning
Fraise	Gentleman	Gronstal	Horn
Hutchins	Lloyd-Jones	Murphy	Pate
Running	Sturgeon	Szymoniak	Varn

Absent or not voting, 3:

Deluhery	Husak	Mann
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Amendment S—5426 was adopted.

Senator Varn asked and received unanimous consent that action on **House File 2481** be deferred.

President Zimmerman took the chair at 3:52 p.m.

House File 2485

On motion of Senator Szymoniak, House File 2485, a bill for an act relating to the establishment of the Iowa arts and culture challenge grant foundation and foundation fund, with report of committee recommending passage, was taken up for consideration.

Senator Szymoniak moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2485) the vote was:

Ayes, 42:

Boswell	Coleman	Corning	Dieleman
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Doyle	Drake	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Gronstal
Hagerla	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 8:

Bruner	Connolly	Deluhery	Hannon
Hultman	Mann	Miller	Murphy

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

House File 2459

The Senate resumed consideration of House File 2459 and amendment S—5474 by Senators Murphy and Lind to page 1 of the bill, previously deferred.

Senator Murphy offered amendment S—5476 filed by Senators Murphy and Peterson from the floor to amendment S—5474 and moved its adoption.

Amendment S—5476 was adopted by a voice vote.

Senator Murphy moved the adoption of amendment S—5474 as amended, which motion prevailed by a voice vote.

Senator Boswell moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2459) the vote was:

Ayes, 34:

Boswell	Bruner	Coleman	Connolly
Dieleman	Doyle	Drake	Gettings
Gronstal	Hannon	Hedge	Hester
Horn	Hultman	Hutchins	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Rensink	Riordan	Running
Sturgeon	Szymoniak	Taylor	Tieden
Varn	Welsh		

Nays, 11:

Corning	Fuhrman	Gentleman	Goodwin
Hagerla	Jensen	Rife	Scott
Soorholtz	Tinsman	Vande Hoef	

Absent or not voting, 5:

Deluhery	Fraise	Husak	Mann
Priebe			

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)

House File 2498

On motion of Senator Tinsman, House File 2498, a bill for an act providing certain modifications to child foster care licensing requirements, with report of committee recommending passage, was taken up for consideration.

Senator Tinsman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2498) the vote was:

Ayes, 48:

Boswell	Bruner	Coleman	Connolly
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie

Kinley	Lind	Lloyd-Jones	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Deluhery Mann

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order House Files 2341, 2165, 664, 2465, 2384, 2405, 2460 and 2496.

House File 2341

On motion of Senator Szymoniak, House File 2341, a bill for an act relating to airport zoning regulations by allowing conformance with federal aviation regulations, with report of committee recommending passage, was taken up for consideration.

Senator Szymoniak moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2341) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Connolly
Corning	Dieleman	Doyle	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Deluhery Drake Mann

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2165

On motion of Senator Gettings, House File 2165, a bill for an act relating to indemnification for odometer fraud from a motor vehicle dealer's surety bond and increasing the amount of the bond, 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. 2165) the vote was:

Ayes, 48:

Boswell	Bruner	Coleman	Connolly
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Deluhery Mann

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 664

On motion of Senator Doyle, House File 664, a bill for an act relating to the fine for certain violations regarding motor vehicles of excessive size or weight, with report of committee recommending passage, was taken up for consideration.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 664) the vote was:

Ayes, 48:

Boswell	Bruner	Coleman	Connolly
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Deluhery	Mann
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2465

On motion of Senator Lloyd-Jones, House File 2465, a bill for an act relating to the removal of railway track from a grade crossing once the railway corporation has abandoned the line or permitted interim use for the establishment of a trail, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Lloyd-Jones offered amendment S—5367 filed by the committee on Transportation on March 6, 1990, to page 1 of the bill and moved its adoption.

Amendment S—5367 was adopted by a voice vote.

Senator Lloyd-Jones offered amendment S—5373 filed by her on March 6, 1990, to page 1 of the bill and moved its adoption.

Amendment S—5373 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. 2465) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Connolly
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Deluhery	Hultman	Mann
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2384

On motion of Senator Dieleman, House File 2384, a bill for an act establishing a state fair challenge grant foundation, with report of committee recommending passage, was taken up for consideration.

Senator Pate asked and received unanimous consent that action on **House File 2384** be deferred.

House File 2405

On motion of Senator Palmer, House File 2405, a bill for an act relating to access to personnel employment files by public and private employees, with report of committee recommending passage, was taken up for consideration.

Senator Palmer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2405) the vote was:

Ayes, 46:

Boswell	Bruner	Coleman	Connolly
Corning	Dieleman	Doyle	Drake
Fraise	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tiedent	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 1:

Fuhrman

Absent or not voting, 3:

Deluhery	Hannon	Mann
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2460

On motion of Senator Hultman, House File 2460, a bill for an act relating to remedial relief for public employment relations violations and to unfair representation by a bargaining

representative of a public employee, 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?" (H.F. 2460) the vote was:

Ayes, 48:

Boswell	Bruner	Coleman	Connolly
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Deluhery Mann

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2496

On motion of Senator Gronstal, House File 2496, a bill for an act requiring a group health benefits insurer to disclose certain information relating to claims experience and costs of those claims, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that action on **House File 2496** be deferred.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 127, by committee on

Agriculture, a concurrent resolution to encourage the establishment of the National Association of Swine Records in Des Moines, Iowa, and the support of the Association to increase performance of purebred swine and to assist purebred swine producers.

Read first time and placed on calendar.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House Files 658 and 2233.

House File 658

On motion of Senator Running, House File 658, a bill for an act relating to saving and loan associations and their regulation by the superintendent of savings and loans, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Running offered amendment S—5069 filed by the committee on Commerce on February 8, 1990, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—5069 was adopted by a voice vote.

Senator Running moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 658) the vote was:

Ayes, 46:

Boswell	Bruner	Coleman	Connolly
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Sturgeon	Szymoniak

Taylor Varn	Tieden Welsh	Tinsman	Vande Hoef
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Nays, none.

Absent or not voting, 4:

Deluhery	Hutchins	Mann	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.

House File 2233

On motion of Senator Running, House File 2233, a bill for an act relating to the installation of fire extinguishing systems in open parking garages, with report of committee recommending passage, was taken up for consideration.

Senator Running moved that the bill be read the last time now and placed upon its passage, 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, 45:

Boswell	Bruner	Coleman	Connelly
Corning	Dieleman	Doyle	Drake
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 5:

Deluhery	Fraise	Hutchins	Mann
Soorholtz			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Husak asked and received unanimous consent to take up out of order House File 2119.

House File 2119

On motion of Senator Doyle, House File 2119, a bill for an act relating to violations involving disobedience of the warning lamps, signal lamps, and stop arms of school buses, with report of committee recommending passage, was taken up for consideration.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2119) the vote was:

Ayes, 46:

Boswell	Bruner	Coleman	Connolly
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Deluhery	Hutchins	Mann	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.

MOTION TO RECONSIDER WITHDRAWN

Senate File 2212

Senator Welsh withdrew the motion to reconsider Senate File 2212, a bill for an act relating to and making supplemental appropriations or decreasing appropriations to the department

of human services, Iowa department of public health, state board of regents, department of general services, department of inspections and appeals, department of employment services, department of commerce, state department of transportation, department of corrections, department of public safety, department of justice, judicial department, department of elder affairs, department of agriculture and land stewardship, department of natural resources, department of cultural affairs, department of education, and college aid commission for the remainder of the fiscal year ending June 30, 1990, and providing an effective date, filed by him on March 12, 1990, and found on page 1001 of the Senate Journal.

IMMEDIATELY MESSAGED

Senator Husak asked and received unanimous consent that the following bills be immediately messaged to the House:

House Files 324, 664, 658, 2044, 2057, 2104, 2105, 2118, 2119, 2132, 2143, 2153, 2165, 2170, 2178, 2199, 2212, 2233, 2307, 2309, 2324, 2341, 2364, 2368, 2401, 2405, 2421, 2423, 2425, 2430, 2451, 2453, 2457, 2458, 2459, 2460, 2465, 2471, 2485 and 2489.

APPENDIX

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Eleven second grade students from West Elementary School, West Liberty, Iowa, accompanied by Chris Clark. Senator Rife.

Thirteen eighth grade students from St. Teresa's School, Des Moines, Iowa, accompanied by Linda Thompson. Senator Szymoniak.

Sixty fifth grade students from Western Hills Elementary School, West Des Moines, Iowa, accompanied by Mary Huggins and Joan Strentz. Senator Gentleman.

Fifteen eighth grade students from Holy Family School, Des Moines, Iowa, accompanied by Dennis Elings. Senator Mann.

Members of the Maurice-Orange City High School Boys' State basketball tournament team, Orange City, Iowa, accompanied by Coach Todd Barry. Senator Rensink.

Senator Lloyd-Jones presented twelve doctors, counselors and students from the Leningrad Post Graduate Medical Institute in the city of Leningrad, Soviet Union. They are in Iowa meeting with Our Primary Purpose to study chemical dependency.

Senator Hester presented Ilaria Ponchio, foreign exchange student from Italy, attending Woodbine High School.

Senator Corning presented eight elementary education students from the Leningrad State Pedagogical Institute in the city of Leningrad, Soviet Union. They are studying at the University of Northern Iowa in Cedar Falls, and were accompanied by Professor Olga Zebrova and Dr. Marian Krogmann.

REPORT OF COMMITTEE MEETING

COMMERCE

Convened: March 12, 1990, 3:25 p.m.

Members Present: Palmer, Chair; Deluhery, Vice Chair; Jensen, Ranking Member; Gronstal, Hannon, Kinley, Lind, Mann, Nystrom, Pate, Priebe, Rife, Running, Tieden (arrived 3:35) and Welsh.

Members Absent: none.

Committee Business: Recommended confirmation of Governor's appointees; reconsidered and recommended passage of House File 2092; recommended passage of House Files 2506, 2369, 2516 and 2496; recommended passage of House File 2062 as amended.

Adjourned: 4:00 p.m.

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which House File 705 passed the Senate on March 13, 1990.

JOHN P. KIBBIE

MADAM PRESIDENT: I move to reconsider the vote by which House File 705 passed the Senate on March 13, 1990.

MARK R. HAGERLA

REPORTS OF STANDING COMMITTEES (Place nominees on En Bloc Confirmation Calendar)

AGRICULTURE

Pursuant to Senate Rule 59, the committee on Agriculture assigned to investigate the following Governor's appointments, completed its investigations on March 12, 1990, and recommended the appointees be confirmed:

Steven A. Basler, Sonja L. Larson and Diane L. Stadtmueller for reappointment to the Agricultural Development Authority.

Marie G. Ellingson and Carolyn Ann Roberts for reappointment as members of the Iowa Grain Indemnity Fund Board.

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

H.F.	2540	Ways and Means
H.F.	2549	Ways and Means

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE CONCURRENT RESOLUTION 127, a concurrent resolution to encourage the establishment of the National Association of Swine Records in Des Moines, Iowa, and the support of the Association to increase performance of purebred swine and to assist purebred swine producers.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 15: Priebe, Riordan, Soorholtz, Boswell, Coleman, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 534, a bill for an act relating to the regulation of commercial feed and providing for the increase of fees.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5479.

Final Vote: Ayes, 15: Priebe, Riordan, Soorholtz, Boswell, Coleman, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5470	H.F.	2105	Julia Gentleman
S—5471	H.F.	705	John Kibbie
			Leonard Boswell
S—5472	H.F.	2520	Ray Taylor
S—5473	H.F.	2329	Donald Doyle
S—5474	H.F.	2459	Larry Murphy
			Jim Lind
S—5475	H.F.	2459	Larry Murphy
S—5476	H.F.	2459	Larry Murphy
			John Peterson
S—5477	H.F.	731	C. Joseph Coleman
			Berl E. Priebe

S—5478	H.F.	2412	Michael Connolly
S—5479	H.F.	534	Agriculture

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 5:07 p.m., until 9:00 a.m., Wednesday, March 14, 1990.

JOURNAL OF THE SENATE

SIXTY-SIXTH CALENDAR DAY
FORTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 14, 1990

The Senate met in regular session at 9:15 a.m., Senator Kinley presiding.

Prayer was offered by the Reverend Monsignor A.W. Behrens, pastor of Our Lady of Mt. Carmel Church, Carroll, Iowa.

The Journal of Tuesday, March 13, 1990, 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 12, 1990, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 2158, a bill for an act permitting the shared ownership, operation, or cooperative use of publicly owned petroleum storage facilities by more than one public agency or political subdivision (S—5481).

Senate File 2323, a bill for an act relating to the attorney general's access to confidential motor vehicle accident reports (S—5482).

Senate File 2363, a bill for an act relating to commercial weighing and measuring (S—5480).

ALSO: That the House has on March 12, 1990, passed the following bills in which the concurrence of the House was asked:

Senate File 368, a bill for an act relating to procedures for accepting offers from federal agencies for full or partial cession or retrocession of federal jurisdiction over lands in federal enclaves within the state.

Senate File 2082, a bill for an act to indefinitely extend the effect of the Code chapter relating to persons with mental illness, mental retardation, or developmental disabilities and providing an effective date.

Senate File 2094, a bill for an act providing rulemaking authority to the auditor of state to establish a fee schedule for certain services.

Senate File 2156, a bill for an act giving federal law enforcement officials peace officer status in certain instances.

Senate File 2165, a bill for an act abolishing the duty of the treasurer of state to approve increases in the maximum deposit limit of a local government in a depository financial institution.

Senate File 2232, a bill for an act relating to indemnification of art exhibitors by the Iowa arts council.

Senate File 2248, a bill for an act relating to certain advertising by a hearing aid dealer.

Senate File 2252, a bill for an act relating to the Iowa logo program and the use of the logo.

Senate File 2257, a bill for an act relating to the distribution of lists of certified ophthalmic dispensers.

Senate File 2315, a bill for an act relating to a pseudorabies control program, and making penalties applicable.

Senate File 2343, a bill for an act relating to clinical privileges of certain health practitioners.

ALSO: That the House has on March 13, 1990, passed the following bill in which the concurrence of the House was asked:

Senate File 2322, a bill for an act relating to participation in extracurricular interscholastic contests and competitions by certain children.

ALSO: That the House has on March 13, 1990, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2084, a bill for an act relating to the reorganization of the department of natural resources, by creating two separate departments, by assigning powers and duties to the two departments, by making necessary amendments to the Code, and providing effective dates (S—5483).

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Nystrom for the morning on request of Senator Hultman.

POINT OF ORDER WITHDRAWN

Senator Hultman raised the point of order that House Files 366, 2188 and 2516 should be referred to the committee on Ways and Means under Senate Rule 38.

Senator Hultman withdrew his point of order.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Boswell, Riordan, Fraise, Peterson, and Coleman for the morning on request of Senator Hutchins.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 737.

House File 737

On motion of Senator Dieleman, House File 737, a bill for an act requiring certain public corporations to pay the interest earned on investments of retained funds to public improvement construction contractors, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Dieleman offered amendment S—5101 filed by the committee on Transportation on February 15, 1990, to page 1 and the title page of the bill.

Senator Dieleman offered amendment S—5468 filed by him on March 13, 1990, to amendment S—5101 and moved its adoption.

Amendment S—5468 was adopted by a voice vote.

Senator Dieleman moved the adoption of amendment S—5101 as amended, which motion prevailed by a voice vote.

Senator Murphy offered amendment S—5380 filed by Senators Murphy and Horn on March 7, 1990, to page 1 of the bill.

Senator Gentleman raised the point of order that with the adoption of amendment S—5101 as amended, amendment S—5380 was out of order.

The Chair ruled the point well taken and amendment S—5380 out of order.

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. 737) the vote was:

Ayes, 43:

Bruner	Connolly	Corning	Deluhery
Dieleman	Doyle	Drake	Fuhrman
Gentleman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 7:

Boswell	Coleman	Fraise	Mann
Nystrom	Peterson	Riordan	

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

The Senate stood at ease until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session, Senator Kinley presiding.

QUORUM CALL

Senator Husak requested a non record roll call to determine that a quorum was present.

The vote revealed 38 present, 12 absent and a quorum present.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 673, Senate Concurrent Resolution 112 and House File 2271.

House File 673

On motion of Senator Jensen, House File 673, a bill for an act allowing a county to allocate a portion of its secondary road fund allotment to its county conservation board for improvement, construction, or reconstruction of county conservation parkways, with report of committee recommending passage, was taken up for consideration.

Senator Jensen offered amendment S—5257 filed by him on February 27, 1990, to page 1 of the bill.

Senator Gettings offered amendment S—5375 filed by him on March 7, 1990, to amendment S—5257 and moved its adoption.

A non record roll call was requested.

The ayes were 25, nays 15.

Amendment S—5375 was adopted.

Senator Jensen moved the adoption of amendment S—5257 as amended, which motion prevailed by 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. 673) the vote was:

Ayes, 43:

Bruner	Connolly	Corning	Deluhery
Dieleman	Doyle	Drake	Fuhrman
Gentleman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 7:

Boswell	Coleman	Fraise	Mann
Nystrom	Peterson	Riordan	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate Concurrent Resolution 112

On motion of Senator Scott, Senate Concurrent Resolution 112, a concurrent resolution relating to Vietnam veterans and recognizing the need for programs and services for veterans and their families, was taken up for consideration.

Senator Scott moved the adoption of Senate Concurrent Resolution 112, which motion prevailed by a voice vote.

House File 2271

On motion of Senator Horn, House File 2271, a bill for an act relating to phase III pay plans, with report of committee recommending passage, was taken up for consideration.

Senator Murphy offered amendment S—5488 filed by Senators Murphy and Horn from the floor to page 2 of the bill.

Senator Taylor raised the point of order that amendment S—5488 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5488 in order.

Senator Murphy moved the adoption of amendment S—5488.

A record roll call was requested.

On the question “Shall amendment S—5488 be adopted?” (H.F. 2271) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 16:

Bruner	Coleman	Connolly	Deluhery
Gronstal	Hannon	Horn	Kinley
Lloyd-Jones	Murphy	Palmer	Running
Sturgeon	Szymoniak	Varn	Welsh

Nays, 28:

Corning	Dieleman	Doyle	Drake
Fuhrman	Gentleman	Gettings	Goodwin
Hagerla	Hedge	Hester	Hultman
Husak	Hutchins	Jensen	Kibbie
Lind	Miller	Pate	Priebe
Rensink	Rife	Scott	Soorholtz
Taylor	Tieden	Tinsman	Vande Hoef

Absent or not voting, 6:

Boswell	Fraise	Mann	Nystrom
Peterson	Riordan		

Amendment S—5488 lost.

Senator Connolly asked and received unanimous consent that action on **House File 2271** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order House Files 2450, 2109 and 2329.

House File 2450

On motion of Senator Gronstal, House File 2450, a bill for an act relating to court costs to the city for certain dismissals of parking violations and court costs and fees for certain parking violations, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that action on **House File 2450** be deferred.

House File 2109

On motion of Senator Gettings, House File 2109, a bill for an act relating to computer data storage of records of a criminal justice agency after acquittal or dismissal of charges, 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. 2109) the vote was:

Ayes, 43:

Bruner	Coleman	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	

Nays, none.

Absent or not voting, 7:

Boswell	Fraise	Mann	Nystrom
Peterson	Riordan	Welsh	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2329

On motion of Senator Gronstal, House File 2329, a bill for an act relating to elections and election procedures, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gronstal offered amendment S—5429 filed by the committee on State Government on March 12, 1990, to pages 9, 11, 15 and the title page of the bill and moved its adoption.

Amendment S—5429 was adopted by a voice vote.

Senator Doyle offered amendment S—5473 filed by him on March 13, 1990, to pages 1, 5 and 9 of the bill and moved its adoption.

Amendment S—5473 was adopted by a voice vote.

Senator Doyle withdrew amendment S—5458 filed by him from on March 13, 1990, 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?" (H.F. 2329) the vote was:

Ayes, 34:

Bruner	Coleman	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Gettings	Gronstal	Hannon	Hedge
Hester	Horn	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Palmer
Priebe	Rensink	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Tinsman
Varn	Welsh		

Nays, 9:

Fuhrman	Gentleman	Goodwin	Hagerla
Pate	Rife	Taylor	Tieden
Vande Hoef			

Absent or not voting, 7:

Boswell
Nystrom

Fraise
Peterson

Hultman
Riordan

Mann

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 11:50 a.m., until 2:30 p.m.

APPENDIX

MESSAGE FROM THE SECRETARY OF THE SENATE (Remove Bill From Calendar)

The Committee Report filed by the Education Committee placing House File 2464 on the Senate Calendar on March 8, 1990, and found on page 962 of the Senate Journal, was prepared and filed in error, and the bill will be removed from the Senate Calendar on March 14, 1990.

JOHN F. DWYER
Secretary of the Senate

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which House File 705 passed the Senate on March 13, 1990.

LEONARD BOSWELL

MADAM PRESIDENT: I move to reconsider the vote by which House File 737 passed the Senate on March 14, 1990.

ELAINE SZYMONIAK

PRESENTATION OF VISITORS

The Chair welcomed the Honorable Arthur Gratias, former member of the Senate from Floyd County, who was present in the Senate chamber.

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-four twelfth grade students from Central Webster/Dayton High School, Burnside, Iowa, accompanied by Jim Ainslie. Senator Coleman.

Seventy-five fifth grade students from Audubon Community School, Audubon, Iowa, accompanied by Roger Malmberg and Bob Clark. Senator Hutchins.

Members of the Postville High School Boys' State basketball tournament team, Postville, Iowa. Senator Tieden.

EXPLANATION OF VOTES

MADAM PRESIDENT: I was necessarily absent and excused from the Senate chamber on March 13, 1990.

Had I been present, I would have voted "aye" on House Files 2401, 2457 and 2057.

ELAINE SZYMONIAK

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 126

APPROPRIATIONS: Welsh, Chair; Jensen and Husak

House File 2482

APPROPRIATIONS: Varn, Chair; Welsh and Corning

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 8, 1990, and recommended the appointees be confirmed:

Margaret M. Chadwell and James McCue for reappointment as members of the Credit Union Review Board.

Gregg Alan Barcus for reappointment as Superintendent of Savings and Loan Associations.

AMENDMENTS FILED

S—5480	S. F.	2363	House amendment
S—5481	S. F.	2158	House amendment
S—5482	S. F.	2323	House amendment
S—5483	S. F.	2084	House amendment
S—5484	H. F.	2321	Linn Fuhrman
S—5485	H. F.	2463	Michael Gronstal
S—5486	H. F.	2534	Paul Pate
S—5487	H. F.	2468	Michael Gronstal

S—5488	H.F.	2271	Larry Murphy Wally Horn
S—5489	H.F.	2045	Donald Doyle
S—5490	H.F.	209	Calvin O. Hultman George Kinley Richard Drake Joe Welsh Donald Gettings C. Joseph Coleman Dale L. Tieden
S—5491	H.F.	2502	John Jensen Richard Vande Hoef
S—5492	H.F.	2516	William Palmer

AFTERNOON SESSION

The Senate reconvened at 3:35 p.m., Senator Sturgeon presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 41 present, 9 absent and a quorum present.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House Files 2045, 2321, 2502 and 209.

House File 2045

On motion of Senator Fraise, House File 2045, a bill for an act relating to the appointment of an additional district judge for the district which includes the Iowa state penitentiary, with report of committee recommending passage, was taken up for consideration.

Senator Doyle offered amendment S—5489 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 21, nays 25.

Amendment S—5489 lost.

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. 2045) the vote was:

Ayes, 35:

Boswell
Dieleman
Gronstal

Bruner
Drake
Hagerla

Coleman
Fraise
Hannon

Deluhery
Gettings
Hedge

Hester	Horn	Hultman	Husak
Hutchins	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Palmer
Pate	Peterson	Priebe	Rife
Riordan	Running	Soorholtz	Sturgeon
Szymoniak	Varn	Welsh	

Nays, 11:

Corning	Doyle	Fuhrman	Gentleman
Goodwin	Rensink	Scott	Taylor
Tieden	Tinsman	Vande Hoef	

Absent or not voting, 4:

Connolly	Jensen	Mann	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 2321

On motion of Senator Fraise, House File 2321, a bill for an act relating to the acquisition and possession of firearms, increasing penalties for certain offenses, and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Fraise offered amendment S—5198 filed by the committee on Local Government on February 22, 1990, to page 3 of the bill and moved its adoption.

Amendment S—5198 was adopted by a voice vote.

Senator Fuhrman withdrew amendment S—5484 filed by him from the floor to pages 1 and 2 of the bill.

Senator Fraise moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2321) the vote was:

Ayes, 42:

Boswell	Bruner	Coleman	Corning
Deuhery	Dieleman	Doyle	Fraise
Fuhrman	Gettings	Goodwin	Gronstal

Hagerla	Hedge	Hester	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Palmer	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 1:

Gentleman

Absent or not voting, 7:

Connolly	Drake	Hannon	Horn
Mann	Nystrom	Pate	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2502

On motion of Senator Kinley, House File 2502, a bill for an act relating to the issuance of bonds under the hotel and motel tax and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Jensen asked and received unanimous consent that action on **House File 2502** be **deferred**.

Senator Kinley took the chair at 4:17 p.m.

House File 209

On motion of Senator Sturgeon, House File 209, a bill for an act relating to the limitations on smoking, and providing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Sturgeon offered amendment S—5183 filed by the committee on Human Resources on February 21, 1990, to page 1 of the bill.

Senator Coleman asked and received unanimous consent that action on amendment S—5183 and **House File 209** be **deferred**.

Senator Sturgeon took the chair at 4:40 p.m.

BUSINESS PENDING

House File 2502

The Senate resumed consideration of House File 2502, previously deferred.

Senator Jensen asked and received unanimous consent that action on amendment S—5491 filed by Senators Jensen and Vande Hoef from the floor to strike everything after the enacting clause and to the title page of the bill be deferred.

Senator Jensen offered amendment S—5497 filed by Senators Jensen, Vande Hoef and Gentleman from the floor to pages 1, 2 and the title page of the bill.

Senator Kinley raised the point of order that amendment S—5497 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5497 out of order.

Senator Jensen asked and received unanimous consent to withdraw amendment S—5491, previously deferred.

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. 2502) the vote was:

Ayes, 44:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Horn	Hultman	Husak
Hutchins	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Vande Hoef	Varn	Welsh

Nays, 3:

Gentleman Hester Jensen

Absent or not voting, 3:

Mann Nystrom Tinsman

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 Files 2486, 2516 and 534** be referred from the Regular Calendar and that **House File 2115** be referred from the Unfinished Business Calendar to the committee on **Ways and Means**.

Senator Hutchins asked and received unanimous consent that **Senate File 2361** be referred from the Regular Calendar to the committee on **Transportation**.

Senator Hutchins asked and received unanimous consent that **Senate Files 2399 and 2400** be referred from the Regular Calendar to the committee on **Judiciary**.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House Files 673, 2109, 2329, 2045, 2321, 2502** and **Senate Concurrent Resolution 112** be immediately messaged to the House.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 128, by committee on Appropriations, a concurrent resolution relating to the provision of cable television service.

Read first time and placed on **Appropriations calendar**.

APPENDIX

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Seventy-five eleventh and twelfth grade students from North High School, Sioux City, Iowa, accompanied by Larry Twait, Senator Sturgeon.

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE CONCURRENT RESOLUTION 128, a concurrent resolution relating to the provision of cable television service.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 21: Welsh, Boswell, Tieden, Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Pate, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2410, a bill for an act relating to higher education, including coordination, administration, standards, and funding, making appropriations, and providing effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 18: Welsh, Tieden, Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lloyd-Jones, Pate, Peterson, Rensink, Riordan, Sturgeon, Tinsman and Varn. Nays, 3: Boswell, Lind and Running.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2371, a bill for an act relating to and making appropriations to the civil rights commission, the department of human rights, the department for the blind, the department of elder affairs, and the Iowa department of public health.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5500.

Final Vote: Ayes, 20: Welsh, Boswell, Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Pate, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn. Nays, 1: Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILL

Senate File 2410, a bill for an act relating to higher education, including coordination, administration, standards, and funding, making appropriations, and providing effective dates.

Read first time under Rule 28 and **placed on Appropriations Calendar.**

AMENDMENTS FILED

S—5493	H.F.	209	Richard Drake Emil Husak Calvin Hultman C. Joseph Coleman John Kibbie Donald Doyle Alvin Miller
S—5494	H.F.	2365	Mark Hagerla
S—5495	H.F.	2062	Ray Taylor
S—5496	H.F.	2431	Calvin Hultman
S—5497	H.F.	2502	John Jensen Richard Vande Hoef Julia Gentleman
S—5498	H.F.	209	Julia Gentleman
S—5499	H.F.	2062	Linn Fuhrman
S—5500	H.F.	2371	Appropriations

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:03 p.m., until 9:00 a.m., Thursday, March 15, 1990.

JOURNAL OF THE SENATE

SIXTY-SEVENTH CALENDAR DAY
FORTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 15, 1990

The Senate met in regular session at 9:02 a.m., Senator Kinley presiding.

Prayer was offered by the Reverend William Cotton, pastor of the Grace United Methodist Church, Des Moines, Iowa.

The Journal of Wednesday, March 14, 1990, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Lind for the day on request of Senator Hultman.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 13, 1990, passed the following bills in which the concurrence of the House was asked:

Senate File 182, a bill for an act relating to the commencement in the district court of certain civil rights actions involving administrative closures.

Senate File 460, a bill for an act relating to obtaining depositions in a foreign jurisdiction.

Senate File 2137, a bill for an act providing for the disposal of forfeited weapons.

Senate File 2139, a bill for an act relating to the appeal process for certain postconviction procedures.

Senate File 2155, a bill for an act relating to the computation of workers' compensation benefits for elected and appointed officials.

Senate File 2173, a bill for an act relating to the competency of a witness by amending the Iowa rules of evidence.

Senate File 2181, a bill for an act altering the penalty for late payment of the solid waste tonnage fee.

Senate File 2187, a bill for an act relating to workers' health, safety, and welfare, and effecting funding for the second injury fund.

Senate File 2221, a bill for an act requiring the department of inspections and appeals to adopt rules establishing a special license classification for an intermediate care facility, skilled nursing facility, or nursing facility or a special unit within the facility providing care to persons who suffer from chronic confusion or a dementing illness, and providing an effective date.

Senate File 2272, a bill for an act specifying the required contents of a plan for bank merger or consolidation.

Senate File 2290, a bill for an act relating to the theft of fish from private fish hatcheries.

Senate File 2291, a bill for an act relating to the interest rate charged in connection with a renewal or extension of time under a retail motor vehicle installment contract.

Senate File 2334, a bill for an act regulating business relationships between suppliers and dealers of certain equipment and providing dates of applicability.

ALSO: That the House has on March 13, 1990, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 57, a bill for an act requiring the natural resource commission to adopt a rule to allow handicapped individuals to use a crossbow (S—5502).

Senate File 2186, a bill for an act relating to the receipt of assistance under certain economic development programs and providing civil penalties for certain violations (S—5501).

SPECIAL GUEST

Senator Kibbie presented Frank Crowley, T.D., from County Cork, Ireland, a farmer, auctioneer and member of the Irish Parliament. He was accompanied by his wife, Winifred, and they will attend the 30th annual St. Patrick's Day Parade in Emmetsburg on March 17.

Mr. Crowley spoke to the Senate regarding migration of Irish to America and the recent events in Europe.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 43 present, 7 absent and a quorum present.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House Files 121, 731, 2512, 512, 2416 and 2463.

House File 121

On motion of Senator Running, House File 121, a bill for an act relating to parental leaves of absence for employees of the state and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Running offered amendment S—5379 filed by him on March 7, 1990, to page 1 of the bill.

Senator Fuhrman asked and received unanimous consent that action on amendment S—5379 and **House File 121** be **deferred**.

House File 731

On motion of Senator Coleman, House File 731, a bill for an act relating to constructive notice of rights conferred upon drainage districts by the filing of files and records with the county auditor, with report of committee recommending passage, was taken up for consideration.

Senator Coleman offered amendment S—5477 filed by Senators Coleman and Priebe on March 13, 1990, to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—5477 was adopted by a voice vote.

Senator Coleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 731) the vote was:

Ayes, 45:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Jensen	Kibbie	Kinley
Lloyd-Jones	Miller	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 1:

Dieleman

Absent or not voting, 4:

Hutchins	Lind	Mann	Murphy
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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 2512

On motion of Senator Fraise, House File 2512, a bill for an act altering the statutory monetary limitation on the local option E911 emergency telephone service surcharge, authorizing the Iowa finance authority to issue bonds and notes secured by certain designated sources to finance E911 service nonrecurring and

recurring expenses, providing related procedures and conditions, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Fraise asked and received unanimous consent that action on **House File 2512** be **deferred**.

House File 512

On motion of Senator Deluhery, House File 512, a bill for an act relating to the payment of a support obligation out of garnished funds, with report of committee recommending passage, was taken up for consideration.

Senator Deluhery moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 512) the vote was:

Ayes, 45:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Jensen	Kibbie	Kinley
Lloyd-Jones	Miller	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 5:

Husak	Hutchins	Lind	Mann
Murphy			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2416

On motion of Senator Corning, House File 2416, a bill for an act relating to corporal punishment, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Corning offered amendment S—5425 filed by the committee on Education on March 8, 1990, to strike everything after the enacting clause of the bill and moved its adoption.

Amendment S—5425 was adopted by a voice vote.

Senator Corning moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2416) the vote was:

Ayes, 43:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Jensen	Kibbie	Kinley	Lloyd-Jones
Miller	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 1:

Dieleman

Absent or not voting, 6:

Husak	Hutchins	Lind	Mann
Murphy	Rife		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2463

On motion of Senator Gronstal, House File 2463, a bill for an act relating to the jurisdiction of the juvenile court to hear matters involving possession of alcohol by juveniles, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal offered amendment S—5485 filed by him on March 14, 1990, to page 1 of the bill.

Senator Doyle asked and received unanimous consent that action on amendment S—5485 and **House File 2463** be deferred.

Senator Horn asked and received unanimous consent to take up out of order Senate Concurrent Resolution 125, House Files 2009 and 2092.

Senate Concurrent Resolution 125

On motion of Senator Tinsman, Senate Concurrent Resolution 125, a concurrent resolution designating March 1990 as Iowa Women's History Month, was taken up for consideration.

Senator Tinsman moved the adoption of Senate Concurrent Resolution 125, which motion prevailed by a voice vote.

House File 2009

On motion of Senator Gronstal, House File 2009, a bill for an act relating to elections, providing that an eligible elector residing in a precinct may register to vote at the polling place on election day, providing verification procedures, providing a durational residency requirement for voting, and increasing the penalty for improper voting, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that action on **House File 2009** be deferred.

House File 2092

On motion of Senator Deluhery, House File 2092, a bill for an act relating to debt management services, with report of committee recommending passage, was taken up for consideration.

Senator Deluhery moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2092) the vote was:

Ayes, 44:

Boswell	Bruner	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Jensen	Kibbie	Kinley	Lloyd-Jones
Miller	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Voting present, 1:

Coleman

Absent or not voting, 5:

Husak	Hutchins	Lind	Mann
Murphy			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Horn asked and received unanimous consent to take up out of order House Files 2103, 2160, Senate Concurrent Resolution 127 and House File 2517.

House File 2103

On motion of Senator Gettings, House File 2103, a bill for an act relating to missing person reports to law enforcement agencies by amending the definition of missing person to conform with a definition used by the national crime information center, 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. 2103) the vote was:

Ayes, 46:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Jensen	Kibbie	Kinley
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Husak	Hutchins	Lind	Mann
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2160

On motion of Senator Horn, House File 2160, a bill for an act relating to mandatory domestic abuse arrests and providing guidelines concerning a primary physical aggressor, 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. 2160) the vote was:

Ayes, 46:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle

Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Jensen	Kibbie	Kinley
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Husak	Hutchins	Lind	Mann
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate Concurrent Resolution 127

On motion of Senator Soorholtz, Senate Concurrent Resolution 127, a concurrent resolution to encourage the establishment of the National Association of Swine Records in Des Moines, Iowa, and the support of the Association to increase performance of purebred swine and to assist purebred swine producers, was taken up for consideration.

Senator Soorholtz moved the adoption of Senate Concurrent Resolution 127, which motion prevailed by a voice vote.

House File 2517

On motion of Senator Deluhery, House File 2517, a bill for an act establishing a youthful offenders program by transferring authority over the facilities of the state training school at Eldora to the department of corrections, providing for the establishment of replacement facilities under the department of human services, providing for other related matters, and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Deluhery offered amendment S—5418 filed by the committee on Judiciary on March 8, 1990, to strike everything after the enacting clause and to the title page of the bill.

Senator Coleman took the chair at 10:45 a.m.

Senator Deluhery moved the adoption of amendment S—5418, which motion prevailed by a voice vote.

Senator Gentleman asked and received unanimous consent that action on **House File 2517** be **deferred** for preparation of a fiscal note.

Senator Horn asked and received unanimous consent to take up out of order House Files 2372, 2488, 2518, 2504 and 2536.

House File 2372

On motion of Senator Murphy, House File 2372, a bill for an act relating to anabolic steroids, and providing a criminal penalty concerning the distribution of anabolic steroids to minors, with report of committee recommending passage, was taken up for consideration.

Senator Jensen withdrew amendment S—5506 filed by him from the floor to page 1 of the bill.

Senator Murphy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2372) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Jensen	Kibbie
Kinley	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Hutchins

Lind

Mann

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2488

On motion of Senator Varn, House File 2488, a bill for an act relating to the characterization of certain corporate shares as issued, but not outstanding, shares, and making conforming amendments to reflect adoption of chapter 490, the new Iowa model business corporation Act, with report of committee recommending passage, was taken up for consideration.

Senator Varn asked and received unanimous consent that action on **House File 2488** be deferred.

House File 2518

On motion of Senator Running, House File 2518, a bill for an act relating to licensure and discipline of certain practice professionals and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Pate asked and received unanimous consent that action on **House File 2518** be deferred.

House File 2504

On motion of Senator Murphy, House File 2504, a bill for an act relating to criminal and child abuse record checks concerning facilities providing care to children, with report of committee recommending passage, was taken up for consideration.

Senator Murphy asked and received unanimous consent that action on **House File 2504** be deferred.

House File 2536

On motion of Senator Running, House File 2536, a bill for an act relating to the regulation of persons providing courses of instruction for profit, by revising requirements for corporate surety bonds, and repealing certain disclosure requirements, with report of committee recommending passage, was taken up for consideration.

Senator Welsh asked and received unanimous consent that action on **House File 2536** be deferred.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House Files 731, 512, 2416, 2092, 2103, 2160, 2372** and **Senate Concurrent Resolutions 125 and 127** be immediately messaged to the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bruner for the remainder of the week on request of Senator Hutchins.

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **House Files 366, 2056 and 2188** be referred from the Regular Calendar to the committee on **Ways and Means**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:23 a.m., until 2:30 p.m.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued certificates of recognition as follows:

Christian W. Charbonneau, Burlington; Jeffrey L. Frazier, Mt. Pleasant; Matthew E. Heuvelmann, Burlington; Kenneth S. Hootman, Burlington; Chad W. Krieger, Middletown and Marc F. Reusch, Burlington — For achieving the level of Eagle Scout. Senator Hagerla (March 12, 1990).

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty fifth grade students from Waukee Middle School, Waukee, Iowa, accompanied by Mrs. Anfinson, Mrs. Hope and Mr. Kischer. Senator Riordan.

AMENDMENTS FILED

S-5501	S.F.	2186	House
S-5502	S.F.	57	House
S-5503	H.F.	2534	Michael Gronstal
S-5504	H.F.	209	Richard Drake
			Emil Husak
			Calvin Hultman
			C. Joseph Coleman
			John Kibbie
			Donald Doyle
			Alvin Miller
S-5505	H.F.	2320	William Palmer
S-5506	H.F.	2372	John Jensen
S-5507	H.F.	2065	Mark Hagerla
			Paul Pate
			Ray Taylor
			Calvin Hultman
			Julia Gentleman
			Richard Vande Hoef
			H. Kay Hedge

			John Jensen
			Joy Corning
S—5508	H.F.	2512	Eugene Fraise
S—5509	H.F.	2065	Donald Doyle
S—5510	H.F.	2440	Larry Murphy
			Maggie Tinsman
S—5511	H.F.	737	Larry Murphy
			Wally Horn
			Elaine Szymoniak
			Joy Corning
S—5512	H.F.	2518	Paul Pate
S—5513	H.F.	2062	John Jensen

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 12, 1990, and recommended the appointees be confirmed:

Cynthia Eisenhower for appointment as Director of the Department of Employment Services.

Wendell R. Benson for reappointment as a member of the Employment Appeal Board.

Richard R. Ramsey for reappointment as a member and Chairperson of the Public Employment Relations Board.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2409

WAYS AND MEANS: Dieleman, Chair; Husak and Soorholtz

House File 534

WAYS AND MEANS: Riordan, Chair; Husak and Hester

House File 2115

WAYS AND MEANS: Bruner, Chair; Fraise and Hultman

House File 2486

WAYS AND MEANS: Riordan, Chair; Connolly and Fuhrman

House File 2516

WAYS AND MEANS: Palmer, Chair; Connolly and Drake

House File 2540

WAYS AND MEANS: Riordan, Chair; Dieleman and Gentleman

House File 2549

WAYS AND MEANS: Dieleman, Chair; Husak and Drake

SSB 2295

WAYS AND MEANS: Szymoniak, Chair; Connolly and Hultman

AFTERNOON SESSION

The Senate reconvened at 2:44 p.m., Senator Kinley presiding.

QUORUM CALL

Senator Husak requested a non record roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Goodwin for the remainder of the day and March 16, 1990, on request of Senator Hultman.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Husak asked and received unanimous consent to take up out of order House Files 2062, 2438, 2381 and 2468.

House File 2062

On motion of Senator Hannon, House File 2062, a bill for an act relating to group accident and sickness insurance, group nonprofit health service plans, and prepaid group plans of health maintenance organizations by mandating inclusion of newborn infant coverage for treatment, including routine well-baby care, under certain circumstances, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hultman asked and received unanimous consent that action on **House File 2062** be deferred.

House File 2438

On motion of Senator Murphy, House File 2438, a bill for an act relating to the crime victim reparation and victim assistance programs, specifying that the crime victim reparation program may be included in a restitution plan, establishing a priority for

payment in a restitution plan, relieving the clerk of the supreme court of victim notification requirements on appeals and transferring those duties to the department of justice, providing confidentiality requirements concerning victims and witnesses with certain exceptions, permitting victims of simple misdemeanors to participate in the crime victim reparation program, and permitting certain victims of crimes committed outside of this state to participate in the crime victim reparation program, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Murphy asked and received unanimous consent that action on **House File 2438** be **deferred**.

House File 2381

On motion of Senator Deluhery, House File 2381, a bill for an act authorizing the conversion of a mutual property and casualty insurance company into a stock company, subject to certain conditions and procedural requirements, with report of committee recommending passage, was taken up for consideration.

Senator Deluhery moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2381) the vote was:

Ayes, 43:

Boswell	Coleman	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Jensen	Kibbie	Kinley	Lloyd-Jones
Miller	Nystrom	Palmer	Pate
Peterson	Priebe	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 7:

Bruner	Goodwin	Hutchins	Lind
Mann	Murphy	Rensink	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2468

On motion of Senator Gronstal, House File 2468, a bill for an act relating to the establishment of the division of criminal justice planning and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gronstal offered amendment S—5456 filed by the committee on Judiciary on March 12, 1990, to pages 1 through 3 of the bill.

Senator Gronstal offered amendment S—5487 filed by him on March 14, 1990, to amendment S—5456 and moved its adoption.

Amendment S—5487 was adopted by a voice vote.

Senator Gronstal moved the adoption of amendment S—5456 as amended, which motion prevailed by a voice vote.

Senator Gronstal moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2468) the vote was:

Ayes, 44:

Boswell	Coleman	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Husak	Hutchins
Jensen	Kibbie	Kinley	Lloyd-Jones
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 6:

Bruner	Goodwin	Hultman	Lind
Mann	Rensink		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

House File 2512

The Senate resumed consideration of House File 2512, a bill for an act altering the statutory monetary limitation on the local option E911 emergency telephone service surcharge, authorizing the Iowa finance authority to issue bonds and notes secured by certain designated sources to finance E911 service nonrecurring and recurring expenses, providing related procedures and conditions, and providing an effective date, previously deferred.

Senator Fraise offered amendment S—5508 filed by him from the floor to pages 1, 4 and 5 of the bill and moved its adoption.

Amendment S—5508 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. 2512) the vote was:

Ayes, 44:

Boswell	Coleman	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Jensen	Kibbie	Kinley	Lloyd-Jones
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 6:

Bruner	Goodwin	Hutchins	Lind
Mann	Rensink		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Regular Calendar)

Senator Husak asked and received unanimous consent to take up out of order House File 2369.

House File 2369

On motion of Senator Deluhery, House File 2369, a bill for an act relating to real property by establishing a real property inspection report, with report of committee recommending passage, was taken up for consideration.

Senator Deluhery moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2369) the vote was:

Ayes, 44:

Boswell	Coleman	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Jensen	Kibbie	Kinley	Lloyd-Jones
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 6:

Bruner	Goodwin	Hutchins	Lind
Mann	Rensink		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred March 14, 1990)

House File 209

The Senate resumed consideration of House File 209, a bill for an act relating to the limitations on smoking, and providing penalties, and amendment S—5183 by the committee on Human Resources to page 1 of the bill, deferred March 14, 1990.

Senator Hultman asked and received unanimous consent to take up amendment S—5523 filed by Senators Hultman and Coleman from the floor to page 1 of the bill.

President Zimmerman took the chair at 3:33 p.m.

Senator Hultman moved the adoption of amendment S—5523.

A record roll call was requested.

On the question “Shall amendment S—5523 be adopted?” (H.F. 209) the vote was:

Ayes, 26:

Boswell	Coleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Hagerla
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Miller	Nystrom
Pate	Peterson	Priebe	Rensink
Rife	Running	Soorholtz	Tieden
Varn	Welsh		

Nays, 19:

Connolly	Corning	Deluhery	Dieleman
Gettings	Gronstal	Hannon	Hedge
Hester	Lloyd-Jones	Murphy	Palmer

Riordan
Taylor

Scott
Tinsman

Sturgeon
Vande Hoef

Szymoniak

Absent or not voting, 5:

Bruner
Mann

Goodwin

Kinley

Lind

Amendment S—5523 was adopted.

With the adoption of amendment S—5523, the Chair ruled the following amendments out of order:

S—5183 by the committee on Human Resources, deferred March 14, 1990.

S—5504 filed by Senators Drake, et al., from the floor to amendment S—5183.

S—5493 filed by Senators Drake, et al., on March 14, 1990, to page 1 of the bill.

Senator Gentleman offered amendment S—5498 filed by her on March 14, 1990, to page 1 of the bill.

Senator Hultman raised the point of order that amendment S—5498 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5498 out of order.

Senator Hultman offered amendment S—5490 filed by Senators Hultman, et al., on March 14, 1990, to page 1 of the bill.

Senator Gronstal raised the point of order that amendment S—5490 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5490 out of order.

Senator Welsh asked and received unanimous consent that action on **House File 209** be **deferred**.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Husak asked and received unanimous consent to take

up out of order House Files 29, 2390, 489, 2312, 2533, 2377, 2268 and 2346.

House File 29

On motion of Senator Sturgeon, House File 29, a bill for an act relating to the recovery of unemployment compensation overpayments, with report of committee recommending passage, was taken up for consideration.

Senator Sturgeon asked and received unanimous consent that action on **House File 29** be deferred and that the bill be placed on the calendar under **unfinished business**.

House File 2390

On motion of Senator Varn, House File 2390, a bill for an act relating to the right to bring a civil rights action after administrative closure, with report of committee recommending passage, was taken up for consideration.

Senator Varn asked and received unanimous consent that action on **House File 2390** be deferred and that the bill be placed on the calendar under **unfinished business**.

House File 489

On motion of Senator Varn, House File 489, a bill for an act relating to the time within which a claim must be brought by a minor or incompetent under the state tort claims Act, with report of committee recommending passage, was taken up for consideration.

Senator Varn asked and received unanimous consent that action on **House File 489** be deferred and that the bill be placed on the calendar under **unfinished business**.

House File 2312

On motion of Senator Varn, House File 2312, a bill for an act relating to nonsubstantive Code and Act corrections, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Varn asked and received unanimous consent that action on **House File 2312** be deferred and that the bill be placed on the calendar under **unfinished business**.

House File 2533

On motion of Senator Varn, House File 2533, a bill for an act relating to the courts, establishing a family court, and providing effective dates, with report of committee without recommendation, was taken up for consideration.

Senator Varn asked and received unanimous consent that action on **House File 2533** be deferred and that the bill be placed on the calendar under **unfinished business**.

House File 2377

On motion of Senator Priebe, House File 2377, a bill for an act adopting the model state commodity Code as recommended by the North American securities administrators association, regulating the commodities markets and participants, authorizing the securities bureau of the insurance division to administer the chapter, requiring licensing of commodity broker-dealers and sales representatives, authorizing civil remedies, sanctions, penalties, and imposing criminal penalties, with report of committee recommending passage, was taken up for consideration.

Senator Priebe asked and received unanimous consent that action on **House File 2377** be deferred and that the bill be placed on the calendar under **unfinished business**.

House File 2268

On motion of Senator Varn, House File 2268, a bill for an act relating to discovery and the statute of limitations in a civil action involving sexual abuse, sexual assault, or sexual harassment and providing for the Act's applicability, with report of committee recommending passage, was taken up for consideration.

Senator Varn asked and received unanimous consent that action on **House File 2268** be deferred and that the bill be placed on the calendar under **unfinished business**.

House File 2346

On motion of Senator Running, House File 2346, a bill for an act relating to the minimum amount of wages required in an individual's base period to be eligible for unemployment compensation benefits, with report of committee recommending passage, was taken up for consideration.

Senator Running asked and received unanimous consent that action on **House File 2346** be deferred and that the bill be placed on the calendar under **unfinished business**.

UNFINISHED BUSINESS**House File 2166**

The Senate resumed consideration of House File 2166, a bill for an act adding marijuana to the list of secondary noxious weeds, deferred on February 2, 1990, referred to the committee on Agriculture on February 5, 1990, reported out with recommendation for amendment and passage, and returned to the Unfinished Business Calendar on February 13, 1990.

Senator Vande Hoef offered amendment S—5087 filed by the committee on Agriculture on February 13, 1990, to strike everything after the enacting clause of the bill and called for a division.

The Chair advised that amendment S—5087 was not divisible.

Senator Vande Hoef asked and received unanimous consent that action on amendment S—5087 and **House File 2166** be deferred.

BUSINESS PENDING**House File 2518**

The Senate resumed consideration of House File 2518, a bill for an act relating to licensure and discipline of certain practice professionals and providing a penalty, previously deferred.

Senator Pate offered amendment S—5512 filed by him from the floor to page 1 of the bill.

Senator Dieleman raised the point of order that amendment S—5512 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5512 out of order.

Senator Running moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2518) the vote was:

Ayes, 42:

Boswell	Coleman	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Jensen	Kibbie
Kinley	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn		

Nays, none.

Absent or not voting, 8:

Bruner	Connolly	Goodwin	Gronstal
Hutchins	Lind	Mann	Welsh

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Husak asked and received unanimous consent to take up out of order House Files 677 and 2476.

House File 677

On motion of Senator Varn, House File 677, a bill for an act relating to written credit agreements between a creditor and debtor and rights of action on that agreement, with report of

committee recommending amendment and passage, was taken up for consideration.

Senator Varn asked and received unanimous consent that action on **House File 677** be **deferred**.

House File 2476

On motion of Senator Running, House File 2476, a bill for an act relating to unfair or discriminatory credit practices by including familial status as an improper basis for differential treatment in relation to a consumer credit transaction, an extension of credit by a state chartered financial institution, or the offer of credit life or health and accident insurance, with report of committee recommending passage, was taken up for consideration.

Senator Running moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2476) the vote was:

Ayes, 40:

Coleman	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Fuhrman
Gettings	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Jensen	Kibbie	Kinley
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn

Nays, 1:

Gentleman

Absent or not voting, 9:

Boswell	Bruner	Connolly	Goodwin
Hutchins	Lind	Mann	Riordan
Welsh			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley took the chair at 5:45 p.m.

Senator Husak asked and received unanimous consent to take up out of order House Files 2454, 2508, 2304 and 2201.

House File 2454

On motion of Senator Horn, House File 2454, a bill for an act relating to the manufacture, distribution, and possession of gambling devices, 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. 2454) the vote was:

Ayes, 34:

Coleman	Corning	Deluhery	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Gronstal	Hagerla	Hannon
Hester	Horn	Hultman	Husak
Jensen	Kibbie	Kinley	Lloyd-Jones
Miller	Nystrom	Palmer	Pate
Peterson	Priebe	Rife	Riordan
Running	Soorholtz	Sturgeon	Szymoniak
Tieden	Varn		

Nays, 7:

Dieleman	Hedge	Rensink	Scott
Taylor	Tinsman	Vande Hoef	

Absent or not voting, 9:

Boswell	Bruner	Connolly	Goodwin
Hutchins	Lind	Mann	Murphy
Welsh			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2508

On motion of Senator Gronstal, House File 2508, a bill for an act relating to the commitment and treatment of chronic substance

abusers, 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. 2508) the vote was:

Ayes, 41:

Coleman	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Fuhrman
Gentleman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Jensen	Kibbie	Kinley
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn			

Nays, none.

Absent or not voting, 9:

Boswell	Bruner	Connolly	Goodwin
Hultman	Hutchins	Lind	Mann
Welsh			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2304

On motion of Senator Fraise, House File 2304, a bill for an act relating to notice requirements for sales under execution, 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. 2304) the vote was:

Ayes, 41:

Coleman	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Fuhrman
Gentleman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Jensen	Kibbie
Kinley	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef			

Nays, none.

Absent or not voting, 9:

Boswell	Bruner	Connolly	Goodwin
Hutchins	Lind	Mann	Varn
Welsh			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2201

On motion of Senator Sturgeon, House File 2201, a bill for an act relating to the disclosure of the names and certain contract costs of all subcontractors by bidders on a state procurement contract, with report of committee recommending passage, was taken up for consideration.

Senator Sturgeon asked and received unanimous consent that action on **House File 2201** be deferred.

BILL REFERRED TO COMMITTEE

Senator Husak asked and received unanimous consent that **House File 2340** be referred from the Regular Calendar to the committee on **Agriculture**.

CONSIDERATION OF BILL (Regular Calendar)

Senator Husak asked and received unanimous consent to take up out of order House File 2320.

House File 2320

On motion of Senator Gronstal, House File 2320, a bill for an act relating to fire and casualty insurance, altering the method of filing rates subject to the approval of the commissioner of insurance, except for workers' compensation liability insurance rates, providing a special effective date, and authorizing civil penalties, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that action on **House File 2320** be **deferred**.

IMMEDIATELY MESSAGED

Senator Husak asked and received unanimous consent that **House Files 2381, 2468, 2512, 2369, 2518, 2454 and 2304** be **immediately messaged** to the House.

APPENDIX

EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on March 14 when the vote was taken on House File 2502.

Had I been present, I would have voted "aye"

MAGGIE TINSMAN

STUDY BILL RECEIVED

SSB 2296 Appropriations

Relating to gambling and pari-mutuel wagering, by providing for open meetings and public records of certain gambling licensees, by authorizing the sale of alcoholic beverages at certain racetracks, by making an appropriation from the gamblers assistance fund, and by subjecting violators to existing penalties.

COMMITTEE REPORTS

WAYS AND MEANS

Final Bill Action: HOUSE FILE 366, a bill for an act authorizing a county to exercise certain governmental powers to protect the public health and welfare, and to levy special assessments against affected property.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Dieleman, Husak, Connolly, Drake, Fraise, Fuhrman, Gentleman, Murphy, Palmer, Riordan, and Szymoniak. Nays, 1: Hester. Absent or not voting, 3: Bruner, Hultman and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 534, a bill for an act relating to the regulation of commercial feed and providing for the increase of fees.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Dieleman, Husak, Hester, Connolly, Drake, Fraise, Fuhrman, Gentleman, Murphy, Palmer, Riordan, Soorholtz and Szymoniak. Nays, none. Absent or not voting, 2: Bruner and Hultman.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2486, a bill for an act relating to the regulation of tanning facilities, providing penalties, and providing for the establishment of fees.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Dieleman, Husak, Hester, Connolly, Drake, Fraise, Fuhrman, Murphy, Palmer, Riordan and Szymoniak. Nays, 2: Gentleman and Soorholtz. Absent or not voting, 2: Bruner and Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2411 (SSB 2295), a bill for an act providing a seed capital income tax credit, authorizing expedited registration by filing for small issues under the state securities law, and providing effective and applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Dieleman, Husak, Hester, Connolly, Drake, Fraise, Fuhrman, Gentleman, Hultman, Murphy, Palmer, Riordan, Soorholtz and Szymoniak. Nays, none. Absent or not voting, 1: Bruner.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILL

Senate File 2411, by committee on Ways and Means, a bill for an act providing a seed capital income tax credit, authorizing expedited registration by filing for small issues under the state securities law, and providing effective and applicability dates.

Read first time under Rule 28 and **placed on Ways and Means Calendar.**

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which House File 2476 passed the Senate on March 15, 1990.

RICHARD RUNNING

SUBCOMMITTEE ASSIGNMENTS

House File 366

WAYS AND MEANS: Szymoniak, Chair; Palmer and Gentleman

House File 2056

WAYS AND MEANS: Palmer, Chair; Gentleman and Soorholtz

House File 2188

WAYS AND MEANS: Husak, Chair; Dieleman and Hester

SSB 2296

APPROPRIATIONS: Welsh, Chair; Varn and Tieden

AMENDMENTS FILED

S—5514	H.F.	2463	Ray Taylor
S—5515	H.F.	2065	Mark Hagerla
S—5516	H.F.	2340	Linn Fuhrman
S—5517	H.F.	2065	Donald Doyle
S—5518	H.F.	121	Linn Fuhrman
S—5519	H.F.	2188	Patrick Deluhery
S—5520	H.F.	2487	Patrick Deluhery
S—5521	H.F.	2062	Linn Fuhrman
S—5522	H.F.	156	Emil Husak
			Alvin Miller
			William Dieleman
			Berl Priebe
			Richard Drake
			Calvin Hultman
			John Kibbie
			Leonard Boswell
			Jean Lloyd-Jones
S—5523	H.F.	209	Calvin Hultman
			C. Joseph Coleman
S—5524	S.F.	2410	Richard Varn

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 5:11 p.m., until 9:00 a.m., Friday, March 16, 1990.

JOURNAL OF THE SENATE

SIXTY-EIGHTH CALENDAR DAY
FORTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, March 16, 1990

The Senate met in regular session at 9:12 a.m., Senator Coleman presiding.

Prayer was offered by the Reverend Robert Ericson, pastor of the Nazareth Lutheran Church, Cedar Falls, Iowa.

The Journal of Thursday, March 15, 1990, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Boswell for the day on request of Senator Husak.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 14, 1990, passed the following bills in which the concurrence of the House was asked:

Senate File 2164, a bill for an act relating to the date of publication and distribution of the report of state employee salaries.

Senate File 2261, a bill for an act relating to the filing of uniform commercial code financing statements by permitting a filing officer to accept for filing a copy of a signature and authorizing the adoption of rules to permit electronic filing of financing statements.

Senate File 2268, a bill for an act changing the time deadlines for submission of state agency affirmative action plans and annual reports and providing an effective date.

Senate File 2296, a bill for an act relating to informal dispute resolution, establishing a council for dispute resolution, and relieving the office of prosecuting attorneys training coordinator of the department of justice of responsibility for the dispute resolution program.

Senate File 2309, a bill for an act relating to the issuance of class "A" liquor licenses to veterans organization.

Senate File 2311, a bill for an act relating to unclaimed fees to confirm with the uniform disposition of unclaimed property Act.

Senate File 2317, a bill for an act relating to issuing permits for regulated uses of water by the department of natural resources.

Senate File 2340, a bill for an act relating to the disposition of unclaimed property.

Senate File 2350, a bill for an act relating to the uniform management of institutional funds Act.

Senate File 2388, a bill for an act relating to administrative procedures for the establishment, determination, and collection of certain spousal support debts.

ALSO: That the House has on March 14, 1990, amended and passed the following bills in which the concurrence of the House was asked:

Senate File 2018, a bill for an act relating to the membership of the public safety commission of a unified law enforcement district (S—5531).

Senate File 2159, a bill for an act relating to this state's labor laws administered by the labor commissioner by amending provisions of the Code regulating occupational safety and health, amusement ride and boiler inspections, asbestos removal and encapsulation, the division of labor services, wage payment collection, and construction contractors, and providing a penalty (S—5532).

Senate File 2263, a bill for an act authorizing a board of trustees of certain public hospitals to establish a separate fund for depreciation (S—5530).

Senate File 2306, a bill for an act relating to open enrollment, including the general intent, notification dates, exceptions to notification dates, board action on requests, counting of pupils for state foundation aid purposes, student expulsion or suspension, qualification for transportation, and participation of laboratory schools, and providing an effective date (S—5534).

Senate File 2349, a bill for an act relating to scheduled fines and court procedures for certain violations of snowmobiles and all-terrain vehicle regulations, game and fish regulations, and parks (S—5533).

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

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 following Governor's appointees as members of state boards, departments and commissions pursuant to 1989 Code Sections of Iowa:

February 16, 1990

Marilee Fredericks, Des Moines, Polk County, Iowa, for reappointment to the Mental Health and Mental Retardation Commission pursuant to Section 225C.5 for a term beginning May 1, 1990, and ending April 30, 1993.

February 28, 1990

Rhea Renee Walker, Clinton, Clinton County, for appointment to the Board of Educational Examiners pursuant to Section 260.3 to fulfill an unexpired term beginning immediately and ending April 30, 1991.

Paula Dean, Davenport, Scott County, for appointment to the Iowa Product Development Corporation pursuant to Section 28.83 to fulfill an unexpired term beginning immediately and ending April 30, 1993.

For appointment as members of the Mental Health and Mental Retardation Commission pursuant to Section 225C.5 for a term beginning May 1, 1990, and ending April 30, 1993:

Frank Harold Hermsen, Carroll, Carroll County; Beverly Jane Pangburn, Northwood, Worth County and Beverly Ann Sanderson, Winterset, Madison County.

Gary A. Kirchhof, Cresco, Howard County, for appointment to the State Board of Examiners for Nursing Home Administrators pursuant to Section 135E.2 to fulfill an unexpired term beginning immediately and ending April 30, 1991.

Varel G. Bailey, Anita, Cass County, for reappointment to the Wallace Technology Transfer Foundation of Iowa pursuant to Section 28.154 for a term beginning May 1, 1990, and ending April 30, 1994.

Sincerely,
TERRY E. BRANSTAD
Governor

Communications were read and referred to the committee on Rules and Administration.

ALSO:

Pursuant to 1989 Iowa Code Section 2.32(4), I submit the deferral of the appointment to the Criminal and Juvenile Justice Advisory Council currently held by Willa Mae Williams. This appointment has been deferred pending a final decision.

ALSO:

Please be advised that Ann Young of Centerville has withdrawn her name for consideration for appointment to the State Board of Chiropractic Examiners because of health reasons. Pursuant to 1989 Iowa Code Section 2.32(4) this position will be deferred until another person is selected.

Sincerely,
TERRY E. BRANSTAD
Governor

QUORUM CALL

Senator Husak requested a non record roll call to determine that a quorum was present.

The vote revealed 39 present, 11 absent and a quorum present.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Husak asked and received unanimous consent to take up out of order House Files 2308, 2238, 2534, 2314, 656, 2131, 2279, 2287, 2296, 2487, 2497, 2500, 2522, 2531 and 2281.

House File 2308

On motion of Senator Connolly, House File 2308, a bill for an act relating to feestanding hospice facilities, was taken up for consideration.

Senator Connolly moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2308) the vote was:

Ayes, 43:

Coleman	Connolly	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Nystrom
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	

Nays, none.

Absent or not voting, 7:

Boswell	Bruner	Goodwin	Mann
Palmer	Soorholtz	Welsh	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2238

On motion of Senator Deluhery, House File 2238, a bill for an act eliminating the requirement of zero balancing of automatic

adjustments in the rates and charges of public utility service, with report of committee recommending passage, was taken up for consideration.

Senator Deluhery moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2238) the vote was:

Ayes, 44:

Coleman	Connolly	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn

Nays, none.

Absent or not voting, 6:

Boswell	Bruner	Goodwin	Hultman
Mann	Welsh		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2534

On motion of Senator Gronstal, House File 2534, a bill for an act relating to sanitary disposal projects, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gronstal offered amendment S—5372 filed by the committee on Environment and Energy Utilities on March 6, 1990, to pages 1, 6 and the title page of the bill.

Senator Gronstal offered amendment S—5503 filed by him on March 15, 1990, to amendment S—5372 and moved its adoption.

Amendment S—5503 was adopted by a voice vote.

Senator Pate offered amendment S—5486 filed by him on March 14, 1990, to amendment S—5372 and moved its adoption.

Amendment S—5486 was adopted by a voice vote.

Senator Gronstal asked and received unanimous consent that action on amendment S—5372 as amended and **House File 2534** be **deferred**.

House File 2314

On motion of Senator Miller, House File 2314, a bill for an act relating to property tax by providing for monthly or quarterly payments and providing an applicability date, with report of committee recommending passage, was taken up for consideration.

Senator Kinley took the chair at 9:40 a.m.

Senator Miller moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2314) the vote was:

Ayes, 37:

Coleman	Connolly	Corning	Deluhery
Dieleman	Drake	Fraise	Fuhrman
Gentleman	Gronstal	Hannon	Hester
Horn	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Varn			

Nays, 9:

Doyle	Gettings	Hagerla	Hedge
Hultman	Husak	Nystrom	Vande Hoef
Welsh			

Absent or not voting, 4:

Boswell	Bruner	Goodwin	Mann
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

House File 2534

The Senate resumed consideration of House File 2534, and amendment S—5372 as amended, previously deferred.

Senator Deluhery offered amendment S—5536 filed by him from the floor to amendment S—5372.

Senator Husak asked and received unanimous consent that action on amendment S—5536 to amendment S—5372, amendment S—5372 as amended and **House File 2534** be deferred.

CONSIDERATION OF BILLS (Regular Calendar)

House File 656

On motion of Senator Coleman, House File 656, a bill for an act relating to reducing pollution by products purchased by the state, and by setting requirements for procurement by the department of general services, the state board of regents, the state department of transportation, and the commission for the blind, with report of committee recommending passage, was taken up for consideration.

Senator Pate asked and received unanimous consent that action on **House File 656** be deferred.

House File 2131

On motion of Senator Deluhery, House File 2131, a bill for an act relating to housing cooperatives by authorizing the creation of local housing authorities to encourage and organize sweat equity housing cooperative associations with state financial assistance as available, and providing procedures and requirements, with report of committee recommending passage, was taken up for consideration.

Senator Deluhery moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2131) the vote was:

Ayes, 41:

Coleman	Connolly	Corning	Deluhery
Dieleman	Doyle	Drake	Gettings
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Varn
Welsh			

Nays, 4:

Fuhrman	Gentleman	Jensen	Vande Hoef
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Absent or not voting, 5:

Boswell	Bruner	Fraise	Goodwin
Mann			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2279

On motion of Senator Kibbie, House File 2279, a bill for an act permitting the department of natural resources to accept credit cards for payment of certain fees and other permitted purposes, with report of committee recommending passage, was taken up for consideration.

Senator Kibbie moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2279) the vote was:

Ayes, 44:

Coleman	Connolly	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Pate	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 2:

Peterson Priebe

Absent or not voting, 4:

Boswell Bruner Goodwin Mann

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2287

On motion of Senator Fuhrman, House File 2287, a bill for an act relating to a subsequent employer's unemployment benefit contribution rate upon the purchase or transference of a small business, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Fuhrman offered amendment S—5433 filed by the committee on Business and Labor Relations on March 12, 1990, to strike everything after the enacting clause and to the title page of the bill.

Senator Fuhrman offered amendment S—5452 filed by him on March 12, 1990, to amendment S—5433 and moved its adoption.

Amendment S—5452 was adopted by a voice vote.

Senator Fuhrman moved the adoption of amendment S—5433 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. 2287) the vote was:

Ayes, 46:

Coleman	Connolly	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Boswell	Bruner	Goodwin	Mann
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

House File 2296

On motion of Senator Miller, House File 2296, a bill for an act relating to the regulation and operation of dams, with report of committee recommending passage, was taken up for consideration.

Senator Miller moved that the bill be read the last time now and placed upon its passage, 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, 46:

Coleman	Connolly	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Gronstal

Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Boswell	Bruner	Goodwin	Mann
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2487

On motion of Senator Connolly, House File 2487, a bill for an act relating to the appointment of an environmental advocate and the establishment of an environmental advocate advisory committee, with report of committee recommending passage, was taken up for consideration.

Senator Connolly asked and received unanimous consent that action on **House File 2487** be **deferred**.

House File 2497

On motion of Senator Deluhery, House File 2497, a bill for an act regulating dealers of liquefied petroleum gas, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Pate offered amendment S—5454 filed by the committee on Environment and Energy Utilities on March 12, 1990, to page 1 of the bill and moved its adoption.

Amendment S—5454 was adopted by a voice vote.

Senator Deluhery asked and received unanimous consent that action on **House File 2497** be **deferred**.

House File 2500

On motion of Senator Doyle, House File 2500, a bill for an act relating to the enforcement of outdoor recreation and natural resource laws, by defining repeat offenders, by requiring the reporting of hunting accidents, by providing for the suspension of licenses, permits, and certificates, and by providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Doyle asked and received unanimous consent that action on **House File 2500** be **deferred**.

MOTION TO RECONSIDER WITHDRAWN**House File 2339**

Senator Welsh withdrew the motion to reconsider House File 2339, a bill for an act relating to costs associated with the Iowa management training revolving fund, filed by him on March 13, 1990, and found on page 1034 of the Senate Journal.

CONSIDERATION OF BILLS
(Regular Calendar)**House File 2522**

On motion of Senator Doyle, House File 2522, a bill for an act relating to free hunting and fishing licenses for military personnel, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Sturgeon took the chair at 11:02 a.m.

Senator Doyle asked and received unanimous consent that action on **House File 2522** be **deferred**.

House File 2531

On motion of Senator Gronstal, House File 2531, a bill for an act to require a business, as a condition of the receipt of state financial assistance for economic development purposes, to meet certain requirements relating to federal and state environmental protection laws and the disposal of solid and hazardous waste,

with report of committee recommending passage, was taken up for consideration.

Senator Gronstal offered amendment S—5453 filed by the committee on Environment and Energy Utilities on March 12, 1990, to page 1 of the bill and moved its adoption.

Amendment S—5453 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. 2531) the vote was:

Ayes, 45:

Coleman	Connolly	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 1:

Hultman

Absent or not voting, 4:

Boswell	Bruner	Goodwin	Mann
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2281

On motion of Senator Coleman, House File 2281, a bill for an act relating to ethanol technology, by providing for a consortium for ethanol research and technology, with report of committee recommending passage, was taken up for consideration.

Senator Coleman asked and received unanimous consent that action on **House File 2281** be deferred.

BUSINESS PENDING

House File 2534

The Senate resumed consideration of House File 2534, a bill for an act relating to sanitary disposal projects, and amendment S—5372 as amended, previously deferred.

Senator Deluhery withdrew amendment S—5536 filed by him from the floor to amendment S—5372.

Senator Coleman took the chair at 11:15 a.m.

Senator Gronstal moved the adoption of amendment S—5372 as amended, which motion prevailed by a voice vote.

Senator Gronstal moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2534) the vote was:

Ayes, 40:

Coleman	Corning	Deluhery	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Gronstal	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Palmer	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tinsman	Vande Hoef	Varn	Welsh

Nays, 2:

Dieleman	Tieden
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Absent or not voting, 8:

Boswell	Bruner	Connolly	Goodwin
Hagerla	Mann	Nystrom	Pate

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 2308, 2238, 2314, 2131, 2279, 2296, 2531 and 2534** be immediately messaged to the House.

COMMITTEE REPORTS

WAYS AND MEANS

Final Bill Action: SENATE FILE 2412, a bill for an act relating to the regulation of certain charitable organizations, providing a fee, and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Dieleman, Husak, Hester, Connolly, Drake, Fraise, Gentleman, Hultman, Murphy, Riordan, Soorholtz and Szymoniak. Nays, none. Absent or not voting, 3: Bruner, Fuhrman and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2115, a bill for an act regulating the commercial cleaning of private sewage disposal facilities, by providing for the adoption of standards and the issuance of licenses, providing license fees, providing a civil penalty, and providing effective and applicability dates.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Dieleman, Husak, Connolly, Drake, Fraise, Hultman, Murphy, Riordan, Palmer, Soorholtz and Szymoniak. Nays, none. Absent or not voting, 4: Hester, Bruner, Fuhrman and Gentleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2188, a bill for an act relating to the issuance of alcoholic beverage licenses and permits for certain licensed premises and prescribing fees.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Dieleman, Husak, Hester, Connolly, Drake, Fraise, Gentleman, Hultman, Murphy, Palmer, Riordan, Soorholtz and Szymoniak. Nays, none. Absent or not voting, 2: Bruner and Fuhrman.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2516, a bill for an act regulating certain motor vehicle service contracts and establishing an annual fee.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Dieleman, Husak, Hester, Connolly, Drake, Fraise, Gentleman, Hultman, Murphy, Palmer, Riordan, Soorholtz and Szymoniak. Nays, none. Absent or not voting, 2: Bruner and Fuhrman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2549, a bill for an act relating to the length of occupancy of the homestead for purposes of the homestead credit and providing a retroactive applicability date.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Dieleman, Husak, Hester, Connolly, Drake, Fraise, Hultman, Murphy, Riordan, Soorholtz and Szymoniak. Nays, 1: Gentleman. Absent or not voting, 3: Bruner, Fuhrman and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2540, a bill for an act relating to and providing a temporary property tax exemption for certain increased valuation of historic property, providing a phase-in of increase valuation, and providing an applicability date.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Dieleman, Husak, Connolly, Drake, Fraise, Hultman, Murphy, Palmer, Riordan, Soorholtz and Szymoniak. Nays, none. Absent or not voting, 4: Hester, Bruner, Fuhrman and Gentleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF BILL
(Regular Calendar)

House File 49

On motion of Senator Sturgeon, House File 49, a bill for an act relating to benefits provided to permanent, part-time public employees, with report of committee recommending passage, was taken up for consideration.

Senator Sturgeon asked and received unanimous consent that action on **House File 49** be deferred and that the bill be placed on the calendar under **unfinished business**.

UNFINISHED BUSINESS

House File 2115

The Senate resumed consideration of House File 2115, a bill for an act regulating the commercial cleaning of private sewage disposal facilities, by providing for the adoption of standards and the issuance of licenses, providing license fees, providing a civil penalty, and providing effective and applicability dates, deferred on March 13, 1990, referred to the committee on Ways and Means on March 14, 1990, reported out with recommendation for passage and returned to the Unfinished Business Calendar on March 16, 1990.

Senator Sturgeon asked and received unanimous consent that action on **House File 2115** be deferred and that the bill be placed on the calendar under **unfinished business**.

CONSIDERATION OF BILLS
(Regular Calendar)

House File 2294

On motion of Senator Sturgeon, House File 2294, a bill for an act relating to the establishment of an Iowa affordable heating program, with report of committee recommending passage, was taken up for consideration.

Senator Sturgeon asked and received unanimous consent that action on **House File 2294** be deferred and that the bill be placed on the calendar under **unfinished business**.

House File 736

On motion of Senator Running, House File 736, a bill for an act relating to the use of integrity tests as a condition of employment and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Running asked and received unanimous consent that action on **House File 736** be deferred and that the bill be placed on the calendar under **unfinished business**.

House File 156

On motion of Senator Running, House File 156, a bill for an act relating to the separation of workers' compensation insurance premiums into two parts, with report of committee recommending passage, was taken up for consideration.

Senator Running asked and received unanimous consent that action on **House File 156** be deferred and that the bill be placed on the calendar under **unfinished business**.

House File 2048

On motion of Senator Horn, House File 2048, a bill for an act relating to the licensing of marital and family therapists and mental health counselors, by establishing the board of behavioral science examiners, prohibiting the practice of marital and family therapy or mental health counseling without a license, providing exemptions, redefining "mental health professional" for purposes of confidential communications, making penalties applicable, imposing penalties for sexual exploitation by a counselor or therapist, providing for a temporary waiver of certain licensing requirements, and providing other properly related matters, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Horn asked and received unanimous consent that action on **House File 2048** be deferred and that the bill be placed on the calendar under **unfinished business**.

House File 2157

On motion of Senator Drake, House File 2157, a bill for an act relating to the dates for limitations of actions on title to real property, with report of committee recommending passage, was taken up for consideration.

Senator Drake asked and received unanimous consent that action on **House File 2157** be deferred and that the bill be placed on the calendar under **unfinished business**.

House File 2437

On motion of Senator Hannon, House File 2437, a bill for an act relating to child support payments by providing for immediate withholding of an obligor's income and providing a penalty, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hannon asked and received unanimous consent that action on **House File 2437** be deferred and that the bill be placed on the calendar under **unfinished business**.

House File 2393

On motion of Senator Dieleman, House File 2393, a bill for an act relating to minimum liability limits for motor carriers and related procedures, with report of committee recommending passage, was taken up for consideration.

Senator Dieleman asked and received unanimous consent that action on **House File 2393** be deferred and that the bill be placed on the calendar under **unfinished business**.

House File 2440

On motion of Senator Lloyd-Jones, House File 2440, a bill for an act relating to the duties of the board of educational examiners, providing for alternative routes to licensing, and defining which persons are teachers for purposes of educational excellence programs, with report of committee recommending passage, was taken up for consideration.

Senator Lloyd-Jones asked and received unanimous consent that action on **House File 2440** be deferred and that the bill be placed on the calendar under **unfinished business**.

House File 2494

On motion of Senator Connolly, House File 2494, a bill for an act relating to the financing of water treatment plant and waste water treatment plant projects, with report of committee recommending passage, was taken up for consideration.

Senator Connolly asked and received unanimous consent that action on **House File 2494** be deferred and that the bill be placed on the calendar under **unfinished business**.

House File 366

On motion of Senator Fraise, House File 366, a bill for an act authorizing a county to exercise certain governmental powers to protect the public health and welfare, and to levy special assessments against affected property, with report of committee on Local Government recommending amendment and passage and committee on Ways and Means recommending passage, was taken up for consideration.

Senator Fraise asked and received unanimous consent that action on **House File 366** be deferred and that the bill be placed on the calendar under **unfinished business**.

House File 2154

On motion of Senator Murphy, House File 2154, a bill for an act relating to civil rights by requiring certain cities to maintain a local civil rights agency or commission and provide adequate funding for the agency or commission, and providing for the continuation in effect of certain local civil rights laws, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Murphy asked and received unanimous consent that action on **House File 2154** be deferred and that the bill be placed on the calendar under **unfinished business**.

House File 2486

On motion of Senator Riordan, House File 2486, a bill for an act relating to the regulation of tanning facilities, providing penalties, and providing for the establishment of fees, with report of committees on Human Resources and Ways and Means recommending passage, was taken up for consideration.

Senator Riordan asked and received unanimous consent that action on **House File 2486** be deferred and that the bill be placed on the calendar under **unfinished business**.

House File 2065

On motion of Senator Murphy, House File 2065, a bill for an act relating to certain alcohol-related offenses, and establishing a youthful drunk driver visitation program, with report of committee recommending passage, was taken up for consideration.

Senator Murphy asked and received unanimous consent that action on **House File 2065** be deferred and that the bill be placed on the calendar under **unfinished business**.

House File 2406

On motion of Senator Varn, House File 2406, a bill for an act relating to student financial aid programs administered by the college aid commission, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Varn asked and received unanimous consent that action on **House File 2406** be deferred and that the bill be placed on the calendar under **unfinished business**.

House File 2235

On motion of Senator Hannon, House File 2235, a bill for an act relating to community action agencies by providing for an annual report and establishing membership requirements for community action agency boards, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hannon asked and received unanimous consent that action on **House File 2235** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

House File 2313

On motion of Senator Varn, House File 2313, a bill for an act relating to statutory corrections which adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, and remove ambiguities, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Varn asked and received unanimous consent that action on **House File 2313** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

House File 2343

On motion of Senator Doyle, House File 2343, a bill for an act relating to the fee charged by an employment agency for the procurement of a position of employment, with report of committee recommending passage, was taken up for consideration.

Senator Doyle asked and received unanimous consent that action on **House File 2343** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

House File 2431

On motion of Senator Deluhery, House File 2431, a bill for an act allowing a person to purchase insurance through the Iowa comprehensive health association even if the person has coverage under another insurance plan, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Deluhery asked and received unanimous consent that action on **House File 2431** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

House File 2506

On motion of Senator Deluhery, House File 2506, a bill for an act requiring allocation of pregnancy-related health expenses equally among female and male policyholders, subscribers, or enrollees of individual third-party payor medical expense contracts, with report of committee recommending passage, was taken up for consideration.

Senator Deluhery asked and received unanimous consent that action on **House File 2506** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

Senator Doyle took the chair at 11:40 a.m.

House File 2537

On motion of Senator Gronstal, House File 2537, a bill for an act relating to the sale of funeral services and merchandise, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that action on **House File 2537** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

House File 534

On motion of Senator Fraise, House File 534, a bill for an act relating to the regulation of commercial feed and providing for the increase of fees, with report of committee on Agriculture recommending amendment and passage, and report of committee on Ways and Means recommending passage, was taken up for consideration.

Senator Fraise asked and received unanimous consent that action on **House File 534** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

House File 2188

On motion of Senator Horn, House File 2188, a bill for an act relating to the issuance of alcoholic beverage licenses and permits for certain licensed premises and prescribing fees, with report

of committees on State Government and Ways and Means recommending passage, was taken up for consideration.

Senator Horn asked and received unanimous consent that action on **House File 2188** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

House File 2516

On motion of Senator Deluhery, House File 2516, a bill for an act regulating certain motor vehicle service contracts and establishing an annual fee, with report of committees on Commerce and Ways and Means, recommending passage, was taken up for consideration.

Senator Deluhery asked and received unanimous consent that action on **House File 2516** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

House File 724

On motion of Senator Coleman, House File 724, 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, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Coleman asked and received unanimous consent that action on **House File 724** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

House File 2367

On motion of Senator Coleman, House File 2367, a bill for an act awarding a reasonable attorney's fee in an action for a quitclaim deed, with report of committee recommending passage, was taken up for consideration.

Senator Coleman asked and received unanimous consent that action on **House File 2367** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

House File 2503

On motion of Senator Murphy, House File 2503, a bill for an act relating to the notification or testing of persons receiving health or correctional services regarding the human immunodeficiency virus, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Murphy asked and received unanimous consent that action on **House File 2503** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

House File 2412

On motion of Senator Connolly, House File 2412, a bill for an act providing for the enactment of municipal infractions relating to the environment and providing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Connolly asked and received unanimous consent that action on **House File 2412** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

INTRODUCTION OF BILL

Senate File 2412, by committee on Ways and Means, a bill for an act relating to the regulation of certain charitable organizations, providing a fee, and providing a penalty.

Read first time and **placed on Ways and Means calendar**.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued certificates of recognition as follows:

Coach T.R. Wood and the Nishna Valley Blackhawks high school boys' basketball team — For participation in the 1990 Boys' State high school basketball tournament. Senator Hultman (March 15, 1990).

Coach Dan Martinez and the Red Oak Tigers high school boys' basketball team — For participation in the 1990 Boys' State high school basketball tournament. Senator Hultman (March 15, 1990).

The Muscatine Muskies high school girls' basketball team — For fourth place in the 1990 Girls' State five-on-five player high school basketball tournament. Senator Drake (March 15, 1990).

Jenny Noll, Muscatine — For being named as a member of the 1990 Girls' State five-on-five player high school basketball All-Tournament team. Senator Drake (March 15, 1990).

Marivel Rivera, Muscatine — For Receiving the 1990 Girls' State high school basketball tournament Jack North Award. Senator Drake (March 15, 1990).

Waterloo Columbus Sailors high school girls' basketball team — For winning the 1990 Girls' State five-on-five player high school basketball tournament. Senator Lind (March 10, 1990).

University of Northern Iowa — For being the 1990 AMCU Conference Tournament Champions. Senators Lind and Corning (March 7, 1990).

REPORT OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: March 14, 1990, 1:41 p.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Pate, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn.

Members Absent: none.

Committee Business: Approved SSB 2294 as a committee resolution; recommended passage of House File 2371 as amended; assigned bills to subcommittees; approved LSB 8432 as a committee bill.

Adjourned: 3:22 p.m.

WAYS AND MEANS

Convened: March 15, 1990, 1:35 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hester, Ranking Member; Connolly, Drake, Fraise, Fuhrman, Gentleman, Hultman, Murphy, Palmer, Riordan, Soorholtz and Szymoniak.

Members Absent: Bruner (excused).

Committee Business: Assigned bills to subcommittees; approved SSB 2295 as a committee bill; recommended passage of House Files 534, 2486 and 366.

Adjourned: 2:40 p.m.

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which House File 2287 passed the Senate on March 16, 1990.

JULIA GENTLEMAN

MADAM PRESIDENT: I move to reconsider the vote by which House File 2287 passed the Senate on March 16, 1990.

LINN FUHRMAN

EXPLANATION OF VOTES

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on March 15, 1990, when the votes were taken on House Files 2518, 2476, 2454, 2508 and 2304.

Had I been present, I would have voted "aye".

MIKE CONNOLLY

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on March 15, 1990, when the votes were taken on House Files 2381, 2468, 2512 and 2369.

WILMER RENSINK

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on March 16, 1990, when the final vote was taken on House File 2534.

Had I been present, I would have voted "aye" on this bill.

MARK R. HAGERLA

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty sixth grade students from Orient-Macksburg Community School, Orient, Iowa, accompanied by John Dunlevy. Senators Riordan and Boswell.

Members of the Red Oak Tigers high school Boys' State basketball tournament team, accompanied by Coach Dan Martinez. Senator Hultman.

Eight twelfth grade students from Woodward-Granger High School, Woodward, Iowa, accompanied by Steve Richardson. Senator Riordan.

Twenty-four eighth grade students from Alden Middle School, Alden, Iowa, accompanied by Janet Zeisman. Senator Taylor.

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 16th day of March, 1990:

Senate Files 2082, 2221, 2173, 2094 and 2156.

JOHN F. DWYER
Secretary of the Senate

AMENDMENTS FILED

S—5525	H.F.	2201	Berl Priebe Dale Tieden Richard Drake Donald Doyle
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S—5526	H.F.	2166	Richard Vande Hoef
S—5527	H.F.	2062	Richard Vande Hoef
S—5528	H.F.	2062	Richard Vande Hoef
S—5529	H.F.	2062	Al Sturgeon
S—5530	S.F.	2263	House amendment
S—5531	S.F.	2018	House amendment
S—5532	S.F.	2159	House amendment
S—5533	S.F.	2349	House amendment
S—5534	S.F.	2306	House amendment
S—5535	H.F.	2486	Jim Riordan Linn Fuhrman
S—5536	H.F.	2534	Patrick Deluhery
S—5537	H.F.	2511	Don Gettings
S—5538	S.F.	2306	C. Joseph Coleman
S—5539	H.F.	2201	Al Sturgeon
S—5540	H.F.	2188	Michael Gronstal Calvin Hultman
S—5541	H.F.	2522	George Kinley Dale Tieden Kenneth Scott
S—5542	H.F.	2271	Ray Taylor
S—5543	H.F.	2500	Donald Doyle
S—5544	H.F.	2062	Jim Lind
S—5545	H.F.	2062	Jim Lind
S—5546	H.F.	2062	Jim Lind
S—5547	H.F.	2450	Michael Gronstal

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 11:45 a.m., until 10:00 a.m., Monday, March 19, 1990.

JOURNAL OF THE SENATE

SEVENTY-FIRST CALENDAR DAY
FORTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 19, 1990

The Senate met in regular session at 10:03 a.m., Senator Coleman presiding.

Prayer was offered by the Reverend Neil Cross, pastor of the United Methodist Church, Pella, Iowa.

The Journal of Friday, March 16, 1990, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Nystrom for the day and March 20, 1990, on request of Senator Hultman and Senator Mann for the day on request of Senator Hutchins.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 15, 1990, passed the following bills in which the concurrence of the House was asked:

Senate File 18, a bill for an act relating to the time period within which an information or indictment for sexual abuse with a child under the age of twelve shall be found.

Senate File 2015, a bill for an act relating to training requirements for reserve peace officers and providing for the Act's applicability.

ALSO: That the House has on March 15, 1990, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 332, a bill for an act relating to legal expense insurance by regulating the sale of contracts providing reimbursement for legal expenses in consideration of a specified payment for a period of time, establishing a premium tax, and providing penalties (S—5554).

Senate File 2057, a bill for an act relating to the conduct of pari-mutuel racing by simultaneous telecast (S—5553).

Senate File 2169, a bill for an act relating to actions by employers by prohibiting employers from taking certain deductions from employees' wages, requiring employers to provide certain services for non-English speaking employees, requiring certain practices upon recruitment of employees from out-of-state locations, and providing penalties (S—5549).

Senate File 2197, a bill for an act relating to violations of an individual's rights, by prohibiting acts of assault and criminal mischief, providing victims actionable civil relief against offenders, establishing a program to monitor rights violations, and providing a penalty (S—5552).

Senate File 2245, a bill for an act relating to bids for certain specialized highway or bridge construction projects (S—5551).

ALSO: That the House has on March 16, 1990, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2365, a bill for an act relating to and making appropriations to the department of human services and the Iowa department of public health and providing other properly related matters (S—5550).

Senator Kinley took the chair at 10:32 a.m.

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that the following bills on the Regular Calendar be referred to committee:

H.F.	18	Judiciary
H.F.	2050	State Government

H.F.	2292	Judiciary
H.F.	2365	Judiciary
H.F.	2511	Judiciary
H.F.	2520	Commerce
H.F.	2526	Judiciary
H.F.	2529	Agriculture

HOUSE AMENDMENTS CONSIDERED

Senate File 2097

Senator Gronstal called up for consideration Senate File 2097, a bill for an act relating to the mediation of disputes between dentists and patients by the board of dental examiners, amended by the House, and moved that the Senate concur in House amendment S—5460 filed March 13, 1990.

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. 2097) the vote was:

Ayes, 48:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Murphy	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Mann Nystrom

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 2262

Senator Soorholtz called up for consideration Senate File 2262, a bill for an act relating to licensure to practice veterinary medicine without an examination, amended by the House, and moved that the Senate concur in House amendment S—5461 filed March 13, 1990.

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. 2262) the vote was:

Ayes, 48:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Murphy	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Mann Nystrom

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 2158

Senator Gettings called up for consideration Senate File 2158, a bill for an act permitting the shared ownership, operation, or cooperative use of publicly owned petroleum storage facilities by more than one public agency or political subdivision, amended by the House, and moved that the Senate concur in House amendment S—5481 filed March 14, 1990.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Gettings moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2158) the vote was:

Ayes, 48:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Murphy	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Mann Nystrom

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 2363

Senator Priebe called up for consideration Senate File 2363, a bill for an act relating to commercial weighing and measuring, amended by the House, and moved that the Senate concur in House amendment S—5480 filed March 14, 1990.

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. 2363) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Mann	Murphy	Nystrom
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

MOTION TO RECONSIDER ADOPTED

Senator Szymoniak called up the motion to reconsider House File 737 filed by her on March 14, 1990, found on page 1076 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (H.F. 737) the vote was:

Ayes, 46:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tinsman	Van de Hoef
Varn	Welsh		

Nays, 2:

Hagerla Tieden

Absent or not voting, 2:

Mann Nystrom

The motion prevailed.

Senator Szymoniak moved to reconsider the vote by which House File 737 went to its last reading, which motion prevailed by a voice vote.

House File 737

On motion of Senator Szymoniak, House File 737, a bill for an act requiring certain public corporations to pay the interest earned on investments of retained funds to public improvement construction contractors, was taken up for reconsideration.

Senator Szymoniak 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—5101 to House File 737 was adopted by the Senate on March 14, 1990.

The motion prevailed by a voice vote and amendment S—5101 by the committee on Transportation to page 1 and the title page of the bill, was taken up for reconsideration.

Senator Szymoniak offered amendment S—5511 filed by Senators Murphy, et al., on March 15, 1990, to amendment S—5101 and moved its adoption.

Amendment S—5511 was adopted by a voice vote.

Senator Szymoniak moved the adoption of amendment S—5101 as amended, which motion prevailed by a voice vote.

Senator Szymoniak moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 737) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Mann	Murphy	Nystrom
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

CONSIDERATION OF BILLS (Ways and Means Calendar)

Senate File 2304

On motion of Senator Szymoniak, Senate File 2304, a bill for an act relating to penalty and interest on cigarette, tobacco, motor

fuel, individual income, withholding, corporation income, franchise, sales, use, retailer's use, environmental protection charge, inheritance, generation skipping transfer, and estate taxes, and providing effective and applicability dates, was taken up for consideration.

Senator Dieleman withdrew amendment S—5227 filed by him on February 26, 1990, to pages 3 and 11 of the bill.

Senator Dieleman offered amendment S—5283 filed by him on February 28, 1990, to pages 3 and 11 of the bill and moved its adoption.

Amendment S—5283 was adopted by a voice vote.

Senator Szymoniak moved that the bill be read the last time now and placed upon its passage, 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, 46:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Hultman	Mann	Murphy	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.

Senate File 2406

On motion of Senator Szymoniak, Senate File 2406, a bill for an act relating to the sales and use tax on carbon dioxide and providing a retroactive applicability date, was taken up for consideration.

Senator Szymoniak moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2406) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Mann	Murphy	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.

Senate File 2407

On motion of Senator Connolly, Senate File 2407, a bill for an act relating to the premium taxation on certain health maintenance organization payments, was taken up for consideration.

Senator Connolly moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2407) the vote was:

Ayes, 48:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Murphy	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Mann Nystrom

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2322

On motion of Senator Fraise, House File 2322, a bill for an act relating to the duties of the county recorder by imposing a fee for recording and indexing certain instruments, and by providing for the issuance of certain transcripts, 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. 2322) the vote was:

Ayes, 48:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Murphy	Palmer	Pate

Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Mann Nystrom

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Files 2411 and 2412.

Senate File 2411

On motion of Senator Szymoniak, Senate File 2411, a bill for an act providing a seed capital income tax credit, authorizing expedited registration by filing for small issues under the state securities law, and providing effective and applicability dates, was taken up for consideration.

Senator Pate asked and received unanimous consent that action on **Senate File 2411** be **deferred**.

Senate File 2412

On motion of Senator Riordan, Senate File 2412, a bill for an act relating to the regulation of certain charitable organizations, providing a fee, and providing a penalty, was taken up for consideration.

Senator Coleman took the chair at 11:28 a.m.

Senator Riordan asked and received unanimous consent that action on **Senate File 2412** be **deferred**.

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 Jane Groe and Paul S. Stave as members of the Accountancy Examining Board.

Richard Morrell as Administrator of the Alcoholic Beverages Division.

K. Marie Thayer as Administrator of the Professional Licensing and Regulation Division.

Michael R. Lura as Administrator of the Racing and Gaming Division.

Steven A. Basler as a member of the Agricultural Development Authority.

Gwen Boeke, Kenneth Steffen and Barbara Welander as members of the Architectural Examining Board.

Carroll Anderson as a member of the Barber Examining Board.

Robert S. Klopp and Mary M. Smith as members of the Board of Examiners for the Licensing and Regulation of Hearing Aid Dealers.

Edna D. Eaton and James R. Heyer as members of the Board of Nursing Examiners.

William W. Crews as a member of the Board of Physician Assistant Examiners.

F. Dow Bates and John W. Quinlan as members of the Chiropractic Examining Board.

Nita L. Taggart as a member of the City Development Board.

Margaret Kolck as a member of the Commission for the Blind.

Paul H. Wieck as Commissioner of Public Safety.

Jill Bouslog as a member of the Commission on the Deaf.

George A. Rossum as a member of the Commission on the Status of Blacks.

Mary M. Wiberg as a member of the Commission on the Status of Women.

Ruth A. Daggett and James O'Neill as members of the Cosmetology Examining Board.

James McCue as a member of the Credit Union Review Board.

Marilyn J. May, Bruce Charles Heilman and Doreen J. Loughran as members of the Dental Examining Board.

Kathy E. Buffington as a member of the Dietetic Examining Board.

Wendell R. Benson as a member of the Employment Appeal Board.

Virginia Ruark and Harold Wight as members of the Engineering and Land Surveying Examining Board.

Michael K. Eberle and Janice Stillman as members of the Iowa Board of Veterinary Medicine.

Marie G. Ellingson and Carolyn Ann Roberts as members of the Iowa Grain Indemnity Fund Board.

Jewel Kintzinger as a member of the Iowa Higher Education Loan Authority.

Dana R. Peterson, John D. Crotty and Gordon Plepla as members of the Iowa Law Enforcement Academy Council.

Monroe J. Colston as a member of the Iowa Lottery Board.

Steve A. Schroeder as a member of the Landscape Architectural Examining Board.

Edra E. Broich, Dr. John Olds and Dr. Cecil L. Peterson as members of the Medical Examining Board.

Margaret A. Holmes as a member of the Mortuary Science Examining Board.

Donovan L. Crouch as a member of the Optometry Examining Board.

Donna Flower, Alan M. Shepley and Phyllis A. Olson as members of the Pharmacy Examining Board.

Daniel L. Mack and Kathryn Diane Eilers as members of the Physical and Occupational Therapy Examining Board.

James D. Heddens and Marjorie E. Rodgers as members of the Podiatry Examining Board.

Kathryn Clark Gerken as a member of the Psychology Examining Board.

Richard R. Ramsey as member and Chairperson of the Public Employment Relations Board.

John L. Felderman and Mary P. Mitchell as members of the Real Estate Appraiser Examining Board.

Robert H. Christensen and E. Joe Ann Lutz as members of the Real Estate Commission.

Dr. Greg A. Hicklin and Joan M. Treirvieler as members of the Respiratory Care Advisory Committee.

Francis Millard Hellert as a member of the Social Work Examining Board.

Thomas Glenn as a member of the State Board of Education.

Murray D. Berggren and Sally A. Mathis as members of the State Board of Examiners for Nursing Home Administrators.

Jerry R. Foxhoven and Karen Kay Baker as members of the State Foster Care Review Board.

Jane F. Ecklund as a member of the State Health Facilities Council.

Leo K. Monaghan and Rita Dolores Sealock as members of the State Racing and Gaming Commission.

Robert H. Meier and Austin B. Turner as members of the State Transportation Commission.

Gregg Alan Barcus as Superintendent of Savings and Loan Associations.

Senator Hutchins moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 48:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Murphy	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Mann Nystrom

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 2304, 2307** and **House File 2322** be **immediately messaged** to the House.

UNFINISHED BUSINESS (Deferred February 21, 1990)

Senate File 2274

The Senate resumed consideration of Senate File 2274, a bill for an act relating to targeted small businesses, and imposing penalties, deferred February 21, 1990.

Senator Rife offered amendment S—5092 filed by the committee on Small Business and Economic Development on February 14, 1990, to page 7 of the bill and moved its adoption.

Amendment S—5092 was adopted by a voice vote.

Senator Hannon offered amendment S—5168 filed by Senators Hannon, Connolly and Mann on February 21, 1990, to pages 5 and 6 of the bill and moved its adoption.

Amendment S—5168 was adopted by a voice vote.

Senator Rife moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2274) the vote was:

Ayes, 48:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Murphy	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Mann Nystrom

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS

House File 2404

On motion of Senator Riordan, House File 2404, a bill for an act relating to mediation assistance, by expanding the

responsibilities of the farm mediation service, granting additional authority to the farm mediation service, increasing certain fees, extending the date of repeal for certain provisions, and providing an effective date, was taken up for further consideration (substituted for Senate File 2331 and deferred on March 7, 1990).

Senator Riordan offered amendment S—5555 filed by him from the floor to pages 2, 3 and the title page of the bill and moved its adoption.

Amendment S—5555 was adopted by a voice vote.

Senator Riordan offered amendment S—5556 filed by him from the floor to pages 4 through 7, 9 and 10 of the bill and moved its adoption.

Amendment S—5556 was adopted by a voice vote.

Senator Riordan moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2404) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 1:

Gentleman

Absent or not voting, 2:

Mann Nystrom

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

WITHDRAWN

Senator Riordan asked and received unanimous consent that **Senate File 2331** be **withdrawn** from further consideration of the Senate.

INTRODUCTION OF BILL

Senate File 2413, by Hutchins, a bill for an act relating to certain specific crimes and the disposition of offenders by providing for payment of sexual abuse medical examinations, providing for workers' compensation coverage and the liability of certain persons performing community service, providing for notification of the parents of persons under age eighteen discovered to be in possession of alcohol or drugs, providing for a term of confinement for distribution of illegal drugs within one thousand feet of a public park, providing for the reporting and identification of certain precursor drugs, providing for the disposition of certain juvenile offenders, establishing a family preservation program, establishing institutional reading room requirements, providing for the diversion of certain offenders to treatment facilities, providing that certain persons serving mandatory minimum sentences serve a portion of their sentence on work release, establishing a penalty for certain persons who cause a serious injury to another while operating a motor vehicle, providing for certain offenders to serve their sentence on consecutive days, providing for posttreatment services as a condition of probation, establishing a tax on marijuana and controlled substances, providing an expansion of the business deduction for businesses employing individuals on parole, probation, work release, or convicted of a felony, establishing penalties for participation in criminal gang activity, providing for the nonbailability of certain offenders, providing requirements for presentence investigations, providing for early release of offenders participating in certain treatment or for certain property offenders, making certain changes relating to conditions of parole and work release, authorizing parole and probation officers to discharge certain offenders, making certain changes relating to the victim

reparation program, establishing a pilot project for the chemical testing of persons arrested for felony offenses, and providing penalties.

Read first time and assigned to the committee on **Judiciary**.

HOUSE AMENDMENTS CONSIDERED

Senate File 2263

Senator Kibbie called up for consideration Senate File 2263, a bill for an act authorizing a board of trustees of certain public hospitals to establish a separate fund for depreciation, amended by the House, and moved that the Senate concur in House amendment S—5530 filed on March 16, 1990.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Kibbie moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

Senator Kibbie moved that the bill be read the last time now and placed upon its passage, 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. 47:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Murphy	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Mann

Nystrom

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 2084

Senator Priebe called up for consideration Senate File 2084, a bill for an act relating to the reorganization of the department of natural resources, by creating two separate departments, by assigning powers and duties to the two departments, by making necessary amendments to the Code, and providing effective dates, amended by the House and moved that the Senate concur in House amendment S—5483 filed March 14, 1990.

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 2274, 2084 and House File 2404** be **immediately messaged** to the House.

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:06 p.m., until 2:30 p.m.

APPENDIX

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

The committee on Rules and Administration referred the following Governor's appointments to state boards and commissions to standing committees as indicated for investigation on March 19, 1990:

EDUCATION

Rhea Renee Walker — Board of Educational Examiners.

HUMAN RESOURCES

Marilee Fredericks, Frank Harold Hermsen, Beverly Jane Pangburn and Beverly Ann Sanderson as members of the Mental Health and Mental Retardation Commission.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Paula Dean — Iowa Product Development Corporation.

Varel G. Bailey — Wallace Technology Transfer Foundation of Iowa.

STATE GOVERNMENT

Gary A. Kirchhof — State Board of Examiners for Nursing Home Administrators.

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 19, 1990, to investigate the appointment and reappointment of the following Governor's appointees:

HUMAN RESOURCES

As members of the Mental Health and Mental Retardation Commission:

MARILEE FREDERICKS: Gentleman, Chair; Bruner and Murphy
FRANK HAROLD HERMSEN: Murphy, Chair; Horn and Taylor
BEVERLY JANE PANGBURN: Connolly, Chair; Bruner and Tinsman
BEVERLY ANN SANDERSON: Riordan, Chair; Hannon and Hagerla

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

As a member of the Iowa Product Development Corporation:

PAULA DEAN: Szymoniak, Chair; Boswell and Rife

As a member of the Wallace Technology Transfer Foundation of Iowa:

VAREL G. BAILEY: Scott, Chair; Hannon and Pate

STATE GOVERNMENT

As a member of the State Board of Examiners for Nursing Home Administrators:

GARY A. KIRCHHOF: Hannon, Chair; Coleman and Vande Hoef

REPORTS OF STANDING COMMITTEES
(Place nominees on En Bloc Confirmation Calendar)**SMALL BUSINESS & 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 7, 1990, and recommended the appointees be confirmed:

As members of the Iowa Economic Development Board:

William T. Dible for appointment, Lois H. Eichacker and F. Forbes Olberg for reappointment and Joan Y. Phillips for appointment.

EXPLANATION OF VOTES
(Corrected)

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on March 15, 1990, when the final votes were taken on House Files 2381, 2468, 2512 and 2369.

Had I been present, I would have voted "aye".

WILMER RENSINK

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2406 passed the Senate on March 19, 1990.

AL STURGEON

SUBCOMMITTEE ASSIGNMENT

Senate File 2413

JUDICIARY: Gronstal, Chair; Varn, Horn, Hester and Drake

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate chamber:

Three twelfth grade students from Jefferson High School, Jefferson, Iowa. Senator Nystrom.

REPORT OF COMMITTEE MEETING

WAYS AND MEANS

Convened: March 16, 1990, 8:35 a.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hester, Ranking Member; Connolly, Drake, Fraise, Gentleman, Hultman, Murphy, Palmer, Riordan, Soorholtz and Szymoniak.

Members Absent: Bruner (excused) and Fuhrman.

Committee Business: Recommended passage of House Files 2549, 2516, 2115, 2540 and 2188; approved Senate File 2370 and ordered redrafted as a committee bill; House File 2056 failed recommendation for passage.

Adjourned: 9:00 a.m.

AMENDMENTS FILED

S—5548	S. F.	2410	William W. Dieleman
			Joe Welsh
S—5549	S. F.	2169	House amendment

S—5550	S. F.	2365	House amendment
S—5551	S. F.	2245	House amendment
S—5552	S. F.	2197	House amendment
S—5553	S. F.	2057	House amendment
S—5554	S. F.	332	House amendment
S—5555	H.F.	2404	Jim Riordan
S—5556	H.F.	2404	Jim Riordan
S—5557	H.F.	209	Joe Welsh
			Calvin Hultman
			George Kinley
			Dale Tieden
			Richard Drake
			C. Joseph Coleman

AFTERNOON SESSION

The Senate reconvened at 2:52 p.m., Senator Dieleman presiding.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 39 present, 11 absent and a quorum present.

UNFINISHED BUSINESS
(Deferred March 15, 1990)**House File 209**

The Senate resumed consideration of House File 209, a bill for an act relating to the limitations on smoking, and providing penalties, deferred March 15, 1990.

Senator Welsh offered amendment S—5557 filed by Senators Welsh, et al, from the floor to page 3 of the bill.

Senator Gronstal raised the point of order that amendment S—5557 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5557 in order.

President Zimmerman took the chair at 3:10 p.m.

Senator Welsh moved the adoption of amendment S—5557.

A record roll call was requested.

On the question "Shall amendment S—5557 be adopted?" (H.F. 209) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 25:

Coleman

Doyle

Drake

Fraise

Fuhrman	Gentleman	Goodwin	Hagerla
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Miller	Murphy	Palmer	Pate
Rife	Running	Tieden	Varn
Welsh			

Nays, 20:

Boswell	Bruner	Connolly	Deluhery
Dieleman	Gettings	Gronstal	Hannon
Hedge	Hester	Lloyd-Jones	Peterson
Rensink	Riordan	Scott	Sturgeon
Szymoniak	Taylor	Tinsman	Vande Hoef

Absent or not voting, 5:

Corning	Mann	Nystrom	Priebe
Soorholtz			

Amendment S—5557 was adopted.

Senator Running offered amendment S—5567 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—5567 be adopted?" (H.F. 209) the vote was:

Ayes, 26:

Boswell	Coleman	Deluhery	Doyle
Drake	Fraise	Fuhrman	Gentleman
Goodwin	Hagerla	Horn	Hultman
Husak	Kibbie	Kinley	Miller
Murphy	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Running
Scott	Tieden		

Nays, 21:

Bruner	Connolly	Corning	Dieleman
Gettings	Gronstal	Hannon	Hedge
Hester	Hutchins	Jensen	Lind
Lloyd-Jones	Riordan	Sturgeon	Szymoniak
Taylor	Tinsman	Vande Hoef	Varn
Welsh			

Absent or not voting, 3:

Mann Nystrom Soorholtz

Amendment S—5567 was adopted.

Senator Sturgeon asked and received unanimous consent that action on **House File 209** be deferred.

UNFINISHED BUSINESS
(Deferred March 12, 1990)

Senate File 2347

The Senate resumed consideration of Senate File 2347, a bill for an act relating to the ability of one spouse to relinquish inchoate dower rights and homestead rights as an attorney in fact for the other spouse, deferred March 12, 1990.

Senator Hagerla moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2347) the vote was:

Ayes, 45:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hedge	Hester	Horn	Hultman
Husak	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 5:

Hannon Hutchins Mann Nystrom
Soorholtz

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENT CONSIDERED

Senate File 2159

Senator Running called up for consideration Senate File 2159, a bill for an act relating to this state's labor laws administered by the labor commissioner by amending provisions of the Code regulating occupational safety and health, amusement ride and boiler inspections, asbestos removal and encapsulation, the division of labor services, wage payment collection, and construction contractors, and providing a penalty, amended by the House in amendment S—5532 filed March 16, 1990.

Senator Running asked and received unanimous consent that action on House amendment S—5532 and Senate File 2159 be deferred.

UNFINISHED BUSINESS (Deferred March 12, 1990)

House File 2355

The Senate resumed consideration of House File 2355, a bill for an act relating to civil damages for illegal taking of certain animals, deferred March 12, 1990.

Senator Hester offered amendment S—5465 filed by him on March 13, 1990, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5465 was adopted by a voice vote.

Senator Hester moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2355) the vote was:

Ayes, 43:

Boswell
Corning

Bruner
Deluhery

Coleman
Dieleman

Connolly
Doyle

Drake	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Miller	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 7:

Fraise	Hultman	Lloyd-Jones	Mann
Murphy	Nystrom	Soorholtz	

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

WITHDRAWN

Senator Hester asked and received unanimous consent that **Senate File 2217** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS (Deferred March 12, 1990)

House File 2422

On motion of Senator Deluhery, House File 2422, a bill for an act relating to retroactive modifications of support orders, was taken up for consideration (substituted for Senate File 2396 and deferred on March 12, 1990).

Senator Running offered amendment S—5393 filed by him on March 7, 1990, to page 2 of the bill.

Senator Deluhery asked and received unanimous consent that action on amendment S—5393 and **House File 2422** be **deferred**.

UNFINISHED BUSINESS
(Deferred March 7, 1990)

House File 2250

On motion of Senator Hester, House File 2250, a bill for an act relating to the importation of bees and bee-related items, increasing certain fees, and providing penalties, was taken up for further consideration (substituted for Senate File 2241 and deferred on March 7, 1990.)

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. 2250) the vote was:

Ayes, 44:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Miller	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 6:

Hultman	Lloyd-Jones	Mann	Murphy
Nystrom	Soorholtz		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Hester asked and received unanimous consent that **Senate File 2241** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS
(Deferred March 16, 1990)

House File 2516

The Senate resumed consideration of House File 2516, a bill for an act regulating certain motor vehicle service contracts and establishing an annual fee, deferred March 16, 1990.

Senator Palmer offered amendment S—5492 filed by him on March 14, 1990, to page 9 and the title page of the bill and moved its adoption.

Amendment S—5492 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. 2516) the vote was:

Ayes, 42:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Jensen	Kibbie	Kinley
Lind	Miller	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 1:

Scott

Absent or not voting, 7:

Hultman	Hutchins	Lloyd-Jones	Mann
Murphy	Nystrom	Soorholtz	

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 Horn asked and received unanimous consent to take up for consideration House File 2549.

House File 2549

On motion of Senator Dieleman, House File 2549, a bill for an act relating to the length of occupancy of the homestead for purposes of the homestead credit and providing a retroactive applicability date, 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. 2549) the vote was:

Ayes, 44:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 1:

Gentleman

Absent or not voting, 5:

Hultman	Hutchins	Mann	Nystrom
Soorholtz			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

Senate File 2159

The Senate resumed consideration of Senate File 2159, a bill for an act relating to this state's labor laws administered by the labor commissioner by amending provisions of the Code regulating occupational safety and health, amusement ride and boiler inspections, asbestos removal and encapsulation, the division of labor services, wage payment collection, and construction contractors, and providing a penalty, and House amendment S—5532, previously deferred.

Senator Running offered amendment S—5572 filed by him from the floor to House amendment S—5532 and moved its adoption.

Amendment S—5572 was adopted by a voice vote.

Senator Running moved that the Senate concur in House amendment S—5532 as amended, which motion prevailed by a voice vote.

Senator Running 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. 2159) the vote was:

Ayes, 33:

Boswell	Bruner	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Palmer	Pate	Peterson	Riordan
Running	Sturgeon	Szymoniak	Varn
Welsh			

Nays, 10:

Fuhrman	Gentleman	Jensen	Priebe
Rensink	Scott	Taylor	Tieden
Tinsman	Vande Hoef		

Absent or not voting, 7:

Coleman
Nystrom

Hultman
Rife

Hutchins
Soorholtz

Mann

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 2355, 2250, 2516, 2549** and **Senate Files 2347 and 2159** be immediately messaged to the House.

COMMITTEE REPORT

JUDICIARY

Final Bill Action: SENATE FILES 2413, a bill for an act relating to certain specific crimes and the disposition of offenders by providing for payment of sexual abuse medical examinations, providing for workers' compensation coverage and the liability of certain persons performing community service, providing for notification of the parents of persons under age eighteen discovered to be in possession of alcohol or drugs, providing for a term of confinement for distribution of illegal drugs within one thousand feet of a public park, providing for the reporting and identification of certain precursor drugs, providing for the disposition of certain juvenile offenders, establishing a family preservation program, establishing institutional reading room requirements, providing for the diversion of certain offenders to treatment facilities, providing that certain persons serving mandatory minimum sentences serve a portion of their sentence on work release, establishing a penalty for certain persons who cause a serious injury to another while operating a motor vehicle, providing for certain offenders to serve their sentence on consecutive days, providing for posttreatment services as a condition of probation, establishing a tax on marijuana and controlled substances, providing an expansion of the business deduction for businesses employing individuals on parole, probation, work release, or convicted of a felony, establishing penalties for participation in criminal gang activity, providing for the nonbailability of certain offenders, providing requirements for presentence investigations, providing for early release of offenders participating in certain treatment or for certain property offenders, making certain changes relating to conditions of parole and work release, authorizing parole and probation officers to discharge certain offenders, making certain changes relating to the victim reparation program, establishing a pilot project for the chemical testing of persons arrested for felony offenses, and providing penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5575.

Final Vote: Ayes, 8: Varn, Coleman, Deluhery, Gettings, Gronstal, Horn, Murphy and Welsh. Nays, 6: Gentleman, Drake, Fuhrman, Hagerla, Hester and Taylor. Absent or not voting, 1: Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate File 2413** be referred from the Regular Calendar to the committee on **Ways and Means** and returned to the Senate calendar by 4:00 p.m., March 20, 1990.

APPENDIX

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 19, 1990, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 2082 — To indefinitely extend the effect of the code chapter relating to persons with mental illness, mental retardation, or developmental disabilities and providing an effective date.

Senate File 2094 — Providing rulemaking authority to the auditor of state to establish a fee schedule for certain services.

Senate File 2156 — Giving federal law enforcement officials peace officer status in certain instances.

Senate File 2173 — Relating to the competency of a witness by amending the Iowa rules of evidence.

Senate File 2221 — Requiring the department of inspections and appeals to adopt rules establishing a special license classification for an intermediate care facility, skilled nursing facility, or nursing facility or a special unit within the facility providing care to persons who suffer from chronic confusion or a dementing illness, and providing an effective date.

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing amendment S—5092 to Senate File 2274, the following corrections were made:

1. Page 1, line 4, was corrected to read ““inspections and appeals economic development””.

2. Page 1, line 7, was corrected to read ““inspections and appeals economic development””.

ALSO:

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 2304, the following corrections were made:

1. Page 12, line 16, the words “Section 100” were changed to the words “Section 6”.

2. Page 12, line 19, the words “6 through” were changed to the words “7 through 12”.

3. Page 12, line 22, the words "Section 12" were changed to the words "Section 13".

JOHN F. DWYER
Secretary of the Senate

SUBCOMMITTEE ASSIGNMENT

SSB 2292

JUDICIARY: Varn, Chair; Horn and Fuhrman

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Eighteen sixth grade students from Cedar Valley Christian School, Cedar Rapids, Iowa, accompanied by Mrs. Todd. Senator Horn.

AMENDMENTS FILED

S-5558	H.F.	2540	Jim Riordan Donald Doyle
S-5559	H.F.	2540	Jim Riordan Donald Doyle
S-5560	H.F.	366	John Jensen
S-5561	H.F.	2371	John Kibbie Beverly Hannon
S-5562	S.F.	2169	Berl Priebe Emil Husak Donald Doyle Kenneth Scott
S-5563	H.F.	2048	Elaine Szymoniak Ray Taylor
S-5564	H.F.	2281	Paul Pate
S-5565	H.F.	2384	Paul Pate
S-5566	S.F.	2410	John Kibbie Calvin Hultman C. Joseph Coleman Richard Running

			Leonard Boswell
			Paul Pate
			Jim Lind
			Mark Hagerla
S—5567	H.F.	209	Richard Running
S—5568	S.F.	2412	Beverly Hannon
			James Riordan
S—5569	H.F.	209	Richard Running
S—5570	H.F.	209	Richard Running
S—5571	H.F.	209	Richard Running
S—5572	S.F.	2159	Richard Running
S—5573	S.F.	2411	Elaine Szymoniak
S—5574	H.F.	2494	Richard Vande Hoef
S—5575	S.F.	2413	Judiciary
S—5576	S.F.	2018	Richard Vande Hoef

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:45 p.m., until 9:00 a.m., Tuesday, March 20, 1990.

JOURNAL OF THE SENATE

SEVENTY-SECOND CALENDAR DAY
FORTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 20, 1990

The Senate met in regular session at 9:05 a.m., Senator Lloyd-Jones presiding.

Prayer was offered by the Reverend Ben Coltvet, pastor of the Nazareth Lutheran Church, Cedar Falls, Iowa.

President Zimmerman took the chair at 9:08 a.m.

PARLIAMENTARY INQUIRY

Senator Hultman rose on a point of parliamentary inquiry to question if the request by Senator Sturgeon on March 19, 1990, regarding House File 209 was a request for indefinite deferment or indefinite postponement, and if the two motions had the same meaning under Senate Rule 44.

The Chair advised that Rule 44 did not apply, and that the Chair took the request to indefinitely defer as one for ordinary deferral. Requests for deferral in the Senate do not set definite times and such requests are always referred to in the Senate Journal as "deferred."

The Journal of Monday, March 19, 1990, 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 16, 1990, passed the following bills in which the concurrence of the House was asked:

Senate File 2059, a bill for an act authorizing merged area schools to establish a self-insurance program for the payment of workers' compensation benefits, exempting the self-insurance program from taxation, and exempting the self-insurance program from insurance regulation.

Senate File 2369, a bill for an act relating to the historic resource development program.

ALSO: That the House has on March 16, 1990, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate Joint Resolution 2003, a joint resolution proposing the establishment of a state office of disability prevention activities and requiring certain state agencies to perform various activities and to submit a report relating to coordination of disability prevention programs (S—5582).

Senate File 2003, a bill for an act permitting a refund of unexpired motor vehicle registration fees to persons who sell their motor vehicles and who will no longer be driving (S—5580).

Senate File 2080, a bill for an act providing for the sale, offer for sale, or distribution of sterile varieties of purple loosestrife (S—5584).

Senate File 2240, a bill for an act relating to the transfer of racing dogs (S—5583).

Senator Riordan took the chair at 9:18.

Senator Sturgeon took the chair at 9:30.

MOTIONS TO RECONSIDER WITHDRAWN

House File 705

Senators Kibbie and Hagerla withdrew the motions to reconsider House File 705, a bill for an act establishing primary and satellite research and marketing centers for economic development programs and services, filed by them on March 13, 1990, and found on page 1063 of the Senate Journal.

Senator Boswell withdrew the motion to reconsider House File 705, filed by him on March 14, 1990, and found on page 1076 of the Senate Journal.

Senator Hutchins asked and received unanimous consent that **House File 705 be immediately messaged** to the House.

HOUSE AMENDMENTS CONSIDERED

Senate File 57

Senator Priebe called up for consideration Senate File 57, a bill for an act requiring the natural resource commission to adopt a rule to allow handicapped individuals to use a crossbow, amended by the House, and moved that the Senate concur in House amendment S—5502 filed March 15, 1990.

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. 57) the vote was:

Ayes, 43:

Boswell	Bruner	Coleman	Connolly
Corning	Dieleman	Doyle	Fraise
Fuhrman	Gettings	Goodwin	Gronstal
Hagerla	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 1:

Gentleman

Absent or not voting, 6:

Deluhery	Drake	Hannon	Mann
Murphy	Nystrom		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2018

Senator Vande Hoef called up for consideration Senate File 2018, a bill for an act relating to the membership of the public safety commission of a unified law enforcement district, amended by the House in House amendment S—5531 filed March 16, 1990.

Senator Vande Hoef offered amendment S—5576 filed by him on March 19, 1990, to House amendment S—5531 and moved its adoption.

Amendment S—5576 was adopted by a voice vote.

Senator Vande Hoef moved that the Senate concur in the House amendment as amended, which motion prevailed by a voice vote.

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. 2018) the vote was:

Ayes, 46:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Drake

Mann

Murphy

Nystrom

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2057

Senator Kinley called up for consideration Senate File 2057, a bill for an act relating to the conduct of pari-mutuel racing by simultaneous telecast, amended by the House, and moved that the Senate concur in House amendment S—5553 filed March 19, 1990.

The motion lost by a voice vote and the Senate **refused to concur** in the House amendment.

CONSIDERATION OF BILL (Appropriations Calendar)

Senate File 2410

On motion of Senator Varn, Senate File 2410, a bill for an act relating to higher education, including coordination, administration, standards, and funding, making appropriations, and providing effective dates, was taken up for consideration.

Senator Varn offered amendment S—5589 filed by him from the floor to page 7 of the bill and moved its adoption.

Amendment S—5589 was adopted by a voice vote.

Senator Dieleman offered amendment S—5548 filed by Senators Dieleman and Welsh on March 19, 1990, to pages 14 and 15 of the bill and moved its adoption.

Amendment S—5548 was adopted by a voice vote.

Senator Varn offered amendment S—5590 filed by him from the floor to pages 46 through 49 of the bill.

Senator Gentleman asked and received unanimous consent that action on amendment S—5590 be deferred.

Senator Varn offered amendment S—5524 filed by him on March 15, 1990, to pages 44 and 45 of the bill and moved its adoption.

Amendment S—5524 was adopted by a voice vote.

Senator Kibbie offered amendment S—5566 filed by Senators Kibbie, et al., on March 19, 1990, to pages 55 through 58 of the bill.

Senator Coleman took the chair at 10:25 a.m.

Senator Welsh called for a division of amendment S—5566: lines 2 and 3 as division S—5566A and lines 4 and 5 as division S—5566B.

Senator Kibbie moved the adoption of division S—5566A, which motion prevailed by a voice vote.

Senator Kinley took the chair at 11:10 a.m.

Senator Kibbie moved the adoption of division S—5566B.

A record roll call was requested.

On the question “Shall division S—5566B be adopted?” (S.F. 2410) the vote was:

Ayes, 33:

Boswell	Bruner	Coleman	Corning
Deluhery	Dieleman	Drake	Fraise
Fuhrman	Gentleman	Goodwin	Hagerla
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Miller	Palmer
Pate	Priebe	Rife	Riordan
Scott	Soorholtz	Tieden	Tinsman
Vande Hoef			

Nays, 14:

Connolly	Doyle	Gettings	Gronstal
Hannon	Lloyd-Jones	Murphy	Peterson
Rensink	Sturgeon	Szymoniak	Taylor
Varn	Welsh		

Absent or not voting, 3:

Mann

Nystrom

Running

Division S—5566B was adopted.

Senator Varn offered amendment S—5592 filed by Senator Lind from the floor to page 76 of the bill and moved its adoption.

Amendment S—5592 was adopted by a voice vote.

Senator Dieleman offered amendment S—5591 filed by him from the floor to page 8 of the bill.

Senator Welsh raised the point of order that amendment S—5591 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5591 out of order.

Senator Corning offered amendment S—5593 filed by Senators Corning, et al., from the floor to pages 22, 30, 41, 42, 44 and 55 of the bill.

Senator Sturgeon took the chair at 11:43 a.m.

Senator Corning offered amendment S—5594 filed by her from the floor to amendment S—5593 and moved its adoption.

Amendment S—5594 was adopted by a voice vote.

Senator Corning moved the adoption of amendment S—5593 as amended, which motion prevailed by a voice vote.

Senator Kinley offered amendment S—5597 filed by Senators Kinley and Rife from the floor to pages 46 through 55 of the bill.

Senator Hutchins asked and received unanimous consent that action on amendment S—5597 and **Senate File 2410** be **deferred** (amendment S—5590 pending).

PRESENTATION OF GUEST

Senator Kinley asked and received unanimous consent that Des Moines Mayor Pat Dorrian be permitted to the floor of the Senate chamber.

Mayor Dorrian addressed the Senate with brief remarks.

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:25 p.m., until 2:30 p.m.

APPENDIX

REPORT OF COMMITTEE MEETING

JUDICIARY

Convened: March 19, 1990, 1:33 p.m.

Members Present: Varn, Chair; Gentleman, Ranking Member; Coleman, Deluhery, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Murphy, Taylor and Welsh.

Members Absent: Mann, Vice Chair (excused).

Committee Business: Approved SSB 2292 as a concurrent resolution; recommended passage of Senate File 2413 as amended.

Adjourned: 2:50 p.m.

SUBCOMMITTEE ASSIGNMENT FOR APPOINTMENT TO STATE BOARD

In accordance with Senate Rule 59, the following senators were appointed to a subcommittee of a standing committee on March 20, 1990, to investigate the appointment of the following Governor's appointee:

EDUCATION

As a member of the Board of Educational Examiners:

RHEA RENEE WALKER: Tinsman, Chair; Corning and Deluhery.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifth grade students from Cleveland Elementary School, Cedar Rapids, Iowa. Senator Running.

Six girl scouts from Fort Dodge, Iowa. Senator Coleman.

Thirty-four twelfth grade students from Green Mountain-Garwin School, Garwin, Iowa, accompanied by Sally Van Maanen. Senator Husak.

SUBCOMMITTEE ASSIGNMENT

Senate File 2413

WAYS AND MEANS: Fraise, Chair; Riordan and Soorholtz.

AMENDMENTS FILED

S—5577	S. F.	2378	Eugene Fraise
S—5578	S. F.	2378	Eugene Fraise
S—5579	H. F.	2346	William Dieleman Elaine Syzmoniak Leonard Boswell Linn Fuhrman Richard Vande Hoef
S—5580	S. F.	2003	House amendment
S—5581	H. F.	2500	Donald Doyle
S—5582	S. J. R.	2003	House amendment
S—5583	S. F.	2240	House amendment
S—5584	S. F.	2080	House amendment
S—5585	S. F.	2412	Donald V. Doyle Jim Riordan
S—5586	H. F.	724	C. Joseph Coleman
S—5587	H. F.	656	C. Joseph Coleman
S—5588	H. F.	2320	Michael Gronstal
S—5589	S. F.	2410	Richard Varn
S—5590	S. F.	2410	Richard Varn
S—5591	S. F.	2410	William Dieleman
S—5592	S. F.	2410	Jim Lind
S—5593	S. F.	2410	Joy Corning Richard Varn Elaine Szymoniak Calvin Hultman
S—5594	S. F.	2410	Joy Corning
S—5595	H. F.	656	Paul Pate
S—5596	S. F.	2306	Larry Murphy
S—5597	S. F.	2410	George Kinley Jack Rife
S—5598	H. F.	2320	Mark Hagerla
S—5599	H. F.	2371	William Dieleman Charles Bruner
S—5600	S. F.	2410	Julia Gentleman

AFTERNOON SESSION

The Senate reconvened at 2:49 p.m., Senator Deluhery presiding.

QUORUM CALL

Senator Husak requested a non record roll call to determine that a quorum was present.

The vote revealed 41 present, 9 absent and a quorum present.

UNFINISHED BUSINESS (Deferred March 12, 1990)

Senate File 2378

The Senate resumed consideration of Senate File 2378, a bill for an act relating to state chartered legal entities, especially nonprofit corporations and cooperative associations, by altering requirements and procedure for filing corporate documents in the office of the secretary of state and by requiring corporations organized under or subject to Iowa Code chapter 504 to convert to chapter 504A within a certain period of time, deferred March 12, 1990.

Senator Fraise offered amendment S—5578 filed by him from the floor to pages 1 and 3 of the bill and moved its adoption.

Amendment S—5578 was adopted by a voice vote.

Senator Fraise withdrew amendment S—5577 filed by him from the floor to pages 8 and 9 of the bill.

Senator Fraise asked and received unanimous consent that **House File 2455** be substituted for **Senate File 2378** as amended.

House File 2455

On motion of Senator Fraise House File 2455, a bill for an act relating to state chartered legal entities, especially nonprofit corporations and cooperative associations, by altering requirements and procedure for filing corporate documents in the office of the secretary of state and by requiring corporations organized under or subject to Iowa Code chapter 504 to convert

to chapter 504A within a certain period of time, was taken up for consideration.

Senator Fraise asked and received unanimous consent that action on **House File 2455** be **deferred**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Coleman for the remainder of the day on request of Senator Husak.

UNFINISHED BUSINESS (Deferred March 16, 1990)

House File 2437

The Senate resumed consideration of House File 2437, a bill for an act relating to child support payments by providing for immediate withholding of an obligor's income and providing a penalty, deferred March 16, 1990.

Senator Bruner offered amendment S—5304 filed by the committee on Human Resources on March 1, 1990, to strike everything after the enacting clause of the bill.

Senator Bruner offered amendment S—5337 filed by him on March 2, 1990, to amendment S—5304.

Senator Kinley took the chair at 3:15 p.m.

Senator Bruner moved the adoption of amendment S—5337 to amendment S—5304, which motion prevailed by a voice vote.

Senator Bruner moved the adoption of amendment S—5304 as amended.

A non record roll call was requested.

The ayes were 23, nays 23.

Amendment S—5304 as amended lost.

Senator Bruner moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2437) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 27:

Bruner	Connolly	Deluhery	Dieleman
Doyle	Fraise	Gettings	Gronstal
Hannon	Hester	Horn	Husak
Hutchins	Kibbie	Kinley	Lloyd-Jones
Miller	Murphy	Palmer	Peterson
Priebe	Riordan	Scott	Soorholtz
Szymoniak	Taylor	Varn	

Nays, 20:

Boswell	Corning	Drake	Fuhrman
Gentleman	Goodwin	Hagerla	Hedge
Hultman	Jensen	Lind	Pate
Rensink	Rife	Running	Sturgeon
Tieden	Tinsman	Vande Hoef	Welsh

Absent or not voting, 3:

Coleman	Mann	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.

UNFINISHED BUSINESS (Deferred March 19, 1990)

Senate File 2411

The Senate resumed consideration of Senate File 2411, a bill for an act providing a seed capital income tax credit, authorizing expedited registration by filing for small issues under the state securities law, and providing effective and applicability dates, deferred March 19, 1990.

Senator Szymoniak offered amendment S—5573 filed by her on March 19, 1990, to pages 1, 2 and 5 of the bill and moved its adoption.

Amendment S—5573 was adopted by a voice vote.

President Zimmerman took the chair at 3:28 p.m.

Senator Szymoniak moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2411) the vote was:

Ayes, 45:

Bruner	Connolly	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Palmer	Pate	Peterson	Priebe
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 5:

Boswell	Coleman	Mann	Nystrom
Rensink			

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 2057** and **House File 2437** be **immediately messaged** to the House.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 20, 1990, 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 2212, a bill for an act relating to and making supplemental appropriations or decreasing appropriations to the department of human services, Iowa department of public health, state board of regents, department of general services, department of inspections and appeals, department of employment services, department of commerce, state department of transportation, department of corrections, department of public safety, department of justice, judicial department, department of elder affairs, department of agriculture and land stewardship, department of natural resources, department of cultural affairs, department of education, and college aid commission for the remainder of the fiscal year ending June 30, 1990, and providing an effective date.

BUSINESS PENDING

Senate File 2410

The Senate resumed consideration of Senate File 2410, a bill for an act relating to higher education, including coordination, administration, standards, and funding, making appropriations, and providing effective dates, and amendments S—5597 and S—5590, previously deferred.

With the adoption of amendment S—5593 as amended, the Chair ruled amendment S—5597 by Senators Kinley and Rife to pages 46 through 55 of the bill, previously deferred, out of order.

The Senate resumed consideration of amendment S—5590 by Senator Varn to pages 46 through 49 of the bill, previously deferred.

Senator Welsh asked and received unanimous consent that action on amendment S—5590 be deferred.

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—5593 as amended to Senate File 2410 was adopted by the Senate on March 20, 1990.

On the question “Shall the motion to reconsider be adopted?” (S.F. 2410) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 20:

Connolly	Fuhrman	Gentleman	Goodwin
Hagerla	Hedge	Jensen	Kinley
Miller	Palmer	Peterson	Priebe
Rensink	Rife	Riordan	Scott
Soorholtz	Tinsman	Vande Hoef	Welsh

Nays, 25:

Boswell	Bruner	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Gronstal	Hester	Horn
Hultman	Husak	Hutchins	Kibbie
Lind	Lloyd-Jones	Murphy	Running
Sturgeon	Szymoniak	Taylor	Tieden
Varn			

Absent or not voting, 5:

Coleman	Hannon	Mann	Nystrom
Pate			

The motion lost.

Senator Varn moved the adoption of amendment S—5590 to pages 46 through 49 of the bill, previously deferred.

Amendment S—5590 was adopted by a voice vote.

Senator Bruner withdrew amendment S—5603 filed by him from the floor to page 61 of the bill.

Senator Murphy offered amendment S—5607 filed by him from the floor to page 74 of the bill.

Senator Hultman raised the point of order that amendment S—5607 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5607 out of order.

The Chair ruled amendment S—5602 filed by Senator Murphy from the floor to page 74 of the bill, out of order.

Senator Hannon offered amendment S—5608 filed by Senators Hannon and Connolly from the floor to pages 15 and 26 of the bill and moved its adoption.

Amendment S—5608 was adopted by a voice vote.

Senator Gentleman offered amendment S—5600 filed by her from the floor to page 23 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 10, nays 29.

Amendment S—5600 lost.

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. 2410) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 35:

Boswell	Bruner	Connolly	Corning
Deluhery	Dieleman	Drake	Fraise
Gettings	Gronstal	Hester	Horn
Hultman	Husak	Hutchins	Kibbie
Lind	Lloyd-Jones	Miller	Murphy
Palmer	Pate	Priebe	Rensink
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Varn	Welsh	

Nays, 11:

Fuhrman	Gentleman	Goodwin	Hagerla
Hannon	Hedge	Jensen	Kinley
Peterson	Rife	Vande Hoef	

Voting present, 1:

Doyle

Absent or not voting, 3:

Coleman

Mann

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 2410 and 2018** be **immediately messaged** to the House.

INTRODUCTION OF BILLS

Senate File 2414, by committee on Ways and Means, a bill for an act relating to title insurance and title insurance premium taxes.

Read first time and **placed on Ways and Means calendar.**

Senate File 2415, by committee on Ways and Means, a bill for an act authorizing an additional tax levy and the creation of a reserve account by a benefited fire district.

Read first time and **placed on Ways and Means calendar.**

APPENDIX

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 2212, the following corrections were made:

- 1. Page 14, line 32, the words "section 26" were changed to the words "section 25".
- 2. Page 14, line 34, the words "section 26" were changed to the words "section 25".

JOHN F. DWYER
Secretary of the Senate

STUDY BILLS RECEIVED

SSB 2297 Ways and Means

Relating to the service of notice of expiration of the right of redemption from tax sales on certain persons with an interest in the real estate.

SSB 2298 Ways and Means

Authorizing the establishment of rural county investment funds and providing a rural investment fund income tax credit.

SSB 2299 Ways and Means

Relating to title insurance and title insurance premium taxes.

SUBCOMMITTEE ASSIGNMENTS

SSB 2297

WAYS AND MEANS: Murphy, Chair; Palmer and Drake

SSB 2298

WAYS AND MEANS: Husak, Chair; Szymoniak and Hester

SSB 2299

WAYS AND MEANS: Hultman, Chair; Hester and Palmer

REPORTS OF STANDING COMMITTEE
(Place nominees on En Bloc Confirmation Calendar)

WAYS AND MEANS

Pursuant to Senate Rule 59, the committee on Ways and Means assigned to investigate the following Governor's appointments, completed its investigations on March 5, 1990, and recommended the appointees be confirmed:

Noral D. Johnson and Fred E. McKim, Jr. for reappointment as members of the Iowa Railway Finance Authority.

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2411 passed the Senate on March 20, 1990.

JOE WELSH

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—5557 to House File 209 was adopted by the Senate on March 19, 1990.

JIM LIND

COMMITTEE REPORTS

WAYS AND MEANS

Final Bill Action: SENATE FILE 2413, a bill for an act relating to certain specific crimes and the disposition of offenders by providing for payment of sexual abuse medical examinations, providing for workers' compensation coverage and the liability of certain persons performing community service, providing for notification of the parents of persons under age eighteen discovered to be in possession of alcohol or drugs, providing for a term of confinement for distribution of illegal drugs within one thousand feet of a public park, providing for the reporting and identification of certain precursor drugs, providing for the disposition of certain juvenile offenders, establishing a family preservation program, establishing institutional reading room requirements, providing for the diversion of certain offenders to treatment facilities, providing that certain persons serving mandatory minimum sentences serve a portion of their sentence on work release, establishing a penalty for certain persons who cause a serious injury to another while operating a motor vehicle, providing for certain offenders to serve their sentence on consecutive days, providing for posttreatment services as a condition of probation, establishing a tax on marijuana and controlled substances, providing an expansion of the business deduction for businesses employing individuals on parole, probation, work release, or convicted of a felony, establishing penalties for participation in criminal gang activity, providing for the nonbailability of certain offenders,

providing requirements for presentence investigations, providing for early release of offenders participating in certain treatment or for certain property offenders, making certain changes relating to conditions of parole and work release, authorizing parole and probation officers to discharge certain offenders, making certain changes relating to the victim reparation program, establishing a pilot project for the chemical testing of persons arrested for felony offenses, and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Dieleman, Husak, Hester, Connolly, Drake, Fraise, Fuhrman, Hultman, Palmer and Riordan. Nays, none. Absent or not voting, 5: Bruner, Gentleman, Murphy, Soorholtz and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2414 (SSB 2299), a bill for an act relating to title insurance and title insurance premium taxes.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Dieleman, Hester, Drake, Fuhrman, Hultman, Palmer, Riordan and Szymoniak. Nays, 4: Husak, Connolly, Fraise and Murphy. Absent or not voting, 3: Connolly, Gentleman and Soorholtz.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2415 (successor to Senate File 2072), a bill for an act authorizing an additional tax levy and the creation of a reserve account by a benefited fire district.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Dieleman, Husak, Hester, Connolly, Drake, Fraise, Fuhrman, Hultman, Murphy, Palmer, Riordan, and Szymoniak. Nays, none. Absent or not voting, 3: Bruner, Gentleman and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued certificates of recognition as follows:

Coach Jim Eekhoff and the Western Christian Indians — For 4th place in the 1990 Class 2-A Boys' State high school basketball tournament. Senators Rensink and Vande Hoef (March 19, 1990).

Coach Paul Walton and the Boyden-Hull Comets — For 2nd place in the 1990 Class A Boys' State high school basketball tournament. Senators Rensink and Vande Hoef (March 19, 1990).

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 20th day of March, 1990:

Senate File 2212.

JOHN F. DWYER
Secretary of the Senate

AMENDMENTS FILED

S—5601	H.F.	2320	Michael Gronstal
S—5602	S.F.	2410	Larry Murphy
S—5603	S.F.	2410	Charles Bruner
S—5604	S.F.	2412	James Riordan
S—5605	H.F.	2455	Eugene Fraise
S—5606	H.F.	2188	Patrick Deluhery
S—5607	S.F.	2410	Larry Murphy
S—5608	S.F.	2410	Beverly Hannon
			Mike Connolly
S—5609	H.F.	2371	William Dieleman
			Charles Bruner

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:31 p.m., until 9:00 a.m., Wednesday, March 21, 1990.

JOURNAL OF THE SENATE

SEVENTY-THIRD CALENDAR DAY
FIFTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 21, 1990

The Senate met in regular session at 9:07 a.m., President Zimmerman presiding.

Prayer was offered by Father Jon Seda, pastor of St. Edwards Church, Waterloo, Iowa.

The Journal of Tuesday, March 21, 1990, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Mann for the day on request of Senator Hutchins and Senator Pate for the day on request of Senator Hultman.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 19, 1990, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 730, a bill for an act relating to the adoption of rules by the real estate commission imposing certain requirements on real estate brokers and salespersons, and providing an effective date.

House File 2142, a bill for an act relating to reporting requirements for certain cities receiving road use tax funds, and providing an effective date.

House File 2156, a bill for an act relating to membership of members and part-time employees of the general assembly in the state group insurance plan, and providing effective and retroactive applicability dates.

House File 2321, a bill for an act relating to the acquisition and possession of firearms, increasing penalties for certain offenses, and providing an effective date.

ALSO: That the House has on March 19, 1990, 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 2170, a bill for an act relating to the prohibition of the use of certain pesticides, and making a penalty applicable (S—5610 to H—5668).

ALSO: That the House has on March 19, 1990, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 148, a bill for an act prohibiting certain actions against police service dogs, and providing penalties (S—5612).

Senate File 2277, a bill for an act relating to tourist-oriented signs (S—5611).

ALSO: That the House has on March 19, 1990, passed the following bills in which the concurrence of the House was asked:

Senate File 2201, a bill for an act relating to the family support subsidy program.

Senate File 2227, a bill for an act relating to public improvements, by authorizing counties to create special assessment districts in areas of the county outside cities or within cities for certain public improvements, to assess the cost of the improvements to the benefited property within the districts, to establish and collect rates and charges to maintain and operate the improvements, and by providing an effective date.

ALSO: That the House has on March 19, 1990, passed the following bill in which the concurrence of the Senate is asked:

House File 2548, a bill for an act relating to agricultural health and safety.

Read first time and assigned to the committee on **Appropriations**.

ALSO: That the House has, on March 20, 1990, **insisted on** its amendment to **Senate File 2084**, a bill for an act relating to the reorganization of the department of natural resources, by creating two separate departments, by assigning powers and duties to the two departments, by making necessary amendments to the Code, and providing effective dates, and the members of the **conference committee** on the part of the House are: the Representative from Marion, Mr. Schrader, Chair; the Representative from Jasper, Mr. Black; the Representative from Black Hawk, Mr. Diemer; the Representative from Winneshiek, Mr. Johnson and the Representative from Jones, Mr. McKean.

INTRODUCTION OF BILL

Senate File 2416, by committee on Ways and Means, a bill for an act relating to the service of notice of expiration of the right of redemption from tax sales on certain persons with an interest in the real estate.

Read first time and **placed on the Ways and Means 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.

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 38 present, 12 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 19, 1990, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2233, a bill for an act relating to the prosecution of persons violating provisions regulating grain dealers or warehouse operators (S—5613).

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **House File 2048** be referred from the Unfinished Business Calendar to the committee on **Judiciary**.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **Senate File 2084** on the part of the Senate: Senators Priebe, Chair; Scott, Kibbie, Hester and Rife.

HOUSE AMENDMENT CONSIDERED

Senate File 2169

Senator Sturgeon called up for consideration Senate File 2169, a bill for an act relating to actions by employers by prohibiting employers from taking certain deductions from employees' wages, requiring employers to provide certain services for non-English speaking employees, requiring certain practices upon recruitment of employees from out-of-state locations, and providing penalties, amended by the House in House amendment S—5549 filed March 19, 1990.

Senator Priebe offered amendment S—5562 filed by Senators Priebe, et al., on March 19, 1990, to House amendment S—5549 and moved its adoption.

Amendment S—5562 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. 2169) the vote was:

Ayes, 34:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Nystrom	Palmer	Peterson
Priebe	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Varn	Welsh		

Nays, 14:

Doyle	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Rensink	Taylor	Tieden
Tinsman	Vande Hoef		

Absent or not voting, 2:

Mann	Pate
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2413.

Senate File 2413

On motion of Senator Gronstal, Senate File 2413, a bill for an act relating to certain specific crimes and the disposition of offenders by providing for payment of sexual abuse medical examinations, providing for workers' compensation coverage and the liability of certain persons performing community service, providing for notification of the parents of persons under age

eighteen discovered to be in possession of alcohol or drugs, providing for a term of confinement for distribution of illegal drugs within one thousand feet of a public park, providing for the reporting and identification of certain precursor drugs, providing for the disposition of certain juvenile offenders, establishing a family preservation program, establishing institutional reading room requirements, providing for the diversion of certain offenders to treatment facilities, providing that certain persons serving mandatory minimum sentences serve a portion of their sentence on work release, establishing a penalty for certain persons who cause a serious injury to another while operating a motor vehicle, providing for certain offenders to serve their sentence on consecutive days, providing for posttreatment services as a condition of probation, establishing a tax on marijuana and controlled substances, providing an expansion of the business deduction for businesses employing individuals on parole, probation, work release, or convicted of a felony, establishing penalties for participation in criminal gang activity, providing for the nonbailability of certain offenders, providing requirements for presentence investigations, providing for early release of offenders participating in certain treatment or for certain property offenders, making certain changes relating to conditions of parole and work release, authorizing parole and probation officers to discharge certain offenders, making certain changes relating to the victim reparation program, establishing a pilot project for the chemical testing of persons arrested for felony offenses, and providing penalties, with report of committee on Judiciary recommending amendment and passage, and report of committee on Ways and Means recommending passage, was taken up for consideration.

Senator Hultman asked and received unanimous consent that action on **Senate File 2413** be **deferred**.

UNFINISHED BUSINESS (Deferred March 15, 1990)

House File 2517

The Senate resumed consideration of House File 2517, a bill for an act establishing a youthful offenders program by transferring authority over the facilities of the state training school

at Eldora to the department of corrections, providing for the establishment of replacement facilities under the department of human services, providing for other related matters, and providing an effective date, deferred March 15, 1990.

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. 2517) the vote was:

Ayes, 45:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Hutchins	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 5:

Goodwin	Hultman	Jensen	Mann
Pate			

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 2, 1990)

House File 2338

The Senate resumed consideration of House File 2338, a bill for an act relating to special motor vehicle registration plates for recipients of the purple heart medal and amendment S-5277, deferred on March 2, 1990.

Senator Horn asked and received unanimous consent to withdraw amendment S—5277 to page 1 and the title page of the bill.

Senator Coleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2338) the vote was:

Ayes, 46:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Hannon	Hultman	Mann	Pate
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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 16, 1990)

House File 2115

The Senate resumed consideration of House File 2115, a bill for an act regulating the commercial cleaning of private sewage disposal facilities, by providing for the adoption of standards and the issuance of licenses, providing license fees, providing a civil penalty, and providing effective and applicability dates, deferred March 16, 1990.

Senator Taylor offered amendment S—5469 filed by Senators Taylor, et al., on March 13, 1990, to page 1 of the bill and moved its adoption.

Amendment S—5469 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. 2115) the vote was:

Ayes, 46:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Nystrom	Palmer	Peterson
Priebe	Rensink	Rife	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 1:

Riordan

Absent or not voting, 3:

Hultman	Mann	Pate
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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 13, 1990)

House File 2496

The Senate resumed consideration of House File 2496, a bill for an act requiring a group health benefits insurer to disclose certain information relating to claims experience and costs of those claims, deferred March 13, 1990.

Senator Gronstal asked and received unanimous consent that action on **House File 2496** be **deferred**.

UNFINISHED BUSINESS
(Deferred March 14, 1990)

House File 2450

The Senate resumed consideration of House File 2450, a bill for an act relating to court costs to the city for certain dismissals of parking violations and court costs and fees for certain parking violations, deferred March 14, 1990.

Senator Gronstal offered amendment S—5547 filed by him on March 16, 1990, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—5547 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. 2450) the vote was:

Ayes, 46:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 1:

Gentleman

Absent or not voting, 3:

Hultman	Mann	Pate
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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 15, 1990)

House File 2062

The Senate resumed consideration of House File 2062, a bill for an act relating to group accident and sickness insurance, group nonprofit health service plans, and prepaid group plans of health maintenance organizations by mandating inclusion of newborn infant coverage for treatment, including routine well-baby care, under certain circumstances, deferred March 15, 1990.

Senator Palmer offered amendment S—5459 filed by the committee on Commerce on March 13, 1990, to page 2 and the title page of the bill.

Senator Lind asked and received unanimous consent that action on amendment S—5459 and **House File 2062** be **deferred**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:55 a.m., until 2:30 p.m.

APPENDIX

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which House File 2450 passed the Senate on March 21, 1990.

AL STURGEON

REPORT OF STANDING COMMITTEE (Place nominee on Individual Confirmation Calendar) (Corrected from March 15, 1990)

BUSINESS AND LABOR RELATIONS

Pursuant to Senate Rule 59, the committee on Business and Labor Relations assigned to investigate the following Governor's appointment, completed its investigation on March 12, 1990, and made no recommendation:

Cynthia Eisenhower for appointment as Director of the Department of Employment Services.

REPORT OF COMMITTEE MEETING

WAYS AND MEANS

Convened: March 20, 1990, 1:40 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hester, Ranking Member; Connolly, Drake, Fraise, Fuhrman, Hultman, Murphy, Palmer, Riordan and Szymoniak.

Members Absent: Bruner, Gentleman (excused) and Soorholtz.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 2413; approved SSBs 2299 and 2297 as committee bills; approved Senate File 2072 and ordered redrafted as a committee bill.

Adjourned: 2:00 p.m.

COMMITTEE REPORT

WAYS AND MEANS

Final Bill Action: SENATE FILE 2416 (SSB 2297), a bill for an act relating to the service of notice of expiration of the right of redemption from tax sales on certain persons with an interest in the real estate.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Dieleman, Husak, Hester, Connolly, Drake, Fraise, Fuhrman, Hultman, Murphy, Palmer, Riordan and Szymoniak. Nays, none. Absent or not voting, 3: Bruner, Gentleman and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EXPLANATION OF VOTE

MADAM PRESIDENT: I was excused from the Senate chamber on March 20, 1990, when the final vote was taken on Senate File 2410.

Had I been present, I would have voted "aye".

C. JOSEPH COLEMAN

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate chamber:

Forty eleventh grade students from Guthrie Center High School, Guthrie Center, Iowa, accompanied by Connie Skow. Senator Riordan.

Fifty-seven sixth grade students from Gladbrook-Reinbeck Middle School, Gladbrook, Iowa, accompanied by Terri Luehring. Senator Husak.

Thirty twelfth grade students from Greene High School, Greene, Iowa, accompanied by Rodger Hoelscher. Senator Jensen.

Thirty-eight twelfth grade students from Audubon High School, Audubon, Iowa, accompanied by Mr. Christensen. Senator Hutchins.

Thirty-five twelfth grade students from Highland High School, Riverside, Iowa, accompanied by Chris Samuelson. Senator Drake.

Senator Hedge presented Beth Rice, Clarice Beekhuizen and Delphine Dugas, members of the Hedrick High School french class, Hedrick, Iowa. Delphine is a foreign exchange student from Paris, France. Senator Hedge.

The Chair welcomed the Honorable Phil Hill, former member of the Senate from Polk County, who was present in the Senate chamber.

AMENDMENTS FILED

S—5610	H.F.	2170	House amendment
S—5611	S.F.	2277	House amendment
S—5612	S.F.	148	House amendment
S—5613	S.F.	2233	House amendment
S—5614	H.F.	2371	Larry Murphy
S—5615	S.F.	2413	Calvin Hultman Richard Vande Hoef Mark Hagerla H. Kay Hedge Ray Taylor
S—5616	S.F.	2413	Richard Drake Calvin Hultman Richard Vande Hoef Maggie Tinsman Julia Gentleman
S—5617	S.F.	2413	Richard Drake Calvin Hultman Richard Vande Hoef Julia Gentleman
S—5618	S.F.	2240	Michael Gronstal Mike Connolly Berl E. Priebe Jack W. Hester
S—5619	S.F.	2413	Maggie Tinsman Ray Taylor Richard Drake Julia Gentleman Mark Hagerla H. Kay Hedge Richard Vande Hoef John Jensen Joy Corning Wilmer Rensink Norman Goodwin
S—5620	S.F.	2413	Linn Fuhrman

			Richard Vande Hoef
			Ray Taylor
			Maggie Tinsman
S-5621	S. F.	2413	Jim Lind
			Ray Taylor
			H. Kay Hedge
			Mark Hagerla
S-5622	S. F.	2413	Calvin Hultman
			John Jensen
			Jack Hester
			Joy Corning
			Wilmer Rensink
			Richard Vande Hoef
			Mark Hagerla
S-5623	S. F.	2413	Maggie Tinsman
			Calvin Hultman
			Richard Vande Hoef
			Mark Hagerla
			Wilmer Rensink
			Norman Goodwin
			H. Kay Hedge
			Ray Taylor
S-5624	S. F.	2413	Ray Taylor
			Joy Corning
			Maggie Tinsman
			Mark Hagerla
S-5625	S. F.	2413	Julia Gentleman
			Mark Hagerla
			H. Kay Hedge
			Richard Vande Hoef
			Jack W. Hester
			Joy Corning
S-5626	S. F.	2413	Linn Fuhrman
S-5627	S. F.	2413	Ray Taylor
			Mark Hagerla
			H. Kay Hedge
			Julia Gentleman
			Joy Corning
			Richard Vande Hoef
			Wilmer Rensink
S-5628	S. F.	2413	Calvin Hultman
			Richard Vande Hoef

Wilmer Rensink
Ray Taylor
Mark Hagerla
Norman Goodwin
H. Kay Hedge
Maggie Tinsman
Eugene Fraise

S—5629

H.F.

2455

AFTERNOON SESSION

The Senate reconvened at 2:36 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 37 present, 13 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Riordan for a portion of the afternoon on request of Senator Husak.

BUSINESS PENDING

Senate File 2413

The Senate resumed consideration of Senate File 2413, a bill for an act relating to certain specific crimes and the disposition of offenders by providing for payment of sexual abuse medical examinations, providing for workers' compensation coverage and the liability of certain persons performing community service, providing for notification of the parents of persons under age eighteen discovered to be in possession of alcohol or drugs, providing for a term of confinement for distribution of illegal drugs within one thousand feet of a public park, providing for the reporting and identification of certain precursor drugs, providing for the disposition of certain juvenile offenders, establishing a family preservation program, establishing institutional reading room requirements, providing for the diversion of certain offenders to treatment facilities, providing that certain persons serving mandatory minimum sentences serve a portion of their sentence on work release, establishing a penalty for certain persons who cause a serious injury to another while operating a motor vehicle, providing for certain offenders to serve their sentence on consecutive days, providing for posttreatment services as a condition of probation, establishing a tax on marijuana and

controlled substances, providing an expansion of the business deduction for businesses employing individuals on parole, probation, work release, or convicted of a felony, establishing penalties for participation in criminal gang activity, providing for the nonbailability of certain offenders, providing requirements for presentence investigations, providing for early release of offenders participating in certain treatment or for certain property offenders, making certain changes relating to conditions of parole and work release, authorizing parole and probation officers to discharge certain offenders, making certain changes relating to the victim reparation program, establishing a pilot project for the chemical testing of persons arrested for felony offenses, and providing penalties, previously deferred.

Senator Gronstal offered amendment S—5575 filed by the committee on Judiciary on March 19, 1990, to page 25 of the bill and moved its adoption.

Amendment S—5575 was adopted by a voice vote.

Senator Gentleman offered amendment S—5625 filed by Senators Gentleman, et al., from the floor to page 2 of the bill.

Senator Gronstal raised the point of order that amendment S—5625 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5625 in order.

Senator Gronstal asked and received unanimous consent that action on amendment S—5625 and **Senate File 2413** 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.

BUSINESS PENDING

Senate File 2413

The Senate resumed consideration of Senate File 2413 and amendment S—5625, previously deferred.

Senator Gentleman moved the adoption of amendment S—5625.

A record roll call was requested.

On the question "Shall amendment S—5625 be adopted?" (S.F. 2413) the vote was:

Ayes, 17:

Boswell	Corning	Drake	Fuhrman
Gentleman	Goodwin	Hagerla	Hedge
Hester	Hultman	Jensen	Nystrom
Rensink	Scott	Taylor	Tinsman
Vande Hoef			

Nays, 30:

Bruner	Coleman	Connolly	Deluhery
Dieleman	Doyle	Fraise	Gettings
Gronstal	Hannon	Horn	Husak
Hutchins	Kibbie	Kinley	Lind
Miller	Murphy	Palmer	Peterson
Priebe	Rife	Riordan	Running
Soorholtz	Sturgeon	Szymoniak	Tieden
Varn	Welsh		

Absent or not voting, 3:

Lloyd-Jones	Mann	Pate
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Amendment S—5625 lost.

Senator Hannon offered amendment S—5639 filed by Senators Hannon, Lind and Corning, from the floor to pages 3 and 4 of the bill and moved its adoption.

Amendment S—5639 was adopted by a voice vote.

Senator Taylor offered amendment S—5647 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—5647 be adopted?" (S.F. 2413) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 20:

Corning	Drake	Fuhrman	Goodwin
Hagerla	Hedge	Hester	Hultman
Jensen	Lind	Nystrom	Priebe
Rensink	Rife	Scott	Soorholtz
Taylor	Tieden	Tinsman	Vande Hoef

Nays, 27:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Doyle	Gentleman
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley
Lloyd-Jones	Miller	Murphy	Palmer
Peterson	Riordan	Running	Sturgeon
Szymoniak	Varn	Welsh	

Absent or not voting, 3:

Fraise	Mann	Pate
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Amendment S—5647 lost.

Senator Rife offered amendment S—5633 filed by him from the floor to pages 11 through 13 and the title page of the bill.

Senator Coleman moved that action on amendment S—5633 be deferred.

Senator Coleman withdrew his motion.

Senator Rife moved the adoption of amendment S—5633.

A record roll call was requested.

On the question "Shall amendment S—5633 be adopted?" (S.F. 2413) 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
Goodwin	Hagerla	Hedge	Hester
Hultman	Husak	Jensen	Kinley
Lind	Lloyd-Jones	Nystrom	Palmer
Priebe	Rensink	Rife	Scott

Soorholtz
Vande Hoef

Sturgeon

Taylor

Tieden

Nays, 23:

Boswell
Deluhery
Gettings
Hutchins
Peterson
Tinsman

Bruner
Doyle
Gronstal
Kibbie
Riordan
Varn

Coleman
Fraise
Hannon
Miller
Running
Welsh

Connolly
Gentleman
Horn
Murphy
Szymoniak

Absent or not voting, 2:

Mann

Pate

Amendment S—5633 was adopted.

With the adoption of amendment S—5633, the Chair ruled the following amendments out of order:

S—5616 filed by Senators Drake, et al., from the floor to page 11 of the bill.

S—5626 filed by Senator Fuhrman from the floor to page 13 of the bill.

S—5632 filed by Senators Bruner and Fuhrman from the floor to page 13 of the bill.

S—5644 filed by Senators Gronstal, et al., from the floor to pages 11 through 13 of the bill.

Senator Hultman offered amendment S—5623 filed by Senators Hultman, et al., from the floor to page 14 and the title page of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5623 be adopted?" (S.F. 2413) the vote was:

Ayes, 18:

Corning
Hagerla
Jensen
Rife
Tinsman

Fuhrman
Hedge
Lind
Soorholtz
Vande Hoef

Gentleman
Hester
Nystrom
Taylor

Goodwin
Hultman
Rensink
Tieden

Nays, 29:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley
Lloyd-Jones	Miller	Murphy	Palmer
Peterson	Priebe	Riordan	Running
Scott	Sturgeon	Szymoniak	Varn
Welsh			

Absent or not voting, 3:

Drake	Mann	Pate
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Amendment S—5623 lost.

Senator Hultman offered amendment S—5628 filed by Senators Hultman, et al., from the floor to pages 14 and 15 of the bill.

Senator Murphy raised the point of order that amendment S—5628 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5628 out of order.

Senator Gronstal offered amendment S—5653 filed by him from the floor to page 14 of the bill and moved its adoption.

Amendment S—5653 was adopted by a voice vote.

Senator Hultman offered amendment S—5615 filed by him from the floor to pages 14, 15 and 35 of the bill.

Senator Gronstal raised the point of order that amendment S—5615 was not germane to the bill.

Senator Fuhrman raised the point of order that a ruling on germaneness of amendment S—5615 should be rendered after consideration of amendments to amendment S—5615.

Senator Fuhrman withdrew his point of order.

The Chair ruled the point by Senator Gronstal well taken and amendment S—5615 out of order.

The Chair ruled the following amendments to amendment S—5615 out of order:

S—5638 filed by Senator Fuhrman from the floor to page 9.

S—5640 filed by Senator Hultman from the floor to pages 1 and 2.

S—5642 filed by Senators Taylor, Hedge and Hagerla from the floor to pages 3, 9, 11, 17 and 19.

S—5646 filed by Senator Hultman from the floor to page 21.

Senator Taylor offered amendment S—5627 filed by Senators Taylor, et al., from the floor to pages 14, 15 and 35 of the bill.

Senator Gronstal raised the point of order that amendment S—5627 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5627 out of order.

Senator Fuhrman offered amendment S—5634 filed by him from the floor to page 15 of the bill and moved its adoption.

Amendment S—5634 was adopted by a voice vote.

Senator Gentleman withdrew amendment S—5650 filed by her from the floor to page 15 of the bill.

Senator Tinsman offered amendment S—5619 filed by Senators Tinsman, et al., from the floor to page 15 of the bill.

Senator Gronstal raised the point of order that amendment S—5619 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5619 out of order.

Senator Fuhrman offered amendment S—5620 filed by Senators Fuhrman, et al., from the floor to page 15 of the bill.

Senator Gronstal raised the point of order that amendment S—5620 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5620 out of order.

Senator Hultman offered amendment S—5622 filed by Senators Hultman, et al., from the floor to page 15 of the bill.

Senator Gronstal raised the point of order that amendment S—5622 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5622 out of order.

Senator Gronstal offered amendment S—5631 filed by him from the floor to pages 15 through 20 and 35 of the bill.

Senator Hultman raised the point of order that amendment S—5631 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5631 in order.

Senator Gronstal moved the adoption of amendment S—5631, which motion prevailed by a voice vote.

Senator Gronstal offered amendment S—5651 filed by him from the floor to pages 20 and 21 of the bill and moved its adoption.

Amendment S—5651 was adopted by a voice vote.

Senator Hagerla offered amendment S—5637 filed by him from the floor to page 22 of the bill.

Senator Gronstal raised the point of order that amendment S—5637 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5637 out of order.

Senator Lind offered amendment S—5621 filed by Senators Lind, et al., from the floor to page 23 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5621 be adopted?” (S.F. 2413) the vote was:

Ayes, 19:

Corning	Drake	Fuhrman	Gettings
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Nystrom
Rensink	Rife	Soorholtz	Taylor
Tieden	Tinsman	Vande Hoef	

Nays, 28:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Doyle	Fraise
Gentleman	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley
Lloyd-Jones	Miller	Murphy	Palmer
Peterson	Priebe	Riordan	Scott
Sturgeon	Szymoniak	Varn	Welsh

Absent or not voting, 3:

Mann	Pate	Running
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Amendment S—5621 lost.

Senator Taylor offered amendment S—5624 filed by Senators Taylor, et al., from the floor to pages 23 and 24 of the bill.

Senator Kinley took the chair at 6:25 p.m.

Senator Taylor moved the adoption of amendment S—5624.

A record roll call was requested.

On the question “Shall amendment S—5624 be adopted?” (S.F. 2413) the vote was:

Ayes, 20:

Corning	Dieleman	Fuhrman	Gettings
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Nystrom
Rensink	Rife	Scott	Soorholtz
Taylor	Tieden	Tinsman	Vande Hoef

Nays, 27:

Boswell	Bruner	Coleman	Connolly
Deluhery	Doyle	Fraise	Gentleman
Gronstal	Hannon	Horn	Husak

Hutchins	Kibbie	Kinley	Lloyd-Jones
Miller	Murphy	Palmer	Peterson
Priebe	Riordan	Running	Sturgeon
Szymoniak	Varn	Welsh	

Absent or not voting, 3:

Drake	Mann	Pate
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Amendment S—5624 lost.

Senator Hutchins asked and received unanimous consent that action on **Senate File 2413** be **deferred**.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 19, 1990, passed the following bill in which the concurrence of the House was asked:

Senate File 2235, a bill for an act relating to reassignment of certificates of title and providing an effective date.

INTRODUCTION OF BILLS

Senate File 2417, by committee on Appropriations, a bill for an act relating to gambling and pari-mutual wagering, by providing for open meetings and public records of certain gambling licensees, by authorizing the sale of alcoholic beverages at certain racetracks, by making an appropriation from the gamblers assistance fund, and by subjecting violators to existing penalties.

Read first time and **placed on Appropriations calendar**.

Senate File 2418, by committee on Appropriations, a bill for an act providing for payment in lieu of property taxes on certain state properties under the jurisdiction of the department of natural resources and including applicability dates.

Read first time and **placed on Appropriations calendar**.

Senate File 2419, by committee on Appropriations, a bill for an act relating to technology enterprise zones, making an appropriation, and providing an effective date.

Read first time and **placed on Appropriations calendar.**

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued certificates of recognition as follows:

Elk Horn-Kimballton Danes — For 3rd place in the 1990 Class A Boys' State high school basketball tournament. Senator Hutchins (March 19, 1990).

Elk Horn-Kimballton Lady Danes — For 3rd place in the 1990 Girls' State six-player high school basketball tournament. Senator Hutchins (March 19, 1990).

Atlantic Trojans — For winning the 1990 Girls' State six-player high school basketball tournament. Senator Hutchins (March 19, 1990).

STUDY BILLS RECEIVED

SSB 2300 Appropriations

Relating to motor vehicle law enforcement and making appropriations.

SSB 2301 Ways & Means

Providing certain refunds of sales, services, and use tax for certain nonprofit corporations.

SSB 2302 Ways & Means

Providing a sales, services and use tax exemption for sales of advertisement and promotional materials including component matter and seed catalogs that are stored in the state for printing, fabricating, or mailing for shipment outside of the state.

SUBCOMMITTEE ASSIGNMENTS

House File 2548

APPROPRIATIONS: Varn, Chair; Riordan and Tieden

SSB 2300

APPROPRIATIONS: Lind, Chair; Welsh, Pate, Gettings and Husak

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 2417 (SSB 2296), a bill for an act relating to gambling and pari-mutual wagering, by providing for open meetings and public records of certain gambling licensees, by authorizing the sale of alcoholic beverages at certain racetracks, by making an appropriation from the gamblers assistance fund, and by subjecting violators to existing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 17: Welsh, Boswell, Tieden, Bruner, Corning, Fraise, Gettings, Goodwin, Husak, Jensen, Lind, Lloyd-Jones, Peterson, Running, Sturgeon, Tinsman and Varn. Nays, 2: Gronstal and Rensink. Absent or not voting, 2: Pate and Riordan.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2418, a bill for an act providing for payment in lieu of property taxes on certain state properties under the jurisdiction of the department of natural resources and including applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 19: Welsh, Boswell, Tieden, Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Peterson, Rensink, Running, Sturgeon, Tinsman and Varn. Nays, none. Absent or not voting, 2: Pate and Riordan.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2419, a bill for an act relating to technology enterprise zones, making an appropriation, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 19: Welsh, Boswell, Tieden, Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Peterson, Rensink, Running, Sturgeon, Tinsman and Varn. Nays, none. Absent or not voting, 2: Pate and Riordan.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2482, a bill for an act establishing an entrepreneurship task force.

Recommendation: DO PASS.

Final Vote: Ayes, 19: Welsh, Boswell, Tieden, Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Peterson, Rensink, Running, Sturgeon, Tinsman and Varn. Nays, none. Absent or not voting, 2: Pate and Riordan.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORTS OF STANDING COMMITTEES
(Place nominees on En Bloc Confirmation Calendar)

JUDICIARY

Pursuant to Senate Rule 59, the committee on Judiciary assigned to investigate the following Governor's appointments, completed its investigations on February 28, 1990, and recommended the appointees be confirmed:

Johnny Michael Brown and Jean Klingaman for appointment as members of the Board of Corrections.

Barbara Binnie, Wanda E. Everage, Robert A. Jackson and Joanne C. Lorence for reappointment as members of the Board of Parole.

Walter L. Saur for reappointment as a member and Chairperson of the Board of Parole.

Jack F. Breithaupt for appointment as a member of the Commission on Judicial Qualifications.

George Belitsos, Lorna Mae Burnside, Lee E. Poppen, Deborah S. Roberson, William Westendorf and R. Dean Wright for reappointment as members of the Criminal and Juvenile Justice Advisory Council.

F.H. "Mike" Forrest for appointment as Drug Enforcement and Abuse Prevention Coordinator.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Members of the Cerro Gordo and Worth County 4-H program, accompanied by Denna Johnson, Kristi Coop and Lu Ann Johanne. Senators Scott and Miller.

AMENDMENTS FILED

S-5630	H.F.	2496	Michael Gronstal
S-5631	S.F.	2413	Michael Gronstal
S-5632	S.F.	2413	Charles Bruner Linn Fuhrman
S-5633	S.F.	2413	Jack Rife
S-5634	S.F.	2413	Linn Fuhrman
S-5635	H.F.	2320	Michael Gronstal
S-5636	H.F.	2506	Mark Hagerla
S-5637	S.F.	2413	Mark Hagerla
S-5638	S.F.	2413	Linn Fuhrman Maggie Tinsman Richard Vande Hoef Ray Taylor
S-5639	S.F.	2413	Beverly Hannon Jim Lind Joy Corning
S-5640	S.F.	2413	Calvin Hultman
S-5641	S.F.	2413	Ray Taylor
S-5642	S.F.	2413	Ray Taylor H. Kay Hedge Mark Hagerla
S-5643	H.F.	2506	William Dieleman
S-5644	S.F.	2413	Michael Gronstal Richard Drake Eugene Fraise Larry Murphy Joe Welsh Don Gettings Richard Varn Wally Horn C. Joseph Coleman Maggie Tinsman
S-5645	H.F.	2494	Wilmer Rensink
S-5646	S.F.	2413	Calvin Hultman
S-5647	S.F.	2413	Ray Taylor
S-5648	S.F.	2413	Ray Taylor Linn Fuhrman Julia Gentleman Maggie Tinsman

S—5649	S.F.	2413	Ray Taylor
S—5650	S.F.	2413	Julia Gentleman
S—5651	S.F.	2413	Michael Gronstal
S—5652	S.F.	2412	Jim Lind
S—5653	S.F.	2413	Michael Gronstal
S—5654	S.F.	2413	Julia Gentleman
S—5655	H.F.	2487	Mike Connolly

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:28 p.m., until 9:00 a.m., Thursday, March 22, 1990.

JOURNAL OF THE SENATE

SEVENTY-FOURTH CALENDAR DAY
FIFTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 22, 1990

The Senate met in regular session at 9:07 a.m., Senator Coleman presiding.

Prayer was offered by the Reverend Stephen Lien, pastor of the Nazareth Lutheran Church, Cedar Falls, Iowa.

The Journal of Wednesday, March 21, 1990, was approved.

President Zimmerman took the chair at 9:10 a.m.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Doyle for the day and March 23, 1990, and Senator Mann for the day on request of Senator Horn; Senator Pate for the day on request of Senator Hultman.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 20, 1990, passed the following bill in which the concurrence of the House was asked:

Senate File 2052, 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.

ALSO: That the House has on March 20, 1990, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 252, a bill for an act relating to leave for a chief deputy sheriff, second deputy sheriff, or other officer or employee subject to civil service who becomes a candidate for elective office.

House File 2465, a bill for an act relating to the removal of railway track from a grade crossing once the railway corporation has abandoned the line or permitted interim use for the establishment of a trail.

House File 2468, a bill for an act relating to the establishment of the division of criminal justice planning and providing an effective date.

House File 2531, a bill for an act to require a business, as a condition of the receipt of state financial assistance for economic development purposes, to meet certain requirements relating to federal and state environmental protection laws and the disposal of solid and hazardous waste.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 45 present, 5 absent and a quorum present.

MOTIONS TO RECONSIDER WITHDRAWN

House File 2461

Senator Welsh withdrew the motion to reconsider House File 2461, a bill for an act relating to motor vehicle odometer requirements, filed by him on March 13, 1990, and found on page 1034 of the Senate Journal.

House File 2287

Senators Gentleman and Fuhrman withdrew the motions to reconsider House File 2287, a bill for an act relating to a subsequent employer's unemployment benefit contribution rate upon the purchase or transference of a small business, filed by them on March 16, 1990, and found on page 1149 of the Senate Journal.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House Files 2461 and 2287 be immediately messaged** to the House.

HOUSE AMENDMENTS CONSIDERED

Senate File 2365

Senator Welsh called up for consideration Senate File 2365, a bill for an act relating to and making appropriations to the department of human services and the Iowa department of public health and providing other properly related matters, amended by the House, and moved that the Senate concur in House amendment S—5550 filed March 19, 1990.

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. 2365) the vote was:

Ayes, 46:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Nystrom	Palmer	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Doyle

Mann

Pate

Soorholtz

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 2003

Senator Szymoniak called up for consideration Senate File 2003, a bill for an act permitting a refund of unexpired motor vehicle registration fees to persons who sell their motor vehicles and who will no longer be driving, amended by the House in House amendment S—5580 filed March 20, 1990.

The motion lost by a voice vote and the Senate **refused to concur** in the House amendment.

Senate File 2080

Senator Vande Hoef called up for consideration Senate File 2080, a bill for an act providing for the sale, offer for sale, or distribution of sterile varieties of purple loosestrife, amended by the House, and moved that the Senate concur in House amendment S—5584 filed March 20, 1990.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Vande Hoef moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2080) the vote was:

Ayes, 46:

Boswell
 Corning
 Fraise
 Goodwin
 Hedge
 Husak
 Kinley
 Murphy

Bruner
 Deluhery
 Fuhrman
 Gronstal
 Hester
 Hutchins
 Lind
 Nystrom

Coleman
 Dieleman
 Gentleman
 Hagerla
 Horn
 Jensen
 Lloyd-Jones
 Palmer

Connolly
 Drake
 Gettings
 Hannon
 Hultman
 Kibbie
 Miller
 Peterson

Priebe	Rensink	Rife	Riordan
Running	Scott	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Doyle	Mann	Pate	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 2240

Senator Fuhrman called up for consideration Senate File 2240, a bill for an act relating to the transfer of racing dogs, amended by the House in House amendment S—5583 filed March 20, 1990.

Senator Kinley took the chair at 9:48 a.m.

Senator Szymoniak asked and received unanimous consent that action on House amendment S—5583 and **Senate File 2240** be deferred.

Senate Joint Resolution 2003

Senator Hannon called up for consideration Senate Joint Resolution 2003, a joint resolution proposing the establishment of a state office of disability prevention activities and requiring certain state agencies to perform various activities and to submit a report relating to coordination of disability prevention programs, amended by the House, and moved that the Senate concur in House amendment S—5582 filed March 20, 1990.

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.J.R. 2003) the vote was:

Ayes, 46:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Nystrom	Palmer	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Doyle	Mann	Pate	Soorholtz
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

UNFINISHED BUSINESS (Deferred March 21, 1990)

Senate File 2413

The Senate resumed consideration of Senate File 2413, a bill for an act relating to certain specific crimes and the disposition of offenders by providing for payment of sexual abuse medical examinations, providing for workers' compensation coverage and the liability of certain persons performing community service, providing for notification of the parents of persons under age eighteen discovered to be in possession of alcohol or drugs, providing for a term of confinement for distribution of illegal drugs within one thousand feet of a public park, providing for the reporting and identification of certain precursor drugs, providing for the disposition of certain juvenile offenders, establishing a family preservation program, establishing institutional reading room requirements, providing for the diversion of certain offenders to treatment facilities, providing that certain persons serving mandatory minimum sentences serve a portion of their sentence

on work release, establishing a penalty for certain persons who cause a serious injury to another while operating a motor vehicle, providing for certain offenders to serve their sentence on consecutive days, providing for posttreatment services as a condition of probation, establishing a tax on marijuana and controlled substances, providing an expansion of the business deduction for businesses employing individuals on parole, probation, work release, or convicted of a felony, establishing penalties for participation in criminal gang activity, providing for the nonbailability of certain offenders, providing requirements for presentence investigations, providing for early release of offenders participating in certain treatment or for certain property offenders, making certain changes relating to conditions of parole and work release, authorizing parole and probation officers to discharge certain offenders, making certain changes relating to the victim reparation program, establishing a pilot project for the chemical testing of persons arrested for felony offenses, and providing penalties, deferred on March 21, 1990.

Senator Taylor asked and received unanimous consent that action on amendment S—5641 filed by him on March 21, 1990, to pages 29 through 31 of the bill be deferred.

Senator Gentleman offered amendment S—5654 filed by her on March 21, 1990, to page 29 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 16, nays 23.

Amendment S—5654 lost.

Senator Taylor offered amendment S—5648 filed by Senators Taylor, et al., on March 21, 1990, to page 30 of the bill.

President Zimmerman took the chair at 10:12 a.m.

Senator Taylor moved the adoption of amendment S—5648, which motion prevailed by a voice vote.

Senator Drake offered amendment S—5617 filed by Senators Drake, et al., on March 21, 1990, to page 34 of the bill and moved its adoption.

Amendment S—5617 was adopted by a voice vote.

Senator Gronstal offered amendment S—5659 filed by Senators Gronstal and Drake from the floor to page 35 of the bill and moved its adoption.

Amendment S—5659 was adopted by a voice vote.

Senator Dieleman offered amendment S—5656 filed by him from the floor to page 2 of the bill.

Senator Gronstal raised the point of order that amendment S—5656 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5656 out of order.

Senator Taylor offered amendment S—5649 filed by him on March 21, 1990, to pages 3, 4, 23 and 24 of the bill.

Senator Gronstal raised the point of order that amendment S—5649 was not germane to the bill.

Senator Gronstal withdrew his point of order.

Senator Taylor called for a division of amendment S—5649: lines 2 through 9 and lines 21 through 39 as division S—5649A and lines 10 through 20 as division S—5649B.

Senator Taylor withdrew division S—5649A.

Senator Taylor moved the adoption of division S—5649B, which motion prevailed by a voice vote.

Senator Tinsman offered amendment S—5662 filed by Senators Tinsman, et al., 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—5662 be adopted?” (S.F. 2413) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 22:

Corning	Fuhrman	Gentleman	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Hultman	Jensen	Lloyd-Jones
Miller	Nystrom	Rensink	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn		

Nays, 24:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Drake	Fraise
Gettings	Horn	Husak	Hutchins
Kibbie	Kinley	Lind	Murphy
Palmer	Peterson	Priebe	Rife
Riordan	Running	Scott	Welsh

Absent or not voting, 4:

Doyle	Mann	Pate	Soorholtz
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Amendment S—5662 lost.

Senator Hagerla offered amendment S—5658 filed by him from the floor to pages 22 and 24 of the bill.

Senator Gronstal raised the point of order that amendment S—5658 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5658 out of order.

The Chair ruled amendment S—5641 by Senator Taylor to pages 29 through 31 of the bill, previously deferred, out of order.

Senator Kinley took the chair at 12:00 noon.

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. 2413) the vote was:

Ayes, 45:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Drake
Fraise	Fuhrman	Gettings	Goodwin

Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 1:

Gentleman

Absent or not voting, 4:

Doyle	Mann	Pate	Soorholtz
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 2169 and 2413** and **House Files 2115, 2338 and 2517** be **immediately messaged** to the House.

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:06 p.m., until 2:30 p.m.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued certificates of recognition as follows:

Gill Dietz — For his lifelong dedication as a reporter of the news and editor of the Muscatine Journal. Senator Drake (March 21, 1990).

Sara Hinkledey — For being selected to the second All-State team in Girls' basketball, 1990. Senator Fuhrman (March 19, 1990).

REPORT OF COMMITTEE MEETING

APPROPRIATIONS

Convened: March 21, 1990, 1:50 p.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Peterson, Rensink, Running, Sturgeon, Tinsman and Varn.

Members Absent: Pate and Riordan (both excused).

Committee Business: Approved SSB 2296, LSBs 7017 and 7961 as committee bills; recommended passage of House File 2482; assigned SSB 2300 to a subcommittee.

Adjourned: 2:16 p.m.

PLACEMENTS ON INDIVIDUAL CONFIRMATION CALENDAR

Pursuant to Senate Rule 59, the following Governor's appointees referred to the committee on Education for investigation on February 28, 1990, were automatically placed on the Individual Confirmation Calendar **without recommendation**:

Corine A. Hadley and Francis N. Kenkel as members of the State Board of Education.

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which the Senate refused to concur in House amendment S—5580 to Senate File 2003 on March 22, 1990.

JOE WELSH

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Sixteen twelfth grade students from Rolfe Community School, Rolfe, Iowa, accompanied by Dick Gruber. Senator Priebe.

Thirty-five twelfth grade students from Colo-Nesco High School, Colo, Iowa, accompanied by Jack Roberts and Steve Bohrow. Senators Nystrom and Bruner.

Members of the Troop 32 Boy Scouts from Olds, Iowa, accompanied by Ken Madden and parents. Senator Hagerla.

Sixty sixth grade students from Union-Whitten and Beaman-Conrad-Liscomb Community Schools, Union, Iowa. Senators Jensen and Taylor.

Twenty-six high school students from North Kossuth Community School, Swea City, Iowa, accompanied by John Larson. Senator Priebe.

AMENDMENTS FILED

S—5656	S. F.	2413	William Dieleman
S—5657	H. F.	2455	Eugene Fraise
S—5658	S. F.	2413	Mark Hagerla
S—5659	S. F.	2413	Michael Gronstal Richard Drake
S—5660	H. F.	2177	Maggie Tinsman Beverly Hannon Mark Hagerla
S—5661	S. F.	2240	Elaine Szymoniak Jim Riordan

S—5662

S. F.

2413

Maggie Tinsman
Richard Varn
Michael Gronstal
Joy Corning
Calvin Hultman

AFTERNOON SESSION

The Senate reconvened at 2:36 p.m., Senator Sturgeon presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hagerla for the afternoon on request of Senator Hultman and Senator Riordan for the afternoon on request of Senator Horn.

QUORUM CALL

Senator Kibbie 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 2245

Senator Lloyd-Jones called up for consideration Senate File 2245, a bill for an act relating to bids for certain specialized highway or bridge construction projects, amended by the House, and moved that the Senate concur in House amendment S—5551 filed March 19, 1990.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Lloyd-Jones 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. 2245) the vote was:

Ayes, 43:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hannon	Hedge
Hester	Horn	Husak	Hutchins

Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Murphy	Nystrom	Palmer
Peterson	Priebe	Rensink	Rife
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 7:

Doyle	Hagerla	Hultman	Mann
Miller	Pate	Riordan	

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Jensen for the remainder of the afternoon on request of Senator Hultman.

BUSINESS PENDING

Senate File 2240

The Senate resumed consideration of Senate File 2240, a bill for an act relating to the transfer of racing dogs, and House amendment S—5583, previously deferred.

Senator Gronstal offered amendment S—5618 filed by Senators Gronstal, et al., on March 21, 1990, to House amendment S—5583 and moved its adoption.

Amendment S—5618 was adopted by a voice vote.

Senator Szymoniak asked and received unanimous consent to withdraw amendment S—5661 filed by Senators Szymoniak and Riordan from the floor to House amendment S—5583.

Senator Fuhrman moved to concur in House amendment S—5583 as amended, which motion prevailed by 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?" (S.F. 2240) the vote was:

Ayes, 44:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal,	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Peterson	Priebe	Rensink
Rife	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 6:

Doyle	Hagerla	Jensen	Mann
Pate	Riordan		

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 19, 1990)

House File 2422

The Senate resumed consideration of House File 2422, a bill for an act relating to retroactive modifications of support orders, and amendment S—5393, deferred March 19, 1990.

Senator Running moved the adoption of amendment S—5393 to page 2 of the bill, which motion prevailed by a voice vote.

Senator Deluhery moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2422) the vote was:

Ayes, 44:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Peterson	Priebe	Rensink
Rife	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 6:

Doyle	Hagerla	Jensen	Mann
Pate	Riordan		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Deluhery asked and received unanimous consent that **Senate File 2396** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS (Deferred March 13, 1990)

The Senate resumed consideration of House File 2177, a bill for an act relating to the operation of state hospital-schools under the control of the department of human services by authorizing the offering of goods and services to the public as part of client training programs and by deleting the requirement of maintaining daily records of time worked by institutional staff, deferred March 13, 1990.

Senator Tinsman asked and received unanimous consent to withdraw amendment S—5303 filed by the committee on Human Resources on March 1, 1990, to page 1 of the bill.

Senator Tinsman offered amendment S—5660 filed by Senators Tinsman, Hannon and Hagerla from the floor to page 1 of the bill and moved its adoption.

Amendment S—5660 was adopted by a voice vote.

Senator Tinsman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2177) the vote was:

Ayes, 44:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Peterson	Priebe	Rensink
Rife	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 6:

Doyle	Hagerla	Jensen	Mann
Pate	Riordan		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS

(Deferred March 16, 1990)

House File 2188

The Senate resumed consideration of House File 2188, a bill for an act relating to the issuance of alcoholic beverage licenses and permits for certain licensed premises and prescribing fees, deferred March 16, 1990.

Senator Gronstal offered amendment S—5540 filed by Senators Gronstal and Hultman on March 16, 1990, to pages 1, 2 and the title page of the bill.

Senator Welsh raised the point of order that amendment S—5540 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5540 out of order.

Senator Deluhery offered amendment S—5519 filed by him on March 15, 1990, to page 1 of the bill.

Senator Deluhery offered amendment S—5606 filed by him on March 20, 1990, to amendment S—5519.

Senator Lind asked and received unanimous consent that action on amendment S—5606 to amendment S—5519, amendment S—5519 and **House File 2188** be deferred.

Senator Varn took the chair at 3:40 p.m.

HOUSE AMENDMENT CONSIDERED

Senate File 2233

Senator Fuhrman called up for consideration Senate File 2233, a bill for an act relating to the prosecution of persons violating provisions regulating grain dealers or warehouse operators, amended by the House, and moved that the Senate concur in House amendment S—5613 filed March 21, 1990.

The motion lost by a voice vote and the Senate **refused to concur** in the House amendment.

UNFINISHED BUSINESS (Deferred March 15, 1990)

House File 2201

The Senate resumed consideration of House File 2201, a bill for an act relating to the disclosure of the names and certain contract costs of all subcontractors by bidders on a state procurement contract, deferred March 15, 1990.

Senator Sturgeon offered amendment S—5539 filed by him on March 16, 1990, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5539 was adopted by a voice vote.

Senator Priebe offered amendment S—5525 filed by Senators Priebe, et al., on March 16, 1990, to page 1 of the bill and moved its adoption.

Amendment S—5525 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. 2201) the vote was:

Ayes, 43:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Murphy	Nystrom	Palmer
Peterson	Priebe	Rensink	Rife
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 7:

Doyle	Hagerla	Hannon	Jensen
Mann	Pate	Riordan	

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Sturgeon presiding.

UNFINISHED BUSINESS
(Deferred March 20, 1990)

House File 2455

The Senate resumed consideration of House File 2455, a bill for an act relating to state chartered legal entities, especially nonprofit corporations and cooperative associations, by altering requirements and procedure for filing corporate documents in the office of the secretary of state and by requiring corporations organized under or subject to Iowa Code chapter 504 to convert to chapter 504A within a certain period of time, deferred March 20, 1990.

Senator Fraise offered amendment S—5605 filed by him on March 20, 1990, to pages 8 and 9 of the bill.

President Zimmerman took the chair at 4:35 p.m.

Senator Fraise moved the adoption of amendment S—5605, which motion prevailed by a voice vote.

Senator Fraise offered amendment S—5657 filed by him from the floor to page 10 of the bill and moved its adoption.

Amendment S—5657 was adopted by a voice vote.

With the adoption of amendment S—5657, the Chair ruled amendment S—5629 filed by Senator Fraise on March 21, 1990, to page 10 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. 2455) the vote was:

Ayes, 42:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Kibbie	Lind	Miller
Murphy	Nystrom	Palmer	Peterson

Priebe	Rensink	Rife	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 8:

Doyle	Hagerla	Jensen	Kinley
Lloyd-Jones	Mann	Pate	Riordan

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS

(Deferred March 16, 1990)

House File 156

The Senate resumed consideration of House 156, a bill for an act relating to the separation of workers' compensation insurance premiums into two parts, deferred March 16, 1990.

Senator Husak offered amendment S—5522 filed by Senators Husak, et al., on March 15, 1990, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5522 was adopted by a voice vote.

Senator Running moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 156) the vote was:

Ayes, 44:

Boswell	Bruner	Coleman	Corning
Deluhery	Dieleman	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Peterson	Priebe	Rensink
Rife	Running	Scott	Soorholtz

Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 6:

Connolly	Doyle	Hagerla	Mann
Pate	Riordan		

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

WITHDRAWN

Senator Fraise asked and received unanimous consent that **Senate File 2378** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS (Deferred March 16, 1990)

House File 534

The Senate resumed consideration of House File 534, a bill for an act relating to the regulation of commercial feed and providing for the increase of fees, deferred March 16, 1990.

Senator Priebe offered amendment S—5479 filed by the committee on Agriculture on March 13, 1990, to pages 1 through 3 of the bill and moved its adoption.

Amendment S—5479 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. 534) the vote was:

Ayes, 43:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Drake
Fraise	Fuhrman	Gettings	Goodwin

Gronstal	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Peterson	Priebe	Rensink
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 2:

Gentleman Rife

Absent or not voting, 5:

Doyle	Hagerla	Mann	Pate
Riordan			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

House File 2188

The Senate resumed consideration of House File 2188, a bill for an act relating to the issuance of alcoholic beverage licenses and permits for certain licensed premises and prescribing fees, amendment S—5519 by Senator Deluhery and amendment S—5606 to amendment S—5519 by Senator Deluhery, previously deferred.

Senator Deluhery moved the adoption of amendment S—5606 to amendment S—5519, which motion prevailed by a voice vote.

Senator Deluhery moved the adoption of amendment S—5519 as amended, which motion prevailed by a voice vote.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2188) the vote was:

Ayes, 38:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Drake	Fraise
Fuhrman	Gentleman	Gettings	Gronstal
Hannon	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Nystrom	Peterson	Priebe
Rife	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Tieden	Tinsman
Varn	Welsh		

Nays, 6:

Dieleman	Goodwin	Hedge	Rensink
Taylor	Vande Hoef		

Absent or not voting, 6:

Doyle	Hagerla	Mann	Palmer
Pate	Riordan		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BILL REMOVED FROM CALENDAR

Senator Hutchins asked and received unanimous consent that action on the Governor's veto of Senate File 385 be indefinitely postponed and that the bill be removed from the Veto Messages Calendar.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued certificates of recognition as follows:

Coach Bill Dohrn and the Aplington Panthers — For participation in the 1990 Boys' State high school basketball tournament. Senator Jensen (March 16, 1990).

Coach Todd Barry and the Maurice-Orange City Dutchmen — For 3rd place in the 1990 Class 1-A Boys' State high school basketball tournament. Senator Rensink (March 19, 1990).

Bryan Doherty, Bettendorf — For attaining the coveted rank of Eagle Scout. Senator Tinsman (May 12, 1990).

Jonathan T. Shinbori, LeClaire — For attaining the coveted rank of Eagle Scout. Senator Tinsman (April 28, 1990).

STUDY BILL RECEIVED

SSB 2303 Ways and Means

Exempting pensions and retirement income received by nonresidents from the state individual income tax and providing a retroactive applicability date.

SUBCOMMITTEE ASSIGNMENTS

SSB 2301

WAYS AND MEANS: Husak, Chair; Murphy and Gentleman

SSB 2302

WAYS AND MEANS: Riordan, Chair; Szymoniak and Drake

SSB 2303

WAYS AND MEANS: Husak, Chair; Szymoniak and Hultman

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 2413, the following corrections were made:

1. Amendment S—5653: page 1, line 5, the words "Section 27 and 28" were changed to the words "Sections 28 and 29".

2. Amendment S—5651: page 1, line 3, the word "taxpayer" was changed to the word "taxpayer."

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 22nd day of March, 1990:

Senate Files 182, 460, 2137, 2139, 2155, 2252, 2257, 2290 and 2322.

JOHN F. DWYER
Secretary of the Senate

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—5567 to House File 209 was adopted by the Senate on March 19, 1990.

JOHN KIBBIE

MADAM PRESIDENT: I move to reconsider the vote by which House File 2188 passed the Senate on March 22, 1990.

JIM LIND

MADAM PRESIDENT: I move to reconsider the vote by which House File 2188 passed the Senate on March 22, 1990.

WALLY E. HORN

MADAM PRESIDENT: I move to reconsider the vote by which House File 156 passed the Senate on March 22, 1990.

JULIA GENTLEMAN

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—5522 to House File 156 was adopted by the Senate on March 22, 1990.

JULIA GENTLEMAN

AMENDMENTS FILED

S—5663	S.F.	2336	Ray Taylor
S—5664	H.F.	2320	William D. Palmer Calvin O. Hultman
S—5665	H.F.	2506	William Dieleman

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:04 p.m., until 9:00 a.m., Friday, March 23, 1990.

JOURNAL OF THE SENATE

SEVENTY-FIFTH CALENDAR DAY
FIFTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, March 23, 1990

The Senate met in regular session at 9:02 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Paul Frederiksen, pastor of the United Methodist Church, Ventura, Iowa.

The Journal of Thursday, March 23, 1990, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Hutchins, Bruner, Peterson and Riordan for the day on request of Senator Horn and Senator Pate for the day on request of Senator Hultman.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 21, 1990, 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 2159, a bill for an act relating to this state's labor laws administered by the labor commissioner by amending provisions of the Code regulating occupational safety and health, amusement ride and boiler inspections, asbestos removal and encapsulation, the division of labor services, wage payment collection, and construction contractors, and providing a penalty.

ALSO: That the House has on March 21, 1990, refused to concur in the Senate amendment to the following bill in which the concurrence of the Senate is asked:

House File 673, a bill for an act allowing a county to allocate a portion of its secondary road fund allotment to its county conservation board for improvement, construction, or reconstruction of county conservation parkways.

ALSO: That the House has on March 21, 1990, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 2355, a bill for an act relating to civil damages and license revocation for illegal taking of certain animals.

House File 2404, a bill for an act relating to mediation assistance, by expanding the responsibilities of the farm mediation service, granting additional authority to the farm mediation service, increasing certain fees, extending the date of repeal for certain provisions, and providing an effective date.

House File 2516, a bill for an act regulating motor vehicle service and repair and certain motor vehicle service contracts and establishing an annual fee.

ALSO: That the House has on March 21, 1990, passed the following bill in which the concurrence of the Senate is asked:

House File 2407, a bill for an act relating to the designation, inventory, and protection of wetlands, providing a civil penalty for violations, and providing a property tax exemption for wetlands.

Read first time and assigned to the committee on **Ways and Means**.

MOTIONS TO RECONSIDER WITHDRAWN

House File 2188

Senators Lind and Horn withdrew the motions to reconsider House File 2188, a bill for an act relating to the issuance of alcoholic beverage licenses and permits for certain licensed premises and prescribing fees, filed by them on March 22, 1990, and found on page 1271 of the Senate Journal.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Files 2240 and 2233 and House Files 2422, 2177, 2201, 2455, 534 and 2188** be **immediately messaged** to the House.

QUORUM CALL

Senator Horn 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 AMENDMENTS CONSIDERED

Senate File 332

Senator Running called up for consideration Senate File 332, a bill for an act relating to legal expense insurance by regulating the sale of contracts providing reimbursement for legal expenses in consideration of a specified payment for a period of time, establishing a premium tax, and providing penalties, amended by the House, and moved that the Senate concur in House amendment S—5554 filed March 19, 1990.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Running 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. 332) the vote was:

Ayes, 41:

Boswell	Coleman	Connolly	Corning
Deluhery	Dieleman	Drake	Fuhrman
Gentleman	Gettings	Goodwin	Gronstal
Hagerla	Hedge	Hester	Horn
Hultman	Husak	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Nystrom	Palmer	Priebe
Rensink	Rife	Running	Scott

Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 9:

Bruner	Doyle	Fraise	Hannon
Hutchins	Mann	Pate	Peterson
Riordan			

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 148

Senator Gronstal called up for consideration Senate File 148, a bill for an act prohibiting certain actions against police service dogs, and providing penalties, amended by the House, and moved that the Senate concur in House amendment S—5612 filed March 21, 1990.

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. 148) the vote was:

Ayes, 41:

Boswell	Coleman	Connolly	Corning
Deluhery	Dieleman	Drake	Fraise
Fuhrman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Murphy	Nystrom	Palmer
Rensink	Rife	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor

Tieden
Welsh

Tinsman

Vande Hoef

Varn

Nays, 1:

Priebe

Absent or not voting, 8:

Bruner
Mann

Doyle
Pate

Gentleman
Peterson

Hutchins
Riordan

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, 1990)

House File 2320

The Senate resumed consideration of House File 2320, a bill for an act relating to fire and casualty insurance, altering the method of filing rates subject to the approval of the commissioner of insurance, except for workers' compensation liability insurance rates, providing a special effective date, and authorizing civil penalties, deferred March 15, 1990.

Senator Palmer offered amendment S—5505 filed by him on March 15, 1990, to page 1 and the title page of the bill.

Senator Gronstal withdrew amendment S—5588 filed by him on March 20, 1990, to page 2 of amendment S—5505.

Senator Gronstal withdrew amendment S—5601 filed by him on March 20, 1990, to page 2 of amendment S—5505.

Senator Palmer asked and received unanimous consent to withdraw amendment S—5664 filed by Senators Palmer and Hultman on March 22, 1990, to page 11 of amendment S—5505.

Senator Gronstal offered amendment S—5635 filed by him on March 21, 1990, to page 16 of amendment S—5505 and moved its adoption.

Amendment S—5635 was adopted by a voice vote.

Senator Hagerla withdrew amendment S—5598 filed by him on March 20, 1990, to page 18 of amendment S—5505.

Senator Gronstal moved the adoption of amendment S—5505 as amended, which motion prevailed by a voice vote.

Senator Gronstal moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2320) the vote was:

Ayes, 43:

Boswell	Coleman	Connolly	Corning
Deluhery	Dieleman	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Priebe	Rensink	Rife
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 7:

Bruner	Doyle	Hutchins	Mann
Pate	Peterson	Riordan	

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

HOUSE MESSAGES RECEIVED 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, 1990, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 2163, a bill for an act relating to the composition and election of county agricultural extension councils, enacting transitional provisions, and providing an effective date (S—5670).

Senate File 2249, a bill for an act relating to workers' health, safety, and welfare, by providing an expedited hearing process for certain contested cases, requiring payment of medical expenses of an injured employee in certain circumstances, staying debt collection proceedings against an employee by a person providing treatment pending resolution of a contested case before the industrial commissioner, altering certain formulas for the calculation of benefits, establishing initial hearing deadlines, requiring certain unannounced inspections, authorizing certain administrative search warrants, and imposing certain benefit payment requirements and penalties for unreasonable denial or nonpayment of medical benefits, exempting union agents and employees from certain tort liability, and providing applicability and effective dates (S—5671).

UNFINISHED BUSINESS
(Deferred March 12, 1990)

Senate File 2337

The Senate resumed consideration of Senate File 2337, a bill for an act relating to state administrative rules, providing for style and form and for the assignment of identification numbers, specifying official citations, providing a pilot project for the separate publication of certain rules, and making an appropriation, deferred March 12, 1990.

Senator Hultman asked and received unanimous consent that action on **Senate File 2337** be **deferred**.

UNFINISHED BUSINESS
(Deferred March 12, 1990)

House File 2436

The Senate resumed consideration of House File 2436, a bill for an act restricting the conditions under which a third-party payor of medical benefits may limit coverage for prescription drugs, deferred March 12, 1990.

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. 2436) the vote was:

Ayes, 42:

Boswell	Coleman	Connolly	Corning
Deluhery	Dieleman	Drake	Fraise
Fuhrman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Murphy	Nystrom	Palmer
Priebe	Rensink	Rife	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 1:

Gentleman

Absent or not voting, 7:

Bruner	Doyle	Hutchins	Mann
Pate	Peterson	Riordan	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Horn asked and received unanimous consent that **Senate File 2258** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF RESOLUTION (Appropriations Calendar)

Senate Concurrent Resolution 128

On motion of Senator Welsh, Senate Concurrent Resolution 128, a concurrent resolution relating to the provision of cable television service, was taken up for consideration.

Senator Welsh moved the adoption of Senate Concurrent Resolution 128 which motion prevailed by a voice vote.

UNFINISHED BUSINESS
(Deferred March 14, 1990)

House File 2271

The Senate resumed consideration of House File 2271, a bill for an act relating to phase III pay plans, deferred March 14, 1990.

Senator Taylor offered amendment S—5542 filed by him on March 16, 1990, to pages 2 and 3 of the bill.

Senator Running raised the point of order that amendment S—5542 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5542 out of order.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2271) the vote was:

Ayes, 39:

Boswell	Connolly	Corning	Deluhery
Dieleman	Drake	Fuhrman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Priebe	Rensink
Rife	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Varn	Welsh	

Nays, 1:

Gentleman

Absent or not voting, 10:

Bruner	Coleman	Doyle	Fraise
Hutchins	Mann	Pate	Peterson
Riordan	Vande Hoef		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Sturgeon took the chair at 10:30 a.m.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Horn asked and received unanimous consent to take up out of order Senate File 2418.

Senate File 2418

On motion of Senator Gronstal, Senate File 2418, a bill for an act providing for payment in lieu of property taxes on certain state properties under the jurisdiction of the department of natural resources and including applicability dates, was taken up for consideration.

Senator Gronstal moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2418) the vote was:

Ayes, 43:

Boswell	Coleman	Connolly	Corning
Deluhery	Dieleman	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Priebe	Rensink	Rife
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 7:

Bruner	Doyle	Hutchins	Mann
Pate	Peterson	Riordan	

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 Horn called up the following eligible appointees on the En Bloc Confirmation Calendar:

Sonja L. Larsen and Diane L. Stadtmueller as members of the Agricultural Development Authority.

Wayne Richard Venter as a member of the Alcoholic Beverages Commission.

Jean Klingaman as a member of the Board of Corrections.

Dr. Dale L. Christensen as a member of the Board of Physician Assistant Examiners.

Barbara Binnie, Wanda E. Everage, Robert A. Jackson and Joanne C. Lorence as members of the Board of Parole.

Walter L. Saur as a member and Chairperson of the Board of Parole.

Kathryn L. Standing-Cordero as a member of the Commission on the Deaf.

Yvonne J. Brockington and Jonathan R. Narcisse as members of the Commission on the Status of Blacks.

Ruth I. Holton and Mignon Manelli as members of the Commission on the Status of Women.

Margaret M. Chadwell as a member of the Credit Union Review Board.

R. Dean Wright, Lee E. Poppen, William Westendorf, Lorna Mae Burnside and Deborah S. Roberson as members of the Criminal and Juvenile Justice Advisory Council.

Gary Darland as a member of the Engineering and Land Surveying Examining Board.

William T. Dible, Lois H. Eichacker, F. Forbes Olberg and Joan Y. Phillips as members of the Iowa Economic Development Board.

Joan Axel, Emma M. Chance and Gary Hughes as members of the Iowa Lottery Board.

Noral D. Johnson and Fred E. McKim, Jr. as members of the Iowa Railway Finance Authority.

Cecelia Burnett as a member of the Landscape Architectural Examining Board.

Martha H. Thien as a member of the Physical and Occupational Therapy Examining Board.

Joan Egenes as a member of the Psychology Examining Board.

Katherine J. Howe as a member of the Speech Pathology and Audiology Examining Board.

Senator Horn moved that the foregoing appointments be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 41:

Boswell	Coleman	Connolly	Corning
Deluhery	Dieleman	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hedge	Hester
Horn	Hultman	Husak	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Murphy	Nystrom	Palmer
Priebe	Rensink	Rife	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Varn
Welsh			

Nays, none.

Absent or not voting, 9:

Bruner	Doyle	Hannon	Hutchins
Mann	Pate	Peterson	Riordan
Vande Hoef			

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Horn asked and received unanimous consent to take up out of order Senate File 2419.

Senate File 2419

On motion of Senator Gronstal, Senate File 2419, a bill for an act relating to technology enterprise zones, making an appropriation, and providing an effective date, was taken up for consideration.

Senator Gronstal offered amendment S—5676 filed by him from the floor to page 1 and the title page of the bill and moved its adoption.

Amendment S—5676 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. 2419) the vote was:

Ayes, 41:

Boswell	Coleman	Connolly	Corning
Deluhery	Dieleman	Drake	Fraise
Fuhrman	Gentleman	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Nystrom	Palmer	Priebe
Rensink	Rife	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor

Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 9:

Bruner	Doyle	Gettings	Hutchins
Mann	Murphy	Pate	Peterson
Riordan			

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 2436, 2271** and **Senate Files 2418 and 2419** be **immediately messaged** to the House.

UNFINISHED BUSINESS (Deferred March 16, 1990)

House File 2431

The Senate resumed consideration of House File 2431, a bill for an act allowing a person to purchase insurance through the Iowa comprehensive health association even if the person has coverage under another insurance plan, deferred March 16, 1990.

Senator Deluhery offered amendment S—5436 filed by the committee on Commerce on March 12, 1990, to page 1 of the bill.

Senator Hultman offered amendment S—5496 filed by him on March 14, 1990, to amendment S—5436 and moved its adoption.

Amendment S—5496 was adopted by a voice vote.

Senator Deluhery moved the adoption of amendment S—5436 as amended, which motion prevailed by a voice vote.

Senator Deluhery moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2431) the vote was:

Ayes, 42:

Boswell	Coleman	Connolly	Corning
Deluhery	Dieleman	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Priebe	Rensink	Rife
Running	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 8:

Bruner	Doyle	Hutchins	Mann
Pate	Peterson	Riordan	Szymoniak

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 2431** 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 21, 1990, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2385, a bill for an act establishing a new agricultural products and processes program and creating a state fund to support the program (S—5673).

ALSO: That the House has on March 21, 1990, passed the following bill in which the concurrence of the Senate is asked:

House File 2551, a bill for an act relating to taxes administered and fees collected by the department of revenue and finance including technical corrections, payment and liability for certain

sales and use taxes, special fuel taxes, income tax, franchise tax, inheritance tax, and providing for certain retroactive applicability and effective dates.

This bill was read first time and passed on file.

ALSO: That the House has on March 22, 1990, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 2280, a bill for an act relating to and making appropriations to various state agencies including certain state 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, increasing certain fees, changing the procurement program, and providing for repeals of certain provisions (S—5672).

Senate File 2364, a bill for an act relating to and making appropriations to the department of agriculture and land stewardship, the Iowa state fair authority, the department of natural resources, and the state racing commission, and changing the distribution of certain fees (S—5675).

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 129, by Horn, Drake and Coleman, a concurrent resolution urging the President of the United States, the Federal Highway Administration of the United States Department of Transportation, and the United States House Public Works and Transportation Committee, and the United States Senate Commerce, Science and Transportation Committee to work toward ascertaining funding for development of a four-lane highway to connect the cities of St. Louis, Missouri, and St. Paul, Minnesota, more commonly referred to as "The Avenue of the Saints."

Read first time and passed on file.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

RULES AND ADMINISTRATION

Convened: March 22, 1990, 4:30 p.m.

Members Present: Hutchins, Chair; Gettings, Vice Chair; Hultman, Ranking Member; Kinley and Lloyd-Jones.

Members Absent: Jensen.

Committee Business: Referred Governor's appointees to committee for investigation.

Adjourned: 4:35 p.m.

WAYS AND MEANS

Convened: March 22, 1990, 1:35 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hester, Ranking Member; Bruner, Connolly, Drake, Fraise, Fuhrman, Gentleman, Hultman, Palmer, Soorholtz and Szymoniak.

Members Absent: Murphy and Riordan (excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 2:00 p.m.

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

S. C. R.	129	Transportation
H. F.	2551	Ways and Means

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Students from the Ventura High School speech class, accompanied by Nancy Fredrikson. Senator Miller.

Thirty-five sixth grade students from Southeast Warren Intermediate Center, Lacona, Iowa, accompanied by Pat Butler and Sharon Cummings. Senator Peterson.

Forty seventh grade students from Mararishi School of the Age Enlightenment, Fairfield, Iowa, accompanied by Elizabeth Stanton and Richard Beall. Senator Hedge.

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 23rd day of March, 1990:

Senate Files 18, 2059, 2164, 2165, 2181, 2187, 2232, 2248, 2261, 2268, 2271, 2334 and 2363.

JOHN F. DWYER
Secretary of the Senate

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate Concurrent Resolution 128 was adopted by the Senate on March 23, 1990.

JOE WELSH

MADAM PRESIDENT: I move to reconsider the vote by which House File 2320 passed the Senate on March 23, 1990.

JULIA GENTLEMAN

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—5505 as amended to House File 2320 was adopted by the Senate on March 23, 1990.

JULIA GENTLEMAN

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—5635 to amendment S—5505 to House File 2320 was adopted by the Senate on March 23, 1990.

JULIA GENTLEMAN

EXPLANATION OF VOTES

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on March 22, 1990.

Had I been present, I would have voted "aye" on Senate Files 2240 and 2245 and House Files 156, 534, 2177, 2188, 2201, 2422 and 2455.

MARK R. HAGERLA

AMENDMENTS FILED

S—5666	H.F.	2487	Mike Connolly
S—5667	H.F.	736	Elaine Szymoniak
S—5668	H.F.	2488	Richard Varn
S—5669	H.F.	2488	Richard Varn
S—5670	S.F.	2163	House amendment
S—5671	S.F.	2249	House amendment
S—5672	S.F.	2280	House amendment
S—5673	S.F.	2385	House amendment
S—5674	H.F.	2357	Larry Murphy
S—5675	S.F.	2364	House amendment
S—5676	S.F.	2419	Michael Gronstal
S—5677	H.F.	656	C. Joseph Coleman
S—5678	H.F.	2536	Joe Welsh

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 11:06 a.m., until 10:00 a.m., Monday, March 26, 1990.

JOURNAL OF THE SENATE

SEVENTY-EIGHTH CALENDAR DAY
FIFTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 26, 1990

The Senate met in regular session at 10:07 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Cathy Young, associate pastor of the First Presbyterian Church, Waterloo, Iowa.

The Journal of Friday, March 23, 1990, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Tieden for a portion of 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 22, 1990, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 705, a bill for an act establishing primary and satellite research and marketing centers for economic development programs and services.

House File 2512, a bill for an act altering the statutory monetary limitation on the local option E911 emergency telephone service surcharge, authorizing the Iowa finance authority to issue bonds and notes secured by certain designated sources to finance E911 service nonrecurring and recurring expenses, providing related procedures and conditions, and providing an effective date.

ALSO: That the House has on March 22, 1990, 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 2459, a bill for an act relating to the employment of personnel under sharing agreements between school districts (S—5679).

ALSO: That the House has on March 23, 1990, adopted the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 109, a concurrent resolution recognizing the efforts of United States Army Specialist Thomas Hageman in the service of his country.

ALSO: That the House has on March 23, 1990, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 2328, a bill for an act relating to and making appropriations to regulatory bodies of state government, including the auditor of state, the campaign finance disclosure commission, the department of employment services, the office of the state public defender, the department of inspections and appeals, the department of commerce, and the racing and gaming commission, and providing an effective date (S—5681).

Senate File 2402, a bill for an act relating to and making appropriations to state agencies whose responsibilities relate to public defense, public safety, transportation, and enforcement, and including allocation and use of moneys from the road use tax fund, primary road fund, and state aviation fund, mandating reports of certain agency purchases and providing expenses for certain members of the Iowa highway research board (S—5680).

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 38 present, 12 absent and a quorum present.

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **House File 2481** be referred from the Unfinished Business Calendar to the committee on **Education**.

Senator Hutchins asked and received unanimous consent that **House File 2497** be referred from the Unfinished Business Calendar to the committee on **Environment and Energy Utilities**.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 2170

Senator Vande Hoef called up for consideration House File 2170, a bill for an act relating to the prohibition of the use of certain pesticides, and making a penalty applicable, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5610 to Senate amendment H—5668 filed March 21, 1990.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Vande Hoef 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. 2170) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gronstal	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz

Sturgeon
Vande Hoef

Szymoniak
Varn

Taylor
Welsh

Tinsman

Nays, 2:

Fuhrman

Hagerla

Absent or not voting, 1:

Tieden

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

SENATE INSISTS

House File 673

Senator Jensen called up for consideration House File 673, a bill for an act allowing a county to allocate a portion of its secondary road fund allotment to its county conservation board for improvement, construction, or reconstruction of county conservation parkways, amended by the Senate, and moved that the Senate insist on its amendment.

The motion prevailed and the Senate **insisted** on its amendment.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **House File 673** on the part of the Senate: Senators Gettings, Chair; Husak, Scott, Jensen and Lind.

SENATE RECEDES

Senate File 2159

Senator Running called up for consideration Senate File 2159, a bill for an act relating to this state's labor laws administered by the labor commissioner by amending provisions of the Code regulating occupational safety and health, amusement ride and boiler inspections, asbestos removal and encapsulation, the division of labor services, wage payment collection, and construction contractors, and providing a penalty, amended by the House,

further amended by the Senate and moved that the Senate recede from its amendment.

The motion prevailed by a voice vote and the Senate receded from its amendment.

Senator Running moved that the bill be read the last time now and placed upon its passage, 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, 42:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Doyle	Drake
Fraise	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Varn	Welsh		

Nays, 7:

Dieleman	Fuhrman	Gentleman	Jensen
Rensink	Tinsman	Vande Hoef	

Absent or not voting, 1:

Tieden

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 2249

Senator Peterson called up for consideration Senate File 2249, a bill for an act relating to workers' health, safety, and welfare, by providing an expedited hearing process for certain contested cases, requiring payment of medical expenses of an injured employee in certain circumstances, staying debt collection

proceedings against an employee by a person providing treatment pending resolution of a contested case before the industrial commissioner, altering certain formulas for the calculation of benefits, establishing initial hearing deadlines, requiring certain unannounced inspections, authorizing certain administrative search warrants, and imposing certain benefit payment requirements and penalties for unreasonable denial or nonpayment of medical benefits, exempting union agents and employees from certain tort liability, and providing applicability and effective dates, amended by the House, and moved that the Senate concur in House amendment S—5671 filed March 23, 1990.

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. 2249) the vote was:

Ayes, 28:

Brüner	Coleman	Connolly	Deluhery
Doyle	Fraise	Gettings	Gronstal
Hannon	Horn	Husak	Hutchins
Kibbie	Kinley	Mann	Miller
Murphy	Nystrom	Palmer	Peterson
Priebe	Riordan	Running	Scott
Sturgeon	Szymoniak	Varn	Welsh

Nays, 20:

Boswell	Corning	Dieleman	Drake
Fuhrman	Gentleman	Goodwin	Hagerla
Hedge	Hester	Hultman	Jensen
Lind	Pate	Rensink	Rife
Soorholtz	Taylor	Tinsman	Vande Hoef

Absent or not voting, 2:

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.

UNFINISHED BUSINESS

House File 2482

On motion of Senator Scott, House File 2482, a bill for an act establishing an entrepreneurship task force, with report of committee on Appropriations recommending passage, and returned to the calendar on March 21, 1990, was taken up for further consideration.

Senator Scott moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2482) the vote was:

Ayes, 49:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Hultman

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

UNFINISHED BUSINESS
(Deferred March 15, 1990)

House File 2312

The Senate resumed consideration of House File 2312, a bill for an act relating to nonsubstantive Code and Act corrections, deferred on March 15, 1990.

Senator Varn offered amendment S—5417 filed by the committee on Judiciary on March 8, 1990, to pages 2, 13, 18 and 19 of the bill and moved its adoption.

Amendment S—5417 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. 2312) the vote was:

Ayes, 49:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 1:

Hultman

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, 1990)

House File 2377

The Senate resumed consideration of House File 2377, a bill for an act adopting the model state commodity Code as recommended by the North American securities administrators

association, regulating the commodities markets and participants, authorizing the securities bureau of the insurance division to administer the chapter, requiring licensing of commodity broker-dealers and sales representatives, authorizing civil remedies, sanctions, penalties, and imposing criminal penalties, deferred March 15, 1990.

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. 2377) the vote was:

Ayes, 50:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred March 16, 1990)

House File 2522

The Senate resumed consideration of House File 2522, a bill for an act relating to free hunting and fishing licenses for military personnel, deferred March 16, 1990.

Senator Doyle offered amendment S—5457 filed by the committee on Natural Resources on March 12, 1990, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5457 was adopted by a voice vote.

Senator Kinley offered amendment S—5541 filed by Senators Kinley, Tieden and Scott on March 16, 1990, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5541 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. 2522) the vote was:

Ayes, 49:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Drake

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

UNFINISHED BUSINESS (Deferred March 19, 1990)

Senate File 2412

The Senate resumed consideration of Senate File 2412, a bill for an act relating to the regulation of certain charitable

organizations, providing a fee, and providing a penalty, deferred on March 19, 1990.

Senator Lind offered amendment S—5652 filed by him on March 21, 1990, to pages 2, 3 and the title page of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 19, nays 29.

Amendment S—5652 lost.

Senator Doyle offered amendment S—5585 filed by Senators Doyle and Riordan on March 20, 1990, to page 3 of the bill and moved its adoption.

Amendment S—5585 was adopted by a voice vote.

Senator Hannon offered amendment S—5568 filed by Senators Hannon and Riordan on March 19, 1990, to pages 3 and 4 of the bill and moved its adoption.

Amendment S—5568 was adopted by a voice vote.

Senator Riordan offered amendment S—5604 filed by him from the floor to page 3 of the bill and moved its adoption.

Amendment S—5604 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. 2412) the vote was:

Ayes, 45:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gettings	Goodwin
Gronstal	Hannon	Hedge	Horn
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor

Tieden
Welsh

Tinsman

Vande Hoef

Varn

Nays, 5:

Fuhrman
Hultman

Gentleman

Hagerla

Hester

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 2197

Senator Mann called up for consideration Senate File 2197, a bill for an act relating to violations of an individual's rights, by prohibiting acts of assault and criminal mischief, providing victims actionable civil relief against offenders, establishing a program to monitor rights violations, and providing a penalty, amended by the House in House amendment S—5552 filed March 19, 1990.

Senator Dieleman asked and received unanimous consent that action on House amendment S—5552 and **Senate File 2197** be **deferred**.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House Files 2170, 673, 2482, 2312, 2377, 2522** and **Senate File 2412** be **immediately messaged** to the House.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 130, by Riordan, Mann, Murphy, Hannon, Lloyd-Jones, Varn and Bruner, a concurrent resolution on Namibian independence.

Read first time and assigned to the committee on **Rules and Administration**.

RECESS

On motion of Senator Horn, the Senate recessed at 12:19 p.m., until 2:30 p.m.

APPENDIX

GOVERNOR'S ITEM VETO MESSAGE

March 23, 1990

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 2212, a bill for an act relating to and making supplemental appropriations or decreasing appropriations to the department of human services, Iowa department of public health, state board of regents, department of general services, department of inspections and appeals, department of employment services, department of commerce, state department of transportation, department of corrections, department of public safety, department of justice, judicial department, department of elder affairs, department of agriculture and land stewardship, department of natural resources, department of cultural affairs, department of education, and college aid commission for the remainder of the fiscal year ending June 30, 1990, and providing an effective date.

Senate File 2212 is, therefore, approved on this date with the following exceptions which I hereby disapprove.

I am unable to approve the item designated as Section 2, in its entirety. This section would appropriate \$1 million to the Department of Human Services for nursing facility reimbursement at the 74th percentile of facility costs as calculated from the March 31, 1990, unaudited compilation of costs and statistical data. This would become effective on April 1, 1990, three months earlier than my recommendation. I cannot approve this earlier increase in reimbursement rates due to fiscal constraints.

I am unable to approve the item designated as Section 5, in its entirety. This provision would require that any funds not spent for enhanced mental health, mental retardation, developmental disabilities services not revert but be deposited in the State Supplementation of Federal Social Services Block Grant Fund, after county expenditures for candidate services are reimbursed. Unexpended funds appropriated for one purpose should not be automatically transferred and, therefore, made available for another purpose, thereby circumventing the appropriations process.

I am unable to approve the item designated as Section 17, in its entirety. This section authorizes the Alcoholic Beverages Division to spend \$375,000 for a new computer for the liquor warehouse. Although it is important that this division have the equipment and facilities necessary to adequately perform the responsibilities with which they have been statutorily charged, I am not convinced that purchasing a new computer is the most efficient or effective way of meeting the Division's data processing needs. This may be a good opportunity for the Division to work with the Information Services Division of the Department of General Services to incorporate its data processing needs in the state's central data processing system. Although this is an expenditure from the Alcoholic Beverages Revolving Fund, any money saved in that fund will benefit the General Fund because any amounts in excess of that agency's expenses are transferred to the General Fund.

I am unable to approve the item designated as Section 24, subsection 6. This calls for up to \$849,000 for the remodeling of administrative offices and the consolidation of certain district operations in the Fifth Judicial District Department of Correctional Services. This project was not recommended by the Board of Corrections and has not been examined through the normal budgetary channels. Architectural estimates have not been furnished to the Department of Corrections and this project cannot be justified as a high priority when compared to other more pressing needs and with consideration of the state's fiscal condition.

I am unable to approve the item designated as Section 31, in its entirety. This section would appropriate \$25,000 from the general fund to the Department of Public Safety to implement the accreditation for law enforcement agencies. This \$25,000 would only be the beginning of accreditation costs and does not reflect salary costs of personnel who would be assigned to the accreditation project. Nebraska utilized nine officers and Missouri intends to utilize eleven. Other contiguous states are incurring costs as great as \$200,000. Reaccreditation is required every five years, indicating ongoing costs. The quality of Iowa law enforcement will not suffer if this new program is not implemented.

I am unable to approve Section 32, in its entirety. This section appropriates \$220,000 to purchase a new office facility as a law enforcement headquarters for the Department. The Department of Public Safety did not request new headquarters and the current and forecasted fiscal picture requires spending restraint. I can not at this time approve of this item.

I am unable to approve Section 39, in its entirety. This section would partially fund information specialists and support of accounting section positions at the Department of Agriculture and Land Stewardship with a \$44,800 appropriation. Due to fiscal constraints, I can not approve additional administrative expenses at this time.

I am unable to approve Section 46, in its entirety. This section would appropriate \$20,000 to the Department of Education for the lift-up program in the Fifth Judicial District. The Department of Corrections has advised me that funds are not available within the Fifth Judicial District, therefore, a supplemental appropriation is no longer required and I am unable to approve this section.

I find Senate File 2212 to contain many worthwhile provisions including many of my recommendations. Supplementary medical assistance, Capitol restoration, and the beginning of a major expansion in our correctional system are necessary and key portions of this bill. I object to the use of lease-purchase and prefer paying cash for these facilities, however, the legislature has made it clear that lease-purchase is the only method they will consider to finance the expansion of the correctional system.

For the above reasons, I hereby respectfully disapprove these items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in Senate File 2212 are hereby approved as of this date.

Sincerely,
TERRY E. BRANSTAD
Governor

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 26th day of March, 1990:

Senate Files 2015, 2291, 2296, 2309, 2311, 2315, 2317, 2340, 2343, 2350, 2369 and 2388.

JOHN F. DWYER
Secretary of the Senate

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty-two high school students from Dows Community School, Dows, Iowa, accompanied by Nancy Hemphill and Virginia Hoelscher. Senator Taylor.

Thirty government students from Rockwell-Swaledale High School, Rockwell, Iowa, accompanied by Randy Bushbaum. Senator Scott.

PETITIONS

The following petitions were presented and placed on file by:

Senator Corning from one hundred two residents of Black Hawk County expressing their concern regarding rules and regulations the government is enforcing which the residents of the Lutheran Home feel are unnecessary and have the effect of increasing rates.

Senator Corning from eleven residents of Bremer County favoring legislation that would allow a child care home provider to care for as many as six full-time children in addition to some part-time children.

AMENDMENTS FILED

S—5679	H.F.	2459	House amendment
S—5680	S.F.	2402	House amendment
S—5681	S.F.	2328	House amendment
S—5682	S.F.	2163	John Kibbie
S—5683	S.F.	2337	Calvin Hultman

AFTERNOON SESSION

The Senate reconvened at 2:42 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 42 present, 8 absent and a quorum present.

MOTIONS TO RECONSIDER WITHDRAWN

House File 2320

Senator Gentleman withdrew the motion to reconsider House File 2320, a bill for an act relating to fire and casualty insurance, altering the method of filing rates subject to the approval of the commissioner of insurance, except for workers' compensation liability insurance rates, providing a special effective date, and authorizing civil penalties, filed by her on March 23, 1990, and found on page 1290 of the Senate Journal.

The motions to reconsider amendment S—5505 as amended and amendment S—5635 to amendment S—5505 filed by Senator Gentleman on March 23, 1990, and found on pages 1290-1291 of the Senate Journal were out of order.

Senate Concurrent Resolution 128

Senator Welsh withdrew the motion to reconsider Senate Concurrent Resolution 128, a concurrent resolution relating to the provision of cable television service, filed by him on March 23, 1990, and found on page 1290 of the Senate Journal.

Senate File 2411

Senator Welsh withdrew the motion to reconsider Senate File 2411, a bill for an act providing a seed capital income tax credit, authorizing expedited registration by filing for small issues under the state securities law, and providing effective and applicability dates, filed by him on March 20, 1990, and found on page 1210 of the Senate Journal.

House File 2450

Senator Sturgeon withdrew the motion to reconsider House File 2450, a bill for an act relating to court costs to the city for certain dismissals of parking violations and court costs and fees for certain parking violations, filed by him on March 21, 1990, and found on page 1224 of the Senate Journal.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House Files 2320, 2450, Senate File 2411 and Senate Concurrent Resolution 128** be immediately messaged to the House.

HOUSE AMENDMENT CONSIDERED**Senate File 2163**

Senator Kibbie called up for consideration Senate File 2163, a bill for an act relating to the composition and election of county agricultural extension councils, enacting transitional provisions, and providing an effective date, amended by the House in House amendment S—5670 filed March 23, 1990.

Senator Kibbie offered amendment S—5682 filed by him from the floor to House amendment S—5670 and moved its adoption.

Amendment S—5682 was adopted by a voice vote.

Senator Kibbie 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 Kibbie 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. 2163) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Pate	Peterson	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 1:

Tieden

Absent or not voting, 2:

Palmer Priebe

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

Senate File 2197

The Senate resumed consideration of Senate File 2197, a bill for an act relating to violations of an individual's rights, by prohibiting acts of assault and criminal mischief, providing victims actionable civil relief against offenders, establishing a program to monitor rights violations, and providing a penalty, and House amendment S—5552, previously deferred.

Senator Dieleman offered amendment S—5684 filed by him from the floor to House amendment S—5552.

Senator Mann raised the point of order that amendment S—5684 was not germane.

The Chair ruled the point well taken and amendment S—5684 out of order.

Senator Dieleman asked unanimous consent that action on House amendment S—5552 and Senate File 2197 be deferred.

Objection was raised by Senator Mann.

Senator Mann moved the Senate concur in House amendment S—5552, which motion prevailed by a voice vote.

Senator Mann moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2197) the vote was:

Ayes, 31:

Boswell	Bruner	Coleman	Corning
Deluhery	Doyle	Fuhrman	Gronstal
Hagerla	Hannon	Horn	Husak
Hutchins	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Peterson	Rife	Riordan
Running	Soorholtz	Sturgeon	Szymoniak
Tinsman	Varn	Welsh	

Nays, 16:

Dieleman	Drake	Gentleman	Gettings
Goodwin	Hedge	Hester	Hultman
Jensen	Nystrom	Pate	Rensink
Scott	Taylor	Tieden	Vande Hoef

Absent or not voting, 3:

Connolly	Fraise	Priebe
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred March 12, 1990)

House File 2475

The Senate resumed consideration of House File 2475, a bill

for an act relating to the surcharge for dishonored instruments, deferred March 12, 1990.

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. 2475) the vote was:

Ayes, 44:

Boswell	Bruner	Connolly	Corning
Deluhery	Dieleman	Doyle	Fraise
Fuhrman	Gentleman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Pate	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 5:

Coleman	Drake	Goodwin	Nystrom
Peterson			

Absent or not voting, 1:

Priebe

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Gronstal asked and received unanimous consent that **Senate File 2333** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS (Deferred March 16, 1990)

House File 2500

The Senate resumed consideration of House File 2500, a bill

for an act relating to the enforcement of outdoor recreation and natural resource laws, by defining repeat offenders, by requiring the reporting of hunting accidents, by providing for the suspension of licenses, permits, and certificates, and by providing penalties, deferred March 16, 1990.

Senator Doyle offered amendment S—5543 filed by him on March 16, 1990, to pages 1 and 2 of the bill.

Senator Doyle offered amendment S—5581 filed by him on March 20, 1990, to amendment S—5543 and moved its adoption.

Amendment S—5581 was adopted by a voice vote.

Senator Doyle moved the adoption of amendment S—5543 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. 2500) the vote was:

Ayes, 49:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Priebe

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred March 13, 1990)

House File 2357

The Senate resumed consideration of House File 2357, a bill for an act relating to the applicability of school district reorganization incentives and providing a retroactive applicability date, deferred March 13, 1990.

Senator Murphy offered amendment S—5674 filed by him on March 23, 1990, to page 1 of the bill and moved its adoption.

Amendment S—5674 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. 2357) the vote was:

Ayes, 49:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Priebe

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred March 21, 1990)

House File 2496

The Senate resumed consideration of House File 2496, a bill for an act requiring a group health benefits insurer to disclose certain information relating to claims experience and costs of those claims, deferred on March 21, 1990.

Senator Gronstal offered amendment S—5630 filed by him on March 21, 1990, to page 1 of the bill and moved its adoption.

Amendment S—5630 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. 2496) the vote was:

Ayes, 49:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Priebe

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred March 16, 1990)

House File 2154

The Senate resumed consideration of House File 2154, a bill for an act relating to civil rights by requiring certain cities to maintain a local civil rights agency or commission and provide adequate funding for the agency or commission, and providing for the continuation in effect of certain local civil rights laws, deferred on March 16, 1990.

Senator Szymoniak offered amendment S—5421 filed by the committee on Local Government on March 8, 1990, to page 3 and the title page of the bill and moved its adoption.

Amendment S—5421 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. 2154) the vote was:

Ayes, 48:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 1:

Gentleman

Absent or not voting, 1:

Priebe

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 2500, 2357, 2496 and 2154** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Ways and Means Calendar)

House File 2540

On motion of Senator Riordan, House File 2540, a bill for an act relating to and providing a temporary property tax exemption for certain increased valuation of historic property, providing a phase-in of increased valuation, and providing an applicability date, with report of committee recommending passage, was taken up for consideration.

Senator Riordan offered amendment S—5558 filed by Senators Riordan and Doyle on March 19, 1990, to page 1 of the bill and moved its adoption.

Amendment S—5558 was adopted by a voice vote.

Senator Riordan offered amendment S—5559 filed by Senators Riordan and Doyle on March 19, 1990, to page 1 of the bill and moved its adoption.

Amendment S—5559 was adopted by a voice vote.

Senator Riordan moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2540) the vote was:

Ayes, 48:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman

Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Priebe Running

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 2385

Senator Pate called up for consideration Senate File 2385, a bill for an act establishing a new agricultural products and processes program and creating a state fund to support the program, amended by the House, and moved that the Senate concur in House amendment S—5673 filed March 23, 1990.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Pate 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. 2385) the vote was:

Ayes, 49:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen

Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Priebe

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred March 13, 1990)

House File 2384

The Senate resumed consideration of House File 2384, a bill for an act establishing a state fair challenge grant foundation, deferred on March 13, 1990.

Senator Pate offered amendment S—5565 filed by him on March 19, 1990, to page 2 of the bill and moved its adoption.

Amendment S—5565 was adopted by a voice vote.

Senator Dieleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2384) the vote was:

Ayes, 48:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Nystrom	Palmer
Pate	Peterson	Rensink	Rife

Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Murphy	Priebe
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred March 16, 1990)

House File 2487

The Senate resumed consideration of House File 2487, a bill for an act relating to the appointment of an environmental advocate and the establishment of an environmental advocate advisory committee, deferred March 16, 1990.

Senator Connolly offered amendment S—5455 filed by the committee on Environment and Energy Utilities on March 12, 1990, to page 3 of the bill and moved its adoption.

Amendment S—5455 was adopted by a voice vote.

Senator Connolly offered amendment S—5655 filed by him on March 21, 1990, to pages 2, 4 and the title page of the bill.

Senator Connolly offered amendment S—5666 filed by him on March 23, 1990, to amendment S—5655 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 24.

Amendment S—5666 was adopted.

Senator Connolly moved the adoption of amendment S—5655 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—5655 as amended, the Chair ruled amendment S—5520 filed by Senator Deluhery on March 15, 1990, to page 2 of the bill, out of order.

Senator Deluhery asked and received unanimous consent that action on **House File 2487** be **deferred**.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House File 2450** 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 26, 1990, appointed the conference committee to House File 673, a bill for an act allowing a county to allocate a portion of its secondary road fund allotment to its county conservation board for improvement, construction, or reconstruction of county conservation parkways, and the members are: the Representative from Jasper, Mr. Black, Chair; the Representative from Mitchell, Mr. Koenigs; the Representative from Dubuque, Mr. Murphy; the Representative from Page, Mr. Royer and the Representative from Scott, Mr. Schnekloth.

APPENDIX

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on March 26, 1990, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 182 — Relating to the commencement in the district court of certain civil rights actions involving administrative closures.

SENATE FILE 460 — Relating to obtaining depositions in a foreign jurisdiction.

SENATE FILE 2137 — Providing for the disposal of forfeited weapons.

SENATE FILE 2139 — Relating to the appeal process for certain postconviction procedures.

SENATE FILE 2155 — Relating to the computation of workers' compensation benefits for elected and appointed officials.

SENATE FILE 2252 — Relating to the Iowa logo program and the use of the logo.

SENATE FILE 2257 — Relating to the distribution of lists of certified ophthalmic dispensers.

SENATE FILE 2290 — Relating to the theft of fish from private fish hatcheries.

SENATE FILE 2322 — Relating to participation in extracurricular interscholastic contests and competitions by certain children.

SENATE FILE 2363 — Relating to commercial weighing and measuring, and providing an effective date.

SUBCOMMITTEE ASSIGNMENT

Senate Concurrent Resolution 129

TRANSPORTATION: Drake, Chair; Coleman and Scott

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 appointment, completed its investigation on March 26, 1990, and recommended the appointee be confirmed:

Marilee Fredericks for reappointment; Frank Harold Hermisen, Beverly Jane Pangburn and Beverly Ann Sanderson for appointment, as members of the Mental Health and Mental Retardation Commission.

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 appointment, completed its investigation on March 26, 1990, and recommended the appointee be confirmed:

Varley G. Bailey for reappointment as a member of the Wallace Technology Transfer Foundation of Iowa.

STATE GOVERNMENT

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the following Governor's appointment, completed its investigation on March 26, 1990, and recommended the appointee be confirmed:

Gary A. Kirchhof for appointment as a member of the State Board of Examiners for Nursing Home Administrators.

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MADAM PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Varel G. Bailey be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar".

JAMES RIORDAN

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which House File 2475 passed the Senate on March 26, 1990.

MICHAEL E. GRONSTAL

MADAM PRESIDENT: I move to reconsider the vote by which House File 2384 passed the Senate on March 26, 1990.

JOE J. WELSH

MADAM PRESIDENT: I move to reconsider the vote by which House File 2384 passed the Senate on March 26, 1990.

JOHN SOORHOLTZ

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 2450, the following correction was made:

1. Page 1, line 26, the number "1991." was changed to the number "1991."

JOHN F. DWYER
Secretary of the Senate

COMMITTEE REPORT

TRANSPORTATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 129, a concurrent resolution urging the President of the United States, the Federal Highway Administration of the United States Department of Transportation, and the United States House Public Works and Transportation Committee, and the United States Senate Commerce, Science and Transportation Committee to work toward ascertaining funding for development of a four-lane highway to connect the cities of St. Louis, Missouri, and St. Paul, Minnesota, more commonly referred to as "The Avenue of the Saints."

Recommendation: DO PASS.

Final Vote: Ayes, 9: Coleman, Scott, Drake, Dieleman, Doyle, Gettings, Goodwin, Lloyd-Jones and Nystrom. Nays, none. Absent or not voting, 1: Jensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5684	S. F.	2197	William Dieleman
S—5685	H. F.	2281	Paul Pate
S—5686	H. F.	656	C. Joseph Coleman
S—5687	H. F.	2371	Al Sturgeon

S--5688

H.F.

2270

Julia Gentleman

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:11 p.m., until 9:00 a.m., Tuesday, March 27, 1990.

JOURNAL OF THE SENATE

SEVENTY-NINTH CALENDAR DAY
FIFTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 27, 1990

The Senate met in regular session at 9:15 a.m., President Zimmerman presiding.

Prayer was offered by Bishop Rueben Job, Bishop of the United Methodist Church Headquarters, Des Moines, Iowa.

The Journal of Monday, March 26, 1990, 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 8, 1990, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2244, a bill for an act relating to parking fines, handicapped parking spaces, and handicapped identification devices (S—5689).

ALSO: That the House has on March 23, 1990, passed the following bills in which the concurrence of the House was asked:

Senate File 2100, a bill for an act relating to fraternal benefit societies, imposing penalties, and providing an effective date.

Senate File 2113, a bill for an act relating to reporting ingredients of pesticides, making penalties applicable, and providing penalties.

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.

MOTIONS TO OVERRIDE GOVERNOR'S ITEM VETOES LOST

Senator Welsh called up for consideration Senate File 2212, a bill for an act relating to and making supplemental appropriations or decreasing appropriations to the department of human services, Iowa department of public health, state board of regents, department of general services, department of inspections and appeals, department of employment services, department of commerce, state department of transportation, department of corrections, department of public safety, department of justice, judicial department, department of elder affairs, department of agriculture and land stewardship, department of natural resources, department of cultural affairs, department of education, and college aid commission for the remainder of the fiscal year ending June 30, 1990, and providing an effective date, and moved to reconsider and pass, the objections of the Governor notwithstanding, Section 31 as item vetoed by the Governor on March 23, 1990.

On the question "Shall the Senate on reconsideration, agree to pass Section 31, the objections of the Governor to the contrary notwithstanding?" (S.F. 2212) the vote was:

Ayes, 29:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley
Lloyd-Jones	Mann	Miller	Palmer
Peterson	Priebe	Riordan	Running
Scott	Sturgeon	Szymoniak	Varn
Welsh			

Nays, 20:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Nystrom
Pate	Rensink	Rife	Soorholtz
Taylor	Tieden	Tinsman	Vande Hoef

Absent or not voting, 1:

Murphy

The motion having failed to receive a two-thirds vote was declared to have lost and the Governor's item veto was sustained.

Senator Hutchins called up for consideration Senate File 2212, and moved to reconsider and pass, the objections of the Governor notwithstanding, Section 32 as item vetoed by the Governor on March 23, 1990.

On the question "Shall the Senate on reconsideration, agree to pass Section 32, the objections of the Governor to the contrary notwithstanding?" (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, 29:

Boswell	Bruner	Coleman	Connolly
Deluhery	Doyle	Fraise	Gettings
Gronstal	Hannon	Horn	Husak
Hutchins	Kibbie	Kinley	Lloyd-Jones
Mann	Miller	Palmer	Peterson
Priebe	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Varn
Welsh			

Nays, 19:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Nystrom
Pate	Rensink	Rife	Taylor
Tieden	Tinsman	Vande Hoef	

Absent or not voting, 2:

Dieleman Murphy

The motion having failed to receive a two-thirds vote was declared to have lost and the Governor's item veto was sustained.

Senator Welsh called up for consideration Senate File 2212, and moved to reconsider and pass, the objections of the Governor notwithstanding, Section 2 as item vetoed by the Governor on March 23, 1990.

On the question "Shall the Senate on reconsideration, agree to pass Section 2, the objections of the Governor to the contrary notwithstanding?" (S.F. 2212) the vote was:

Ayes, 28:

Boswell	Coleman	Connolly	Deluhery
Dieleman	Doyle	Fraise	Gettings
Gronstal	Hannon	Horn	Husak
Hutchins	Kibbie	Kinley	Lloyd-Jones
Mann	Miller	Palmer	Peterson
Priebe	Riordan	Running	Scott
Sturgeon	Szymoniak	Varn	Welsh

Nays, 21:

Bruner	Corning	Drake	Fuhrman
Gentleman	Goodwin	Hagerla	Hedge
Hester	Hultman	Jensen	Lind
Nystrom	Pate	Rensink	Rife
Soorholtz	Taylor	Tieden	Tinsman
Vande Hoef			

Absent or not voting, 1:

Murphy

The motion having failed to receive a two-thirds vote was declared to have lost and the Governor's item veto was sustained.

Senator Hutchins asked and received unanimous consent that further action on the Governor's item vetoes of Senate File 2212 be indefinitely postponed and that the bill be removed from the Veto Messages Calendar.

HOUSE AMENDMENT CONSIDERED

Senate File 2186

Senator Connolly called up for consideration Senate File 2186, a bill for an act relating to the receipt of assistance under certain economic development programs and providing civil penalties for certain violations, amended by the House, and moved that the Senate concur in House amendment S—5501 filed March 15, 1990.

A record roll call was requested.

On the question "Shall the motion to concur be adopted?" (S.F. 2186) the vote was:

Ayes, 31:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Drake	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Palmer	Priebe	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Varn	Welsh	

Nays, 19:

Corning	Doyle	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Nystrom	Pate
Peterson	Rensink	Rife	Taylor
Tieden	Tinsman	Vande Hoef	

The motion prevailed and the Senate concurred in the House amendment.

Senator Connolly 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. 2186) the vote was:

Ayes, 31:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Gronstal	Hannon
Horn	Husak	Hutchins	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Murphy	Palmer	Priebe	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Varn	Welsh	

Nays, 17:

Corning	Fuhrman	Gentleman	Goodwin
Hagerla	Hedge	Hester	Hultman
Jensen	Nystrom	Peterson	Rensink
Rife	Taylor	Tieden	Tinsman
Vande Hoef			

Absent or not voting, 2:

Miller	Pate
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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.

PRESENTATION OF PELLA TULIP QUEEN

Senator Dieleman presented Heather Heiting, Queen of the Fifty-fifth Annual Tulip Time Festival, who in turn introduced the members of her court: Jill Dieleman, Holly Gosselink, Michelle Poortinga and Kelly Pothoven.

Queen Heather invited the members of the Senate to attend the Tulip Time Festival in Pella May 10, 11 and 12, 1990.

The Queen, her attendants and their parents distributed the famous Dutch cookies to the senators and staff.

RECESS

On motion of Senator Hutchins, the Senate recessed at 10:58 a.m., until 2:30 p.m.

APPENDIX

COMMUNICATIONS

Senator Welsh asked and received unanimous consent on March 26, 1990, to have the following letter from the Office of the Governor and statement by Senator Welsh printed in the Senate Journal:

March 23, 1990

The Honorable Joe Welsh
State Senator
State Capitol Building
LOCAL

Dear Joe:

This letter will confirm our support of Senate File 2411, which provides seed capital income tax credit and authorizes an expedited registration process for small securities issues.

We appreciate your concern for the fiscal impact of this bill and believe it to be workable for fiscal year 1991 and in the future.

Thank you for the opportunity to comment.

Sincerely,
DONALD J. PAULIN
Administrative Assistant

I, Senator Joe J. Welsh, do wish to enter into the Senate Journal as a record of the following procedures that I completed in regard to Senate File 2411. That bill is an act that provides seed capital income tax credit and authorizes an expedited registration process for small securities issues.

During consideration by the Senate, I received correspondence from the Insurance Division of the Iowa Department of Commerce which indicated that the estimated tax consequences would be a tax reduction of \$1.2 million for the next three fiscal years. The Department of Revenue and Finance indicated that the fiscal impact cannot be determined because of the unknown levels of participation and investment. The Department of Management would not provide a letter stating that Senate File 2411 was built into the FY 91 budget.

I withdrew my motion to reconsider Senate File 2411 after receiving correspondence from the Governor's office which indicated their support for the bill and indicated that the fiscal impact was workable for fiscal year 1991 and in the future.

EXPLANATION OF VOTE

MADAM PRESIDENT: I was participating in a meeting off the Senate floor and missed the vote on Senate File 2197. Had I been present I want the record to show that I would have voted "aye" as I always have when this issue has been debated before the legislature.

MIKE CONNOLLY

REPORTS OF COMMITTEE MEETINGS**HUMAN RESOURCES**

Convened: March 26, 1990, 2:30 p.m.

Members Present: Hannon, Chair; Corning, Ranking Member; Connolly, Gentleman, Hagerla, Horn, Riordan and Tinsman.

Members Absent: Bruner, Vice Chair; Murphy, Sturgeon and Taylor (all excused).

Committee Business: Recommended confirmation of Governor's appointees.

Adjourned: 2:33 p.m.

STATE GOVERNMENT

Convened: March 26, 1990, 2:35 p.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn and Vande Hoef.

Members Absent: Nystrom, Ranking Member; Rife, Running and Soorholtz (all excused).

Committee Business: Recommended confirmation of Governor's appointee.

Adjourned: 2:37 p.m.

TRANSPORTATION

Convened: March 26, 1990, 2:00 p.m.

Members Present: Coleman, Chair; Scott, Vice Chair; Drake, Ranking Member; Dieleman, Doyle, Gettings, Goodwin, Lloyd-Jones and Nystrom.

Members Absent: Jensen.

Committee Business: Recommended passage of Senate Concurrent Resolution 129.

Adjourned: 2:05 p.m.

SUBCOMMITTEE ASSIGNMENT

SSB 2304

APPROPRIATIONS: Varn, Chair; Welsh and Lind

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifty-eight fifth grade students from Underwood Elementary School, Underwood, Iowa, accompanied by Patrick Girard. Senator Hester.

Forty high school students from Belmond High School, Belmond, Iowa, accompanied by Mr. Post. Senator Taylor.

Thirty student council members from Holmes Junior High School, Cedar Falls, Iowa, accompanied by Mr. Andreasen and Mrs. Gray. Senator Corning.

COMMITTEE REPORT

APPROPRIATIONS

Final Bill Action: SENATE FILE 2420 (SSB 2304), a bill for an act relating to the transfer of appropriations within and between state departments, institutions, and agencies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 19: Welsh, Boswell, Tieden, Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn. Nays, none. Absent or not voting, 2: Lloyd-Jones and Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 27th day of March, 1990:

Senate Files 2097, 2201, 2227, 2262, 2263, 2158, 2235, 57, 2080, 2052 and Senate Joint Resolution 2003.

JOHN F. DWYER
Secretary of the Senate

AMENDMENTS FILED

S—5689	S. F.	2244	House amendment
S—5690	H. F.	2371	Calvin Hultman
S—5691	H. F.	2346	Calvin Hultman
S—5692	S. F.	2371	Julia Gentleman
S—5693	H. F.	2497	Ray Taylor
S—5694	H. F.	2342	Donald Doyle
S—5695	S. F.	2364	John Kibbie
			C. Joseph Coleman
			Calvin Hultman
			Wally Horn
			Jim Lind
			Kenneth Scott
			Dale Tieden
			William Dieleman
			Berl Priebe
			Jack Rife
			John Soorholtz
			John Nystrom
S—5696	S. F.	2416	Larry Murphy
S—5697	H. F.	2342	Mike Connolly
S—5698	H. F.	2342	Mike Connolly
S—5699	H. F.	2342	Mike Connolly
S—5700	H. F.	2342	Mike Connolly
S—5701	H. F.	2342	Donald Doyle

AFTERNOON SESSION

The Senate reconvened at 2:59 p.m., Senator Kinley presiding.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 26, 1990, 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 2169, a bill for an act relating to actions by employers by prohibiting employers from taking certain deductions from employees' wages, requiring employers to provide certain services for non-English speaking employees, requiring certain practices upon recruitment of employees from out-of-state locations, and providing penalties.

INTRODUCTION OF BILLS

Senate File 2420, by committee on Appropriations, a bill for an act relating to the transfer of appropriations within and between state departments, institutions, and agencies.

Read first time and **placed on Appropriations calendar.**

Senate File 2421, by committee on Appropriations, a bill for an act relating to human services and making appropriations to the department of human services and other properly related matters and providing an effective date.

Read first time and **placed on Appropriations calendar.**

QUORUM CALL

Senator Husak requested a non record roll call to determine that a quorum was present.

The vote revealed 39 present, 11 absent and a quorum present.

The Senate stood at ease until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session, Senator 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.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **House File 2390** be referred from the Unfinished Business Calendar to the committee on **State Government**.

UNFINISHED BUSINESS (Deferred March 16, 1990)

House File 2343

The Senate resumed consideration of House File 2343, a bill for an act relating to the fee charged by an employment agency for the procurement of a position of employment, deferred March 16, 1990.

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. 2343) the vote was:

Ayes, 39:

Boswell	Coleman	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Nystrom	Palmer
Peterson	Priebe	Rensink	Rife
Riordan	Scott	Szymoniak	Taylor
Tinsman	Vande Hoef	Varn	

Nays, 10:

Bruner	Goodwin	Jensen	Mann
Murphy	Pate	Running	Sturgeon
Tieden	Welsh		

Absent or not voting, 1:

Soorholtz

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENT CONSIDERED

Senate File 2306

Senator Murphy called up for consideration Senate File 2306, a bill for an act relating to open enrollment, including the general intent, notification dates, exceptions to notification dates, board action on requests, counting of pupils for state foundation aid purposes, student expulsion or suspension, qualification for transportation, and participation of laboratory schools, and providing an effective date, amended by the House in House amendment S—5534 filed March 16, 1990.

Senator Murphy offered amendment S—5596 filed by him on March 20, 1990, to House amendment S—5534 and moved its adoption.

Amendment S—5596 was adopted by a voice vote.

Senator Coleman offered amendment S—5538 filed by him on March 16, 1990, to House amendment S—5534 and moved its adoption.

Amendment S—5538 was adopted by a voice vote.

Senator Murphy offered amendment S—5707 filed by him from the floor to House amendment S—5534.

Senator Hultman asked and received unanimous consent that action on amendment S—5707 to House amendment S—5534, House amendment S—5534 as amended, and **Senate File 2306** be **deferred**.

CONSIDERATION OF BILL
(Appropriations Calendar)

House File 2371

On motion of Senator Sturgeon, House File 2371, a bill for an act relating to and making appropriations to the civil rights commission, the department of human rights, the department for the blind, the department of elder affairs, and the Iowa department of public health, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Sturgeon asked and received unanimous consent to withdraw amendment S—5500 filed by the committee on Appropriations on March 14, 1990, to pages 2 through 6, 15, 23 through 25 and the title page of the bill.

The Chair ruled the following amendments to amendment S—5500 out of order:

S—5561 filed by Senators Kibbie and Hannon on March 19, 1990.

S—5614 filed by Senator Murphy on March 21, 1990.

S—5687 filed by Senator Sturgeon on March 26, 1990.

S—5690 filed by Senator Hultman from the floor.

Senator Sturgeon offered amendment S—5704 filed by him from the floor to pages 2 through 7, 9, 11 through 15, 22 through 25 and the title page of the bill.

Senator Kibbie offered amendment S—5709 filed by Senators Kibbie and Hannon from the floor to amendment S—5704 and moved its adoption.

A non record roll call was requested.

The ayes were 33, nays 10.

Amendment S—5709 was adopted.

Senator Tinsman offered amendment S—5710 filed by Senators Tinsman, Gentleman and Pate from the floor to amendment S—5704.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Lind and Soorholtz for the remainder of the day on request of Senator Hultman.

BUSINESS PENDING

House File 2371

The Senate resumed consideration of House File 2371.

Senator Tinsman moved the adoption of amendment S—5710 to amendment S—5704 and requested a record roll call.

On the question "Shall amendment S—5710 to amendment S—5704 be adopted?" (H.F. 2371) the vote was:

Ayes, 22:

Corning	Doyle	Drake	Fuhrman
Gentleman	Goodwin	Hagerla	Hedge
Hester	Hultman	Jensen	Miller
Nystrom	Pate	Priebe	Rensink
Rife	Scott	Taylor	Tieden
Tinsman	Vande Hoef		

Nays, 26:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Fraise	Gettings
Gronstal	Hannon	Horn	Husak
Hutchins	Kibbie	Kinley	Lloyd-Jones
Mann	Murphy	Palmer	Peterson
Riordan	Running	Sturgeon	Szymoniak
Varn	Welsh		

Absent or not voting, 2:

Lind	Soorholtz
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Amendment S—5710 lost.

Senator Szymoniak offered amendment S—5708 filed by her from the floor to amendment S—5704 and moved its adoption.

Amendment S—5708 was adopted by a voice vote.

Senator Hultman offered amendment S—5713 filed by Senators Hultman and Taylor from the floor to amendment S—5704 and moved its adoption.

Amendment S—5713 was adopted by a voice vote.

Senator Welsh filed the following motion to reconsider from the floor and moved its adoption:

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—5713 to amendment S—5704 to House File 2371 was adopted by the Senate on March 27, 1990.

A non record roll call was requested.

The ayes were 24, nays 20.

The motion prevailed and amendment S—5713 to amendment S—5704 was taken up for reconsideration.

Senator Hultman asked and received unanimous consent that action on amendment S—5713 to amendment S—5704 and amendment S—5704 as amended be deferred.

Senator Dieleman asked and received unanimous consent to withdraw amendments S—5599 and S—5609 filed by Senators Dieleman and Bruner on March 20, 1990, to page 25 and the title page of the bill.

The Senate resumed consideration of amendment S—5704 by Senator Sturgeon as amended and amendment S—5713 by Senators Hultman and Taylor, previously deferred.

Senator Welsh raised the point of order that amendment S—5713 to amendment S—5704 was not germane.

The Chair ruled the point well taken and amendment S—5713 out of order.

Senator Sturgeon moved the adoption of amendment S—5704 as amended, which motion prevailed by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hagerla for the remainder of the day on request of Senator Jensen.

BUSINESS PENDING

House File 2371

The Senate resumed consideration of House File 2371.

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. 2371) the vote was:

Ayes, 39:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gettings	Gronstal
Hannon	Hedge	Horn	Husak
Hutchins	Kibbie	Kinley	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Riordan	Running	Scott
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Varn	Welsh	

Nays, 7:

Fuhrman	Gentleman	Goodwin	Hester
Jensen	Rife	Vande Hoef	

Absent or not voting, 4:

Hagerla	Hultman	Lind	Soorholtz
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

BUSINESS PENDING

Senate File 2306

The Senate resumed consideration of Senate File 2306, a bill for an act relating to open enrollment, including the general intent, notification dates, exceptions to notification dates, board action on requests, counting of pupils for state foundation aid purposes, student expulsion or suspension, qualification for transportation, and participation of laboratory schools, and providing an effective date, House amendment S—5534 as amended and amendment S—5707 to House amendment S—5534, previously deferred.

Senator Murphy moved the adoption of amendment S—5707 to House amendment 5534, which motion prevailed by a voice vote.

Senator Murphy moved that the Senate concur in House amendment S—5534 as amended, which motion prevailed by a voice vote.

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. 2306) the vote was:

Ayes, 46:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hannon
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kibbie	Kinley
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Hagerla

Hultman

Lind

Soorholtz

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENT CONSIDERED

Senate File 2328

Senator Running called up for consideration Senate File 2328, a bill for an act relating to and making appropriations to regulatory bodies of state government, including the auditor of state, the campaign finance disclosure commission, the department of employment services, the office of the state public defender, the department of inspections and appeals, the department of commerce, and the racing and gaming commission, and providing an effective date, amended by the House in House amendment S—5681 filed March 26, 1990.

Senator Running asked and received unanimous consent that action on House amendment S—5681 and **Senate File 2328** be **deferred**.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House Files 2371, 2343** and **Senate File 2306** be **immediately messaged** to the House.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

House File 2407

WAYS AND MEANS: Connolly, Chair; Riordan and Soorholtz

House File 2551

WAYS AND MEANS: Szymoniak, Chair; Fraise and Hester

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 2421, a bill for an act relating to human services and making appropriations to the department of human services and other properly related matters and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 17: Welsh, Boswell, Bruner, Corning, Fraise, Gettings, Gronstal, Husak, Jensen, Lind, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn. Nays, 2: Tieden and Goodwin. Absent or not voting, 2: Lloyd-Jones and Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: HOUSE FILE 2407, a bill for an act relating to the designation, inventory, and protection of wetlands, providing a civil penalty for violations, and providing a property tax exemption for wetlands.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5706.

Final Vote: Ayes, 12: Dieleman, Hester, Connolly, Drake, Fraise, Fuhrman, Gentleman, Murphy, Palmer, Riordan, Soorholtz and Szymoniak. Nays, none. Absent or not voting, 3: Husak, Bruner and Hultman.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

STUDY BILL RECEIVED

SSB 2304 Appropriations

Relating to the transfer of appropriations within and between state departments, institutions, and agencies.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Karen Saltzman — For receiving Iowa's Young Mother of the Year Award. Senator Boswell (March 27, 1990).

The Waukee Warriors — For their outstanding season and appearance in the 1990 Boys' State high school basketball tournament. Senator Riordan (March 16, 1990).

The Panorama High School girls' basketball team — For their outstanding season and appearance in the 1990 Girls' State high school basketball tournament. Senator Riordan (March 9, 1990).

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on March 27, 1990, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 18 — Relating to the time period within which an information or indictment for sexual abuse with a child under the age of twelve shall be found.

SENATE FILE 2059 — Authorizing merged area schools to establish a self-insurance program for the payment of workers' compensation benefits, exempting the self-insurance program from taxation, and exempting the self-insurance program from insurance regulation.

SENATE FILE 2164 — Relating to the date of publication and distribution of the report of state employee salaries.

SENATE FILE 2165 — Abolishing the duty of the treasurer of state to approve increases in the maximum deposit limit of a local government in a depository financial institution.

SENATE FILE 2181 — Altering the penalty for late payment of the solid waste tonnage fee.

SENATE FILE 2187 — Relating to workers' health, safety, and welfare, and effecting funding for the second injury fund.

SENATE FILE 2232 — Relating to indemnification of art exhibitors by the Iowa arts council.

SENATE FILE 2248 — Relating to certain advertising by a hearing aid dealer.

SENATE FILE 2261 — Relating to the filing of uniform commercial code financing statements by permitting a filing officer to accept for filing a copy of a signature and authorizing the adoption of rules to permit electronic filing of financing statements.

SENATE FILE 2268 — Changing the time deadlines for submission of state agency affirmative action plans and annual reports and providing an effective date.

SENATE FILE 2271 — Specifying the required contents of a plan for bank merger or consolidation.

SENATE FILE 2334 — Regulating business relationships between suppliers and dealers of certain equipment and providing dates of applicability.

AMENDMENTS FILED

S—5702	S.F.	2417	Michael Gronstal
S—5703	S.C.R.	129	Michael Gronstal C. Joseph Coleman
S—5704	H.F.	2371	Al Sturgeon
S—5705	S.F.	2328	Michael Gronstal
S—5706	H.F.	2407	Ways and Means
S—5707	S.F.	2306	Larry Murphy
S—5708	H.F.	2371	Elaine Szymoniak
S—5709	H.F.	2371	John Kibbie Beverly Hannon
S—5710	H.F.	2371	Maggie Tinsman Julia Gentleman Paul Pate
S—5711	S.F.	2328	Tom Mann, Jr. Richard J. Varn
S—5712	S.F.	2328	Richard Running
S—5713	H.F.	2371	Calvin Hultman Ray Taylor
S—5714	S.F.	2328	Calvin Hultman
S—5715	S.F.	2402	Don Gettings

S—5716	H.F.	2440	Joe Welsh Jean Lloyd-Jones Larry Murphy Joy Corning John Kibbie
S—5717	S.F.	2328	Bill Hutchins
S—5718	S.F.	2421	Charles Bruner

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:20 p.m., until 9:00 a.m., Wednesday, March 28, 1990.

JOURNAL OF THE SENATE

EIGHTIETH CALENDAR DAY
FIFTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 28, 1990

The Senate met in regular session at 9:00 a.m., President pro tempore Mann presiding.

Prayer was offered by the Reverend Sandra Pippert, pastor of the Congregational Church, Rockwell, Iowa.

The Journal of Tuesday, March 27, 1990, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hagerla for a portion of 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.

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 2414** be referred from the Ways and Means Calendar to the committee on **Commerce**.

Senator Hutchins asked and received unanimous consent that **House File 2407** be referred from the Ways and Means Calendar to the committee on **Agriculture** and returned to the Senate Calendar by 1:00 p.m., March 30, 1990.

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:

Diane Leonard as Administrator of the Division of Deaf Services.

Joan B. Poe as a member of the Alcoholic Beverages Commission.

Jack F. Breithaupt as a member of the Commission on Judicial Qualifications.

George Belitsos as a member of the Criminal and Juvenile Justice Advisory Council.

F.H. "Mike" Forrest as Drug Enforcement and Abuse Prevention Coordinator.

Jeffrey D. Benson as a member of the Landscape Architectural Examining board.

Rick Jennings as a member of the Psychology Examining Board.

Colette J. Kunkel as a member of the Speech Pathology and Audiology Examining Board.

Bruce D. Buchanan as a member of the Social Work Examining Board.

Kathryn Youberg as a member of the State Foster Care Review Board.

Marilee Fredericks and Beverly Ann Sanderson as members of the Mental Health and Mental Retardation Commission.

Alvin E. Bremer as a member of the Mortuary Science Examining Board.

Gary A. Kirchhof as a member of the State Board of Examiners for Nursing Home Administrators.

Senator Hutchins moved that the foregoing appointments be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 45:

Bruner	Coleman	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Soorholtz	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Welsh			

Nays, none.

Absent or not voting, 5:

Boswell	Hagerla	Scott	Sturgeon
Varn			

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

HOUSE AMENDMENT CONSIDERED (Deferred March 27, 1990)

Senate File 2328

The Senate resumed consideration of Senate File 2328, a bill for an act relating to and making appropriations to regulatory bodies of state government, including the auditor of state, the campaign finance disclosure commission, the department of employment services, the office of the state public defender, the department of inspections and appeals, the department of commerce, and the racing and gaming commission, and providing an effective date, and House amendment S—5681, deferred March 27, 1990.

Senator Coleman took the chair at 9:24 a.m.

Senator Running offered amendment S—5712 filed by him on March 27, 1990, to House amendment S—5681.

Senator Hultman offered amendment S—5714 filed by him on March 27, 1990, to amendment S—5712 to House amendment S—5681 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 26.

Amendment S—5714 lost.

Senator Hultman called for a division of amendment S—5712 to House amendment S—5681:

Division: S—5712A: Page 1, lines 4 through 50; page 2; page 3, lines 1 through 17 and lines 31 through 40.

Division S—5712B: Page 3, lines 18 through 30.

Senator Gentleman offered amendment S—5721 filed by her from the floor to division S—5712A to House amendment S—5681.

Senator Running raised the point of order that amendment S—5721 was out of order because the same subject matter had been considered in amendment S—5714.

The Chair ruled the point well taken and amendment S—5721 to division S—5712A to House amendment S—5681, out of order.

Senator Hultman raised the point of order that division S—5712A to House amendment S—5681 was not germane.

The Chair ruled the point well taken and division S—5712A to House amendment S—5681 out of order.

Action on division S—5712B to House amendment S—5681 was temporarily deferred.

Senator Gronstal offered amendment S—5705 filed by him on March 27, 1990, to House amendment S—5681.

Senator Dieleman raised the point of order that amendment S—5705 to House amendment S—5681 was not germane.

The Chair ruled the point not well taken and amendment S—5705 in order.

Senator Gronstal moved the adoption of amendment S—5705 to House amendment S—5681.

A non record roll call was requested.

The ayes were 25, nays 8.

Amendment S—5705 was adopted.

Senator Mann offered amendment S—5711 filed by Senators Mann and Varn on March 27, 1990, to House amendment S—5681.

Senator Hutchins withdrew amendment S—5717 filed by him on March 27, 1990, to amendment S—5711 to House amendment S—5681.

Senator Mann asked and received unanimous consent to withdraw amendment S—5711 to House amendment S—5681.

The Senate resumed consideration of division S—5712B to House amendment S—5681, previously deferred.

Senator Connolly offered amendment S—5724 filed by him from the floor to division S—5712B to House amendment S—5681.

Senator Deluhery raised the point of order that amendment S—5724 to division S—5712B to House amendment S—5681 was not germane.

The Chair ruled the point well taken and amendment S—5724 out of order.

Senator Hutchins raised the point of order that division S—5712B to House amendment S—5681 was not germane.

The Chair ruled the point well taken and division S—5712B out of order.

Senator Hutchins asked and received unanimous consent that action on House amendment S—5681 as amended and **Senate File 2328** be deferred.

President pro tempore Mann took the chair at 10:30 a.m.

The Senate stood at ease until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session, President pro tempore Mann presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 46 present, 4 absent and a quorum present.

DEFERRAL OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Scott called up the appointment and reappointment of Varel G. Bailey as a member of the Wallace Technology Transfer Foundation of Iowa, placed on the Individual Confirmation Calendar on February 1, 1990, page 309 of the Senate Journal and March 26, 1990, page 1323 of the Senate Journal.

Senator Hutchins requested that a single vote be taken for confirmation of the appointment and reappointment of Varel G. Bailey under Senate Rule 59.

The Chair stated that a single vote would be taken for confirmation to both terms under Senate Rule 59.

Senator Hutchins asked and received unanimous consent that action on the confirmation of Varel G. Bailey be deferred by the Senate.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 26, 1990, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 534, a bill for an act relating to the regulation of commercial feed and providing for the increase of fees.

House File 737, a bill for an act relating to retentions from payments to contractors on contracts for the construction of public improvements.

House File 2177, a bill for an act relating to the operation of state hospital-schools under the control of the department of human services by authorizing the offering of goods and services to the public as part of client training programs and by deleting the requirement of maintaining daily records of time worked by institutional staff.

House File 2455, a bill for an act relating to state chartered legal entities, especially nonprofit corporations and cooperative associations, by altering requirements and procedure for filing corporate documents in the office of the secretary of state and by requiring corporations organized under or subject to Iowa Code chapter 504 to convert to chapter 504A within a certain period of time.

ALSO: That the House has on March 26, 1990, refused to concur in the Senate amendment to the following bills in which the concurrence of the House was asked:

House File 2287, a bill for an act relating to a subsequent employer's unemployment benefit contribution rate upon the purchase or transference of a small business.

House File 2416, a bill for an act relating to corporal punishment.

ALSO: That the House has on March 26, 1990, passed the following bill in which the concurrence of the Senate is asked:

House File 2552, a bill for an act relating to storage tanks, including the conditions and funding mechanisms of the Iowa comprehensive petroleum underground storage tank fund.

This bill was read first time and assigned to the committee on **Ways and Means**.

ALSO: That the House has on March 26, 1990, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2206, a bill for an act relating to campaign finance by specifying that restrictions on corporate campaign activities do not apply to certain political corporations (S—5722).

ALSO: That the House has on March 26, 1990, passed the following bill in which the concurrence of the Senate is asked:

Senate File 2274, a bill for an act relating to targeted small businesses, and imposing penalties.

ALSO: That the House has on March 27, 1990, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2327, a bill for an act relating to and making appropriations to the department of economic development, INTERNET, Wallace technology transfer foundation, and the Iowa finance authority (S—5726).

ALSO: That the House has on March 27, 1990, 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 2329, a bill for an act relating to elections and election procedures (S—5723 to H—5701).

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:01 p.m., until 1:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: March 26, 1990, 5:20 p.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Pate, Rensink, Riordan, Running, Sturgeon and Tinsman.

Members Absent: Peterson and Varn (both excused).

Committee Business: Assigned SSB 2304 to a subcommittee and discussed the Human Services appropriations bill.

Recessed: 5:47 p.m.

Reconvened: March 27, 1990, 11:10 a.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn.

Members Absent: Lloyd-Jones and Pate (both excused).

Committee Business: Approved the Human Services appropriations bill and approved SSB 2304 as a committee bill.

Adjourned: 11:40 a.m.

WAYS AND MEANS

Convened: March 27, 1990, 1:40 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hester, Ranking Member; Connolly, Drake, Fraise, Fuhrman, Gentleman, Murphy, Palmer, Riordan, Soorholtz and Szymoniak.

Members Absent: Bruner and Hultman.

Committee Business: Assigned bills to subcommittees; recommended passage of House File 2407 as amended.

Adjourned: 2:20 p.m.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-two twelfth grade students from Mormon Trail Senior High School, Garden Grove, Iowa, accompanied by William Shuey. Senator Boswell.

Forty twelfth grade students from Clarksville High School, Clarksville, Iowa. Senator Jensen.

Fifty fifth grade students from Grant Elementary School, Oskaloosa, Iowa, accompanied by Margaret Mattix and Margaret Stoltzfus. Senator Hedge.

Forty-three sixth grade students from Manson Elementary School, Manson, Iowa, accompanied by Gary Mays, Mrs. Scheffler and Mrs. Moeding. Senator Fuhrman.

SUPPLEMENTAL REPORT OF THE COMMITTEE ON MEMORIAL RESOLUTIONS

MADAM PRESIDENT: The committee on memorial resolutions has ascertained the names of former members of the Senate who have become deceased and appoints the following committees to prepare memorial resolutions:

ROBERT D. BLUE: Taylor, Chair; Priebe and Coleman

TOM DAILEY: Hagerla, Chair; Fraise and Drake

PEARLE P. DeHART: Bruner, Chair; Nystrom and Palmer

GEORGE F. MILLIGAN: Gentleman, Chair; Szymoniak and Mann

HOWARD REPPERT, JR.: Gentleman, Chair; Mann and Kinley

C. JOSEPH COLEMAN, Chair
DONALD DOYLE
DALE L. TIEDEN
RICHARD F. DRAKE

SUBCOMMITTEE ASSIGNMENT

House File 2407

AGRICULTURE: Husak, Chair; Fraise and Soorholtz

CERTIFICATION OF RECOGNITION

The Secretary of the Senate issued certificates of recognition as follows:

Dubuque Senior High School girls' basketball team — For participation in the 1990 Girls' State high school basketball tournament. Senator Connolly (March 6, 1990).

Dubuque Wahlert High School boys' basketball team — For participation in the 1990 Boys' State high school basketball tournament. Senator Connolly (March 14, 1990).

Coach Ken Rosenberry and the George-Little Rock Mustangs — For participation in the 1990 Girls' State high school basketball tournament. Senator Vande Hoef (March 12, 1990).

AMENDMENTS FILED

S-5719	S.F.	2280	Jim Lind
S-5720	S.F.	2402	Jim Lind
S-5721	S.F.	2328	Julia Gentleman
S-5722	S.F.	2206	House amendment
S-5723	H.F.	2329	House amendment
S-5724	S.F.	2328	Mike Connolly
S-5725	S.F.	2421	Berl Priebe
S-5726	S.F.	2327	House amendment
S-5727	S.F.	2280	John Jensen John Soorholtz
S-5728	S.F.	2364	Jack Rife John Soorholtz
S-5729	S.F.	2364	Jack Hester.
S-5730	S.F.	2328	Richard Running
S-5731	S.F.	2421	William Dieleman Charles Bruner
S-5732	S.F.	2421	Charles Bruner
S-5733	S.F.	2421	Charles Bruner

S—5734

S. F.

2402

Richard F. Drake
Calvin O. Hultman
Jack Rife
Linn Fuhrman
Jim Lind

AFTERNOON SESSION

The Senate reconvened at 1:34 p.m., President pro tempore Mann presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 47 present, 3 absent and a quorum present.

REFUSAL OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

The Senate resumed consideration of the confirmation of Varel G. Bailey as a member of the Wallace Technology Transfer Foundation of Iowa, previously deferred.

Senator Scott moved that the foregoing appointee 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, 26:

Boswell	Bruner	Corning	Drake
Fuhrman	Gentleman	Goodwin	Gronstal
Hagerla	Hedge	Hester	Hultman
Husak	Jensen	Lind	Nystrom
Palmer	Pate	Rensink	Rife
Soorholtz	Sturgeon	Taylor	Tieden
Tinsman	Vande Hoef		

Nays, 23:

Coleman	Connolly	Deluhery	Dieleman
Doyle	Fraise	Gettings	Hannon
Horn	Hutchins	Kibbie	Lloyd-Jones
Mann	Miller	Murphy	Peterson
Priebe	Riordan	Running	Scott
Szymoniak	Varn	Welsh	

Absent or not voting, 1:

Kinley

The appointee not having received a two-thirds vote, the Chair declared the Senate **refused to confirm** the appointment of Varel G. Bailey.

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 the confirmation of Varel G. Bailey failed to pass the Senate on March 28, 1990.

The motion lost by a voice vote.

CONFIRMATION OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Hutchins called up the appointment of Robert A. Van Vooren as a member of the Iowa Economic Development Board, placed on the Individual Confirmation Calendar on April 7, 1989, found on page 1254 of the Senate Journal and deferred by Senate Resolution 12 on April 14, 1989.

Senator Hutchins moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 49:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Szymoniak

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

HOUSE AMENDMENT CONSIDERED

Senate File 2402

Senator Gettings called up for consideration Senate File 2402, a bill for an act relating to and making appropriations to state agencies whose responsibilities relate to public defense, public safety, transportation, and enforcement, and including allocation and use of moneys from the road use tax fund, primary road fund, and state aviation fund, mandating reports of certain agency purchases and providing expenses for certain members of the Iowa highway research board, amended by the House in House amendment S—5680 filed March 26, 1990.

Senator Gettings offered amendment S—5715 filed by Senators Gettings and Welsh on March 27, 1990, to House amendment S—5680.

Senator Drake offered amendment S—5734 filed by Senators Drake, et al., from the floor to amendment S—5715 to House amendment S—5680 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5734 to amendment S—5715 to House amendment S—5680 be adopted?" (S.F. 2402) 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	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Nystrom
Pate	Rensink	Rife	Scott

Soorholtz
Vande Hoef

Taylor

Tieden

Tinsman

Nays, 28:

Boswell
Dieleman
Gronstal
Hutchins
Mann
Peterson
Sturgeon

Bruner
Doyle
Hannon
Kibbie
Miller
Priebe
Szymoniak

Coleman
Fraise
Horn
Kinley
Murphy
Riordan
Varn

Deluhery
Gettings
Husak
Lloyd-Jones
Palmer
Running
Welsh

Absent or not voting, 1:

Connolly

Amendment S—5734 lost.

Senator Lind called for a division of amendment S—5715 to House amendment S—5680: lines 4 through 20 and 22 through 28 as division S—5715A; line 21 as division S—5715B.

Senator Gettings moved the adoption of division S—5715A to House amendment S—5680, which motion prevailed by a voice vote.

Senator Gettings moved the adoption of division S—5715B to House amendment S—5680.

A record roll call was requested.

On the question “Shall division S—5715B to House amendment S—5680 be adopted?” (S.F. 2402) the vote was:

Ayes, 29:

Boswell
Dieleman
Gronstal
Hutchins
Mann
Peterson
Scott
Welsh

Bruner
Doyle
Hannon
Kibbie
Miller
Priebe
Sturgeon

Coleman
Fraise
Horn
Kinley
Murphy
Riordan
Szymoniak

Deluhery
Gettings
Husak
Lloyd-Jones
Palmer
Running
Varn

Nays, 20:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Nystrom
Pate	Rensink	Rife	Soorholtz
Taylor	Tieden	Tinsman	Vande Hoef

Absent or not voting, 1:

Connolly

Division S—5715B was adopted.

Senator Lind offered amendment S—5720 filed by him from the floor to House amendment S—5680 and moved its adoption.

Amendment S—5720 was adopted by a voice vote.

Senator Welsh offered amendment S—5739 filed by him from the floor to House amendment S—5680 and moved its adoption.

Amendment S—5739 was adopted by a voice vote.

Senator Welsh offered amendment S—5744 filed by him from the floor to House amendment S—5680 and moved its adoption.

Amendment S—5744 was adopted by a voice vote.

Senator Lind offered amendment S—5735 filed by Senators Lind and Rife from the floor to House amendment S—5680 and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5735 to House amendment S—5680 be adopted?” (S.F. 2402) the vote was:

Ayes, 19:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Nystrom
Pate	Rife	Soorholtz	Taylor
Tieden	Tinsman	Vande Hoef	

Nays, 27:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Doyle	Fraise

Gettings	Gronstal	Hannon	Horn
Husak	Kibbie	Kinley	Lloyd-Jones
Mann	Miller	Palmer	Peterson
Priebe	Riordan	Running	Scott
Sturgeon	Szymoniak	Varn	

Absent or not voting, 4:

Hutchins	Murphy	Rensink	Welsh
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Amendment S—5735 lost.

Senator Taylor offered amendment S—5737 filed by Senators Taylor, et al., from the floor to House amendment S—5680 and moved its adoption.

Amendment S—5737 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. 2402) the vote was:

Ayes, 29:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Priebe	Riordan	Running
Scott	Sturgeon	Szymoniak	Varn
Welsh			

Nays, 19:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Nystrom

Pate
Tieden

Rensink
Tinsman

Rife
Vande Hoef

Taylor

Absent or not voting, 2:

Peterson

Soorholtz

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

Senate File 2328

The Senate resumed consideration of Senate File 2328, a bill for an act relating to and making appropriations to regulatory bodies of state government, including the auditor of state, the campaign finance disclosure commission, the department of employment services, the office of the state public defender, the department of inspections and appeals, the department of commerce, and the racing and gaming commission, and providing an effective date, and House amendment S—5681 as amended, previously deferred.

Senator Running offered amendment S—5730 filed by him from the floor to House amendment S—5681 and moved its adoption.

Amendment S—5730 was adopted by a voice vote.

Senator Running 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 Running 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. 2328) the vote was:

Ayes, 41:

Boswell
Corning

Bruner
Deluhery

Coleman
Dieleman

Connolly
Doyle

Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Hedge	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Nystrom	Palmer
Pate	Peterson	Priebe	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Varn
Welsh			

Nays, 6:

Gentleman	Hagerla	Hester	Rensink
Rife	Tinsman		

Absent or not voting, 3:

Hannon	Murphy	Vande Hoef
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

The Senate stood at ease until the fall of the gavel for the purpose of party caucus.

The Senate resumed session, President pro tempore Mann 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.

MOTION TO RECONSIDER WITHDRAWN

House File 156

Senator Gentleman withdrew the motion to reconsider House File 156, a bill for an act relating to the separation of workers' compensation insurance premiums into two parts, filed by her on March 22, 1990, and found on page 1272 of the Senate Journal.

The motion to reconsider the vote by which amendment S—5522 to House File 156 was adopted by the Senate on March 22, 1990, filed by Senator Gentleman on March 22, 1990, and found on page 1272 of the Senate Journal, was out of order.

Senator Hutchins asked and received unanimous consent that **House File 156** be **immediately messaged** to the House.

HOUSE AMENDMENTS CONSIDERED

Senate File 2280

Senator Gronstal called up for consideration Senate File 2280, a bill for an act relating to and making appropriations to various state agencies including certain state 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, increasing certain fees, changing the procurement program, and providing for repeals of certain provisions, amended by the House in House amendment S—5672 filed March 23, 1990.

Senator Jensen offered amendment S—5727 filed by Senators Jensen and Soorholtz from the floor to House amendment S—5672 and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5727 to House amendment S—5672 be adopted?” (S.F. 2280) the vote was:

Ayes, 20:

Corning	Dieleman	Drake	Fuhrman
Gentleman	Gettings	Goodwin	Hagerla
Hedge	Hester	Hultman	Jensen
Lind	Nystrom	Pate	Rensink
Rife	Soorholtz	Taylor	Vande Hoef

Nays, 29:

Boswell	Bruner	Coleman	Connolly
Deluhery	Doyle	Fraise	Gronstal
Hannon	Horn	Husak	Hutchins
Kibbie	Kinley	Lloyd-Jones	Mann
Miller	Murphy	Palmer	Peterson

Priebe
Szymoniak
Welsh

Riordan
Tieden

Scott
Tinsman

Sturgeon
Varn

Absent or not voting, 1:

Running

Amendment S—5727 lost.

Senator Gronstal offered amendment S—5746 filed by him from the floor to House amendment S—5672 and moved its adoption.

A non record roll call was requested.

The ayes were 26, nays 19.

Amendment S—5746 was adopted.

Senator Lind withdrew amendment S—5719 filed by him from the floor to House amendment S—5672.

Senator Hutchins asked and received unanimous consent that action on House amendment S—5672 as amended and **Senate File 2280** be **deferred**.

Senate File 2364

Senator Riordan called up for consideration Senate File 2364, a bill for an act relating to and making appropriations to the department of agriculture and land stewardship, the Iowa state fair authority, the department of natural resources, and the state racing commission, and changing the distribution of certain fees, amended by the House in House amendment S—5675 filed March 23, 1990.

Senator Riordan offered amendment S—5747 filed by him from the floor to pages 1 through 5 and 7 of House amendment S—5675.

Senator Hultman called for a division of amendment S—5747 to House amendment S—5675:

Division S—5747A: Page 1, lines 4 through 50; page 2, lines 1 through 22; page 3, lines 23 through 50 and page 4, lines 1 through 23.

Division S—5747B: Page 2, lines 23 through 50 and page 3, lines 1 through 22.

Senator Riordan asked and received unanimous consent that action on division S—5747A to House amendment S—5675 be deferred.

Senator Riordan moved the adoption of division S—5747B to House amendment S—5675 and requested a record roll call.

On the question “Shall division S—5747B to House amendment S—5675 be adopted” (S.F. 2364) the vote was:

Ayes, 10:

Bruner	Hannon	Hedge	Horn
Hutchins	Lloyd-Jones	Mann	Riordan
Varn	Welsh		

Nays, 37:

Boswell	Coleman	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hester	Hultman
Husak	Jensen	Kibbie	Kinley
Lind	Miller	Murphy	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef			

Absent or not voting, 3:

Fuhrman	Nystrom	Running
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Division S—5747B lost.

The Senate resumed consideration of division S—5747A to House amendment S—5675, previously deferred.

Senator Welsh withdrew amendment S—5754 filed by him from the floor to division S—5747A to House amendment S—5675.

Senator Lind asked unanimous consent that action on division S—5747A to House amendment S—5675 be deferred.

Senator Lind withdrew his request to defer.

Senator Riordan called for a further division of S—5747 to House amendment S—5675: Page 1, lines 19 through 50; page 2, lines 1 through 22; page 3, lines 23 through 50 and page 4, lines 1 through 23 as division S—5747A; page 1, lines 4 through 18 as division S—5747C.

Senator Riordan withdrew division S—5747C.

Senator Riordan called for a further division of amendment S—5747 to House amendment S—5675: Page 1, lines 19 through 50; page 2, lines 1 through 22; page 3, lines 23 through 50, page 4, lines 1 through 12 as division S—5747A: Page 4, lines 13 through 23 as division S—5747D.

Senator Riordan withdrew division S—5747D.

Senator Riordan asked and received unanimous consent that action on division S—5747A be deferred.

Senator Tieden offered amendment S—5751 filed by him from the floor to page 1 of House amendment S—5675.

Senator Kinley took the chair at 5:50 p.m.

Senator Tieden moved the adoption of amendment S—5751 to House amendment S—5675, which motion prevailed by a voice vote.

Senator Hutchins asked and received unanimous consent that action on division S—5747A to House amendment S—5675, House amendment S—5675 as amended and **Senate File 2364** be **deferred**.

BUSINESS PENDING

Senate File 2280

The Senate resumed consideration of Senate File 2280, a bill for an act relating to and making appropriations to various state agencies including certain state 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, increasing certain fees, changing the procurement program, and

providing for repeals of certain provisions, and House amendment S—5672 as amended, previously deferred.

Senator Welsh offered amendment S—5749 filed by him from the floor to House amendment S—5672.

Senator Jensen raised the point of order that amendment S—5749 to House amendment S—5672 was not germane.

The Chair ruled the point well taken and amendment S—5749 out of order.

Senator Lind offered amendment S—5750 filed by him from the floor to House amendment S—5672.

Senator Gronstal raised the point of order that amendment S—5750 to House amendment S—5672 was not germane.

The Chair ruled the point well taken and amendment S—5750 out of order.

Senator Gronstal 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 Gronstal 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. 2280) the vote was:

Ayes, 32:

Boswell	Bruner	Coleman	Connelly
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Peterson	Priebe	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Varn	Welsh

Nays, 17:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Pate
Rensink	Rife	Tieden	Tinsman
Vande Hoef			

Absent or not voting, 1:

Nystrom

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 2280 and 2402** 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 28, 1990, 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 2057, a bill for an act relating to prohibited interests in public contracts (S—5758 to H—5667).

APPENDIX

EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent during the vote on the confirmation of Robert Van Vooren to the Iowa Economic Development Board.

Had I been present, I would have voted "aye" on the confirmation.

ELAINE SZYMONIAK

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2328 passed the Senate on March 23, 1990.

CALVIN HULTMAN

MADAM PRESIDENT: I move to reconsider the vote by which the Senate concurred in House amendment S—5681 as amended to Senate File 2328 on March 28, 1990.

CALVIN HULTMAN

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—5730 to House amendment S—5681 to Senate File 2328 was adopted by the Senate on March 28, 1990.

CALVIN HULTMAN

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2328 passed the Senate on March 28, 1990.

RICHARD RUNNING

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-five eighth grade students from Essex Junior High School, Essex, Iowa, accompanied by Dick Glaspie. Senator Hultman.

Fifty ninth grade students from Oelwein Junior High School, Oelwein, Iowa, accompanied by Bruce Willemsen, Mitch Murphy, Carl Heller and Jeff Niehaus. Senator Murphy.

The Chair welcomed the Honorable Les Klink, former member of the Senate from Clayton County, who was present in the Senate chamber.

COMMITTEE REPORT

APPROPRIATIONS

Final Bill Action: SENATE FILE 2422, a bill for an act relating to the compensation and benefits for faculty, public officials, employees, and certain legislators by providing adjustments for salaries, by specifying properly related matters, and by making appropriations and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 19: Welsh, Boswell, Tieden, Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn. Nays, none. Absent or not voting, 2: Pate and Peterson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILL

Senate File 2422, a bill for an act relating to the compensation and benefits for faculty, public officials, employees, and certain legislators by providing adjustments for salaries, by specifying properly related matters, and by making appropriations and providing an effective date.

Read first time under Rule 28 and placed on the Appropriations Calendar.

AMENDMENTS FILED

S—5735	S. F.	2402	Jim Lind Jack Rife
S—5736	S. F.	2364	Paul Pate
S—5737	S. F.	2402	Ray Taylor C. Joseph Coleman

			Dale Tieden
			Richard F. Drake
			Linn Fuhrman
			John Jensen
			Richard Vande Hoef
			Norman Goodwin
			Jack Nystrom
			William Dieleman
			Donald Doyle
			John Kibbie
			Donald Gettings
			Eugene Fraise
			Berl Priebe
			Kenneth Scott
			Jean Lloyd-Jones
S-5738	S.F.	2364	Jim Lind
S-5739	S.F.	2402	Joe Welsh
S-5740	S.F.	2421	Larry Murphy
S-5741	H.F.	2497	Ray Taylor
S-5742	S.F.	2421	Charles Bruner
			Joy Corning
S-5743	S.F.	2244	Larry Murphy
S-5744	S.F.	2402	Joe Welsh
S-5745	H.F.	2536	Richard Varn
S-5746	S.F.	2280	Michael Gronstal
S-5747	S.F.	2364	Jim Riordan
S-5748	S.F.	2421	William W. Dieleman
			Charles Bruner
S-5749	S.F.	2280	Joe Welsh
S-5750	S.F.	2280	Jim Lind
S-5751	S.F.	2364	Dale Tieden
S-5752	H.F.	677	Richard Varn
S-5753	S.F.	2364	Emil Husak
			Berl Priebe
			John Soorholtz
S-5754	S.F.	2364	Joe Welsh
S-5755	S.F.	2421	Mark Hagerla
			Joy Corning
S-5756	S.F.	2364	Jim Lind
S-5757	S.F.	2364	Joe Welsh
S-5758	H.F.	2057	House amendment
S-5759	S.F.	2421	Maggie Tinsman

Michael Gronstal
Richard Vande Hoef
Larry Murphy

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:04 p.m., until 9:00 a.m., Thursday, March 29, 1990.

JOURNAL OF THE SENATE

EIGHTY-FIRST CALENDAR DAY
FIFTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 29, 1990

The Senate met in regular session at 9:07 a.m., President pro tempore Mann presiding.

Prayer was offered by the Reverend Dean Coffey, pastor of the Hanford Community Church, Mason City, Iowa.

The Journal of Wednesday, March 28, 1990, was approved.

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 43 present, 7 absent and a quorum present.

HOUSE AMENDMENT CONSIDERED (Deferred March 28, 1990)

Senate File 2364

The Senate resumed consideration of Senate File 2364, a bill for an act relating to and making appropriations to the department of agriculture and land stewardship, the Iowa state fair authority, the department of natural resources, and the state racing commission, and changing the distribution of certain fees, House amendment S—5675 and division S—5747A by Senator Riordan to House amendment S—5675, deferred on March 28, 1990.

Senator Welsh offered amendment S—5757 filed by him on March 28, 1990, to division S—5747A to House amendment S—5675 and moved its adoption.

Amendment S—5757 was adopted by a voice vote.

Senator Riordan moved the adoption of division S—5747A, as amended, to House amendment S—5675, which motion prevailed by a voice vote.

Senator Pate offered amendment S—5736 filed by him on March 28, 1990, to page 2 of House amendment S—5675 and moved its adoption.

Amendment S—5736 lost by a voice vote.

With the adoption of division S—5747A as amended to House amendment S—5675, the Chair ruled the following amendments to House amendment S—5675 out of order:

S—5728 filed by Senators Rife and Soorholtz on March 28, 1990, to page 3.

S—5729 filed by Senator Hester on March 28, 1990, to page 3.

Senator Kibbie offered amendment S—5695 filed by Senators Kibbie, et al., on March 27, 1990, to page 4 of House amendment S—5675 and moved its adoption.

Amendment S—5695 was adopted by a voice vote.

Senator Lind withdrew amendment S—5738 filed by him on March 28, 1990, to page 4 of House amendment S—5675.

Senator Lind offered amendment S—5756 filed by him on March 28, 1990, to pages 4 and 7 of House amendment S—5675 and moved its adoption.

Amendment S—5756 was adopted by a voice vote.

Senator Husak offered amendment S—5753 filed by Senators Husak, Priebe and Soorholtz on March 28, 1990, to pages 6 and 7 of House amendment S—5675 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5753 to House amendment S—5675 be adopted?" (S.F. 2364) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 21:

Boswell	Doyle	Drake	Fraise
Gettings	Goodwin	Hagerla	Hedge
Husak	Jensen	Kibbie	Lind
Miller	Peterson	Priebe	Rensink
Rife	Scott	Soorholtz	Taylor
Tieden			

Nays, 27:

Bruner	Coleman	Connolly	Corning
Deluhery	Dieleman	Fuhrman	Gentleman
Hannon	Hester	Horn	Hultman
Hutchins	Kinley	Lloyd-Jones	Mann
Murphy	Palmer	Pate	Riordan
Running	Sturgeon	Szymoniak	Tinsman
Vande Hoef	Varn	Welsh	

Absent or not voting, 2:

Gronstal	Nystrom
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Amendment S—5753 lost.

Senator Coleman asked and received unanimous consent that action on House amendment S—5675 as amended and **Senate File 2364** be deferred.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2421.

Senate File 2421

On motion of Senator Bruner, Senate File 2421, a bill for an act relating to human services and making appropriations to the department of human services and other properly related matters and providing an effective date, was taken up for consideration.

Senator Bruner offered amendment S—5718 filed by him on March 27, 1990, to pages 2, 14, 17, 21, 33, 36, 44, 45 and 50 through 52 of the bill and called for a division:

Page 1, lines 2 through 23 and 26 through 50 and page 2 as division S—5718A; page 1, lines 24 and 25 as division S—5718B.

Senator Bruner withdrew division S—5718B.

Senator Bruner asked and received unanimous consent that action on division S—5718A be deferred.

Senator Bruner asked and received unanimous consent that action on amendment S—5765 filed by him from the floor to pages 3, 12 and 44 of the bill be deferred.

Senator Dieleman asked and received unanimous consent to withdraw amendment S—5731 filed by Senators Dieleman and Bruner on March 28, 1990, to pages 5, 52 and the title page of the bill.

Senator Dieleman offered amendment S—5748 filed by Senators Dieleman and Bruner on March 28, 1990, to pages 5, 52 and the title page of the bill and moved its adoption.

Amendment S—5748 was adopted by a voice vote.

Senator Bruner offered amendment S—5733 filed by him on March 28, 1990, to pages 15, 23 and 49 of the bill and moved its adoption.

Amendment S—5733 was adopted by a voice vote.

The Senate resumed consideration of division S—5718A by Senator Bruner, previously deferred.

Senator Priebe offered amendment S—5725 filed by him on March 28, 1990, to division S—5718A and moved its adoption.

Amendment S—5725 was adopted by a voice vote.

Senator Bruner moved the adoption of division S—5718A as amended, which motion prevailed by a voice vote.

Senator Vande Hoef offered amendment S—5760 filed by Senators Vande Hoef and Bruner from the floor to page 15 of the bill and moved its adoption.

Amendment S—5760 was adopted by a voice vote.

Senator Bruner offered amendment S—5742 filed by Senators Bruner and Corning on March 28, 1990, to page 33 of the bill and moved its adoption.

Amendment S—5742 was adopted by a voice vote.

Senator Hagerla asked and received unanimous consent that action on amendment S—5755 filed by Senators Hagerla and Corning on March 28, 1990 to page 41 of the bill be deferred.

Senator Murphy offered amendment S—5740 filed by him on March 28, 1990, to page 52 of the bill.

Senator Gentleman raised the point of order that amendment S—5740 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5740 out of order.

Senator Tinsman offered amendment S—5759 filed by Senators Tinsman et al., on March 28, 1990, to page 52 of the bill and moved its adoption.

Amendment S—5759 was adopted by a voice vote.

Senator Bruner offered amendment S—5732 filed by him on March 28, 1990, to page 52 of the bill and moved its adoption.

Amendment S—5732 was adopted by a voice vote.

Senator Bruner moved the adoption of amendment S—5765 to pages 3, 12 and 44 of the bill, previously deferred.

Amendment S—5765 was adopted by a voice vote.

Senator Hagerla asked and received unanimous consent to withdraw amendment S—5575 to page 41 of the bill, previously deferred.

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. 2421) the vote was:

Ayes, 37:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Fraise	Fuhrman	Gettings	Gronstal
Hannon	Hedge	Horn	Husak
Hutchins	Kibbie	Kinley	Lloyd-Jones
Mann	Miller	Murphy	Palmer
Peterson	Priebe	Rensink	Riordan
Running	Soorholtz	Sturgeon	Szymoniak
Taylor	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 12:

Drake	Gentleman	Goodwin	Hagerla
Hester	Hultman	Jensen	Lind
Nystrom	Pate	Rife	Tieden

Absent or not voting, 1:

Scott.

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

MOTION TO RECONSIDER WITHDRAWN

Senate File 2406

Senator Sturgeon withdrew the motion to reconsider Senate File 2406, a bill for an act relating to the sales and use tax on carbon dioxide and providing a retroactive applicability date, filed by him on March 19, 1990, and found on page 1175 of the Senate Journal.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that

Senate Files 2421 and 2406 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 28, 1990, 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 2371, a bill for an act relating to and making appropriations to the civil rights commission, the department of human rights, the department for the blind, the department of elder affairs, and the Iowa department of public health (S—5766 to H—5909).

ALSO: That the House has on March 29, 1990, passed the following bill in which the concurrence of the Senate is asked:

House File 2560, a bill for an act relating to the formation of community clusters by certain governmental units for the joint exercise of powers.

This bill was read first time and **passed on file**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hannon until she returns to the Senate chamber on request of Senator Hutchins.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 2371

Senator Sturgeon called up for consideration House File 2371, a bill for an act relating to and making appropriations to the civil rights commission, the department of human rights, the department for the blind, the department of elder affairs, and the Iowa department of public health, amended by the Senate,

further amended by the House and moved that the Senate concur in House amendment S—5766 to Senate amendment H—5909 filed March 29, 1990.

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. 2371) the vote was:

Ayes, 39:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gettings	Hedge
Horn	Husak	Hutchins	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Palmer	Pate
Peterson	Priebe	Rensink	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 8:

Fuhrman	Gentleman	Goodwin	Hester
Hultman	Jensen	Nystrom	Rife

Absent or not voting, 3:

Gronstal	Hagerla	Hannon
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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 2371 be immediately messaged** to the House.

BUSINESS PENDING

Senate File 2364

The Senate resumed consideration of Senate File 2364, a bill for an act relating to and making appropriations to the department of agriculture and land stewardship, the Iowa state fair authority, the department of natural resources, and the state racing commission, and changing the distribution of certain fees, and House amendment S—5675 as amended, previously deferred.

Senator Riordan offered amendment S—5770 filed by him from the floor to page 1 of House amendment S—5675 and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5770 to House amendment S—5675 be adopted?” (S.F. 2364) the vote was:

Ayes, 26:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Fraise	Gettings
Hester	Horn	Husak	Hutchins
Kibbie	Kinley	Lloyd-Jones	Mann
Miller	Murphy	Palmer	Peterson
Riordan	Running	Sturgeon	Szymoniak
Varn	Welsh		

Nays, 21:

Corning	Doyle	Drake	Fuhrman
Gentleman	Goodwin	Hedge	Hultman
Jensen	Lind	Nystrom	Pate
Priebe	Rensink	Rife	Scott
Soorholtz	Taylor	Tieden	Tinsman
Vande Hoef			

Absent or not voting, 3:

Gronstal	Hagerla	Hannon
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Amendment S—5770 was adopted.

Senator Riordan offered amendment S—5767 filed by him from the floor to pages 6 and 7 of House amendment S—5675 and moved its adoption.

Amendment S—5767 was adopted by a voice vote.

With the adoption of amendment S—5767 to House amendment S—5675, the following motion to reconsider filed by Senator Coleman from the floor was ruled out of order:

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—5753 to House amendment S—5675 to Senate File 2364 failed to be adopted by the Senate on March 29, 1990.

Senator Riordan moved that the Senate concur in the House amendment as amended, which motion prevailed by a voice vote.

Senator Riordan moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2364) the vote was:

Ayes, 42:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Goodwin	Hannon
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Peterson
Priebe	Rensink	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 6:

Corning	Fuhrman	Gentleman	Hultman
Pate	Rife		

Absent or not voting, 2:

Gronstal	Hagerla
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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 2364** be **immediately messaged** to the House.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:30 a.m., until 2:30 p.m.

APPENDIX

REPORT OF COMMITTEE MEETING

APPROPRIATIONS

Convened: March 28, 1990, 6:10 p.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn.

Members Absent: Pate and Peterson (both excused).

Committee Business: Amended the Education Appropriations bill and ordered redrafted for final approval as a committee bill; approved LSB 8417 (salary adjustment) as a committee bill.

Adjourned: 6:58 p.m.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Forty students from Peet Junior High School, Cedar Falls, Iowa, accompanied by Carolyn Harm. Senator Corning.

Thirty fifth grade students from Western Hills Elementary School, West Des Moines, Iowa, accompanied by Paul Linn and Stacey Roberts. Senator Gentleman.

Thirty fifth grade students from Crossroads Park Elementary School, West Des Moines, Iowa, accompanied by Miss Weingart. Senator Gentleman.

Twenty-six eighth grade students from West Central Junior Senior High School, Maynard, Iowa, accompanied by Ron Reusche and Bill Burke. Senator Murphy.

Forty sixth grade and high school students from Russell Elementary and Russell High School, Russell, Iowa, accompanied by Mike Harter. Senator Peterson.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued a certificate of recognition as follows:

Maquoketa Valley High School girls' basketball team — For participation in the 1990 Girls' State high school basketball tournament. Senator Pate (March 19, 1990).

EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate chamber when the final vote was taken on Senate File 2421.

Had I been present, I would have voted "aye"

KENNETH SCOTT

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 2423, 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, providing effective dates, and providing retroactive applicability.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 18: Welsh, Boswell, Tieden, Bruner, Corning, Fraise, Goodwin, Gronstal, Jensen, Lind, Lloyd-Jones, Pate, Peterson, Rensink, Riordan, Sturgeon, Tinsman and Varn. Nays, none. Absent or not voting, 3: Gettings, Husak and Running.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2548, a bill for an act relating to agricultural health and safety.

Recommendation: DO PASS.

Final Vote: Ayes, 18: Welsh, Boswell, Tieden, Bruner, Corning, Fraise, Goodwin, Gronstal, Jensen, Lind, Lloyd-Jones, Pate, Peterson, Rensink, Riordan, Sturgeon, Tinsman and Varn. Nays, none. Absent or not voting, 3: Gettings, Husak and Running.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5760	S. F.	2421	Richard Vande Hoef Charles Bruner
S—5761	H. F.	2342	Jean Lloyd-Jones
S—5762	H. F.	2342	Jean Lloyd-Jones
S—5763	H. F.	2342	Jean Lloyd-Jones
S—5764	H. F.	2342	Jean Lloyd-Jones
S—5765	S. F.	2421	Charles Bruner Elaine Szymoniak Patrick Deluhery Joy Corning Richard Vande Hoef Linn Fuhrman
S—5766	H. F.	2371	House amendment
S—5767	S. F.	2364	Jim Riordan
S—5768	S. F.	2422	Joe Welsh
S—5769	S. F.	2420	Joe J. Welsh John W. Jensen
S—5770	S. F.	2364	Jim Riordan
S—5771	S. F.	2422	Dale Tieden
S—5772	S. F.	2328	Richard Running
S—5773	S. F.	2328	Richard Running
S—5774	H. F.	2412	Mike Connolly

AFTERNOON SESSION

The Senate reconvened at 2:50 p.m., President pro tempore Mann presiding.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 29, 1990, adopted the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 127, a concurrent resolution to encourage the establishment of the National Association of Swine Records in Des Moines, Iowa, and the support of the Association to increase performance of purebred swine and to assist purebred swine producers.

QUORUM CALL

Senator Husak requested a non record roll call to determine that a quorum was present.

The vote revealed 43 present, 7 absent and a quorum present.

HOUSE AMENDMENT CONSIDERED

Senate File 2244

Senator Drake called up for consideration Senate File 2244, a bill for an act relating to parking fines, handicapped parking spaces, and handicapped identification devices, amended by the House in House amendment S—5689 filed March 27, 1990.

Senator Murphy offered amendment S—5743 filed by him on March 28, 1990, to House amendment S—5689 and moved its adoption.

Amendment S—5743 lost by a voice vote.

Senator Drake moved that the Senate concur in the House amendment, which motion prevailed by a voice vote.

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. 2244) the vote was:

Ayes, 45:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn			

Nays, 3:

Gentleman	Mann	Murphy
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Absent or not voting, 2:

Jensen	Welsh
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Hutchins asked and received unanimous consent to send an immediate message to the House on **Senate File 2244**.

MOTION TO RECONSIDER ADOPTED

Senator Running called up the motion to reconsider Senate File 2328 filed by him on March 28, 1990, found on page 1375 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 2328) the vote was:

Ayes, 46:

Bruner	Coleman	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 1:

Tieden

Absent or not voting, 3:

Boswell Gentleman Jensen

The motion prevailed.

Senator Running moved to reconsider the vote by which Senate File 2328 went to its last reading, which motion prevailed by a voice vote.

Senate File 2328

On motion of Senator Running, Senate File 2328, a bill for an act relating to and making appropriations to regulatory bodies of state government, including the auditor of state, the campaign finance disclosure commission, the department of employment services, the office of the state public defender, the department of inspections and appeals, the department of commerce, and the racing and gaming commission, and providing an effective date, was taken up for reconsideration.

Senator Hultman called up the motion to reconsider the vote by which the Senate concurred in House amendment S—5681 as amended to Senate File 2328 on March 28, 1990, filed by him on March 28, 1990, found on page 1375 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and House amendment S—5681 was taken up for reconsideration.

Senator Hultman called up the motion to reconsider the vote by which amendment S—5730 to House amendment S—5681 to Senate File 2328 was adopted by the Senate on March 28, 1990, filed by him on March 28, 1990, and found on page 1375 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and amendment S—5730 by Senator Running was taken up for reconsideration.

Senator Running offered amendment S—5773 filed by him from the floor to amendment S—5730 to House amendment S—5681 and moved its adoption.

Amendment S—5773 was adopted by a voice vote.

With the adoption of amendment S—5773 to amendment S—5730 to House amendment S—5681, the Chair ruled amendment S—5772 filed by Senator Running from the floor to amendment S—5730 to House amendment S—5681, out of order.

Senator Running moved the adoption of amendment S—5730 as amended to House amendment S—5681, which motion prevailed by a voice vote.

Senator Running moved that the Senate concur in House amendment S—5681 as amended, which motion prevailed by a voice vote.

Senator Running 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. 2328) the vote was:

Ayes, 46:

Bruner	Coleman	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Kibbie	Kinley

Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Vande Hoef
Varn	Welsh		

Nays, 2:

Rensink Tinsman

Absent or not voting, 2:

Boswell Jensen

The bill having 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.

The motion to reconsider the vote by which Senate File 2328 passed the Senate on March 28, 1990, filed by Senator Hultman on March 28, 1990, and found on page 1375 of the Senate Journal, was out of order.

The Senate stood at ease until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session, Senator Welsh presiding.

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 AMENDMENT CONSIDERED

Senate File 2327

Senator Boswell called up for consideration Senate File 2327, a bill for an act relating to and making appropriations to the department of economic development, INTERNET, Wallace

technology transfer foundation, Iowa finance authority, and small business advocate, and establishing a small business advocate, amended by the House in House amendment S—5726 filed March 28, 1990.

Senator Kinley took the chair at 5:05 p.m.

Senator Boswell offered amendment S—5782 filed by him from the floor to page 3 of House amendment S—5726 and moved its adoption.

Amendment S—5782 was adopted by a voice vote.

Senator Hagerla offered amendment S—5784 filed by him from the floor to page 1 of House amendment S—5726 and moved its adoption.

Amendment S—5784 was adopted by a voice vote.

Senator Vande Hoef offered amendment S—5785 filed by him from the floor to page 8 of House amendment S—5726.

Senator Welsh raised the point of order that amendment S—5785 to House amendment S—5726 was not germane .

Senator Welsh withdrew his point of order.

Senator Vande Hoef moved the adoption of amendment S—5785 to House amendment S—5726, which motion prevailed by a voice vote.

Senator Boswell moved that the Senate concur in the House amendment 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. 2327) the vote was:

Ayes, 46:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gettings	Goodwin
Hagerla	Hannon	Hedge	Hester

Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 4:

Fuhrman	Gentleman	Gronstal	Murphy
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **Senate File 2327** be **immediately messaged** to the House.

BILL ASSIGNED TO COMMITTEE

The Chair announced that **House File 2560** was assigned to the committee on **Ways and Means**.

APPENDIX

EXPLANATION OF VOTES

MADAM PRESIDENT: I was unavoidably absent from the Senate chamber when the vote was taken on House File 2371 and amendment S—5770 to Senate File 2364.

Had I been present, I would have voted “aye” on the bill and the amendment.

BEVERLY HANNON

STUDY BILL RECEIVED

SSB 2305 Ways and Means

Relating to county tax and services provisions by appropriating funds for state assistance to counties for certain services to the chronically mentally ill, by modifying the mobile home tax reduction for the elderly and disabled, the homestead tax credit, the property tax credit and rent reimbursement for the elderly and disabled, by increasing the amount of credit and reimbursement, creating a family farm tax credit, and providing a penalty, and effective and applicability dates.

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 2421, the following corrections were made:

1. Page 56, line 2, the words and numbers “Sections 35 and 100” were changed to the words and numbers “Sections 35 and 46”.
2. Amendment S—5718: Page 2, line 40, the words and numbers “lines 5 through 9” were changed to the words and numbers “lines 5 through 11”.

JOHN F. DWYER
Secretary of the Senate

SUBCOMMITTEE ASSIGNMENTS

SSB 2305

WAYS AND MEANS: Dieleman, Chair; Riordan, Husak, Szymoniak, Hultman, Gentleman and Drake.

House File 2552

WAYS AND MEANS: Husak, Chair; Fraise and Drake

COMMITTEE REPORTS

WAYS AND MEANS

Final Bill Action: SENATE FILE 2424 (SSB 2305), a bill for an act relating to county tax and services provisions by appropriating funds for state assistance to counties for certain services to the chronically mentally ill, by modifying the mobile home tax reduction for the elderly and disabled, the homestead tax credit, the property tax credit and rent reimbursement for the elderly and disabled, by increasing the amount of credit and reimbursement, creating a family farm tax credit, and providing a penalty, and effective and applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Dieleman, Husak, Hester, Bruner, Connolly, Drake, Fraise, Fuhrman, Gentleman, Hultman, Murphy, Palmer, Riordan, Soorholtz and Szymoniak. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2546, a bill for an act relating to child day care and the state child and dependent care tax credit and providing a retroactive applicability date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5779.

Final Vote: Ayes, 13: Dieleman, Husak, Hester, Bruner, Connolly, Drake, Fraise, Hultman, Murphy, Palmer, Riordan, Soorholtz and Szymoniak. Nays, 2: Fuhrman and Gentleman.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2551, a bill for an act relating to taxes administered and fees collected by the department of revenue and finance including technical corrections, payment and liability for certain sales and use taxes, special fuel taxes, income tax, franchise tax, inheritance tax, and providing for certain retroactive applicability and effective dates.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5778.

Final Vote: Ayes, 13: Dieleman, Husak, Hester, Bruner, Connolly, Fraise, Fuhrman, Gentleman, Murphy, Palmer, Riordan, Soorholtz and Szymoniak. Nays, 2: Drake and Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2552, a bill for an act relating to storage tanks, including the conditions and funding mechanisms of the Iowa comprehensive petroleum underground storage tank fund.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-5777.

Final Vote: Ayes, 15: Dieleman, Husak, Hester, Bruner, Connolly, Drake, Fraise, Fuhrman, Gentleman, Hultman, Murphy, Palmer, Riordan, Soorholtz and Szymoniak. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

GOVERNOR'S VETO MESSAGE

March 29, 1990

The Honorable Jo Ann Zimmerman
President of the Senate
State Capitol Building
LOCAL

Dear Madam President:

Senate File 2296, an act relating to informal dispute resolution, establishing a council for dispute resolution, and relieving the office of prosecuting attorneys training coordinator of the department of justice of responsibility for the dispute resolution program, is hereby disapproved and transmitted to you in accordance with Article III, Section 16, of the Constitution of the State of Iowa.

Senate File 2296 substantially alters the informal dispute resolution program. Currently, the program is administered in the Office of Prosecuting Attorneys Training Coordinator of the Department of Justice. This bill transfers the dispute resolution duties from that office to the Iowa Council for Dispute Resolution, an independent, nonprofit, quasi-public corporate body created in the bill.

The bill also would provide for the appointment of a executive director, support staff and a several member council. While funding to pay the salaries of the executive director and staff, and the expenses of the council members would be necessary to make this program work, no appropriation for these purposes is made in the bill and I am not aware of any in other legislation this session. Given our

current difficult fiscal situation and spending restraints imposed on state agencies, approval of this bill would not be prudent at this time.

For the above reason, I hereby respectfully disapprove Senate File 2296.

Sincerely,
TERRY E. BRANSTAD
Governor

INTRODUCTION OF BILLS

Senate File 2423, 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, providing effective dates, and providing retroactive applicability.

Read first time under Rule 28 and **placed on Appropriations calendar.**

Senate File 2424, by committee on Ways and Means, a bill for an act relating to county tax and services provisions by appropriating funds for state assistance to counties for certain services to the chronically mentally ill, by modifying the mobile home tax reduction for the elderly and disabled, the homestead tax credit, the property tax credit and rent reimbursement for the elderly and disabled, by increasing the amount of credit and reimbursement, creating a family farm tax credit, and providing a penalty, and effective and applicability dates.

Read first time under Rule 28 and **placed on Ways and Means calendar.**

AMENDMENTS FILED

S—5775	S. F.	2423	Mark Hagerla
S—5776	S. F.	2423	John Kibbie
S—5777	H. F.	2552	Ways and Means
S—5778	H. F.	2551	Ways and Means
S—5779	H. F.	2546	Ways and Means
S—5780	H. F.	2552	John Kibbie
S—5781	S. F.	2423	Julia Gentleman

S—5782	S. F.	2327	Joy Corning
S—5783	H. F.	2504	Leonard Boswell
S—5784	S. F.	2327	Richard Varn
S—5785	S. F.	2327	Mark Hagerla
S—5786	S. F.	2423	Richard Vande Hoef .
			John Kibbie
			Leonard Boswell
S—5787	H. F.	2504	Larry Murphy
			Charles Bruner
S—5788	H. F.	2488	Richard Varn

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:55 p.m., until 9:00 a.m., Friday, March 30, 1990.

JOURNAL OF THE SENATE

EIGHTY-SECOND CALENDAR DAY
FIFTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 30, 1990

The Senate met in regular session at 9:07 a.m., President pro tempore Mann presiding.

Prayer was offered by the Reverend Paul Walters, pastor of the Winebremmer Church of God, Ida Grove, Iowa.

The Journal of Thursday, March 29, 1990, 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, 1990, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2379, a bill for an act relating to anaerobic lagoons, making penalties applicable, and providing for applicability of the Act (S—5796).

ALSO: That the House has on March 28, 1990, 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 2240, a bill for an act relating to the transfer of racing dogs.

ALSO: That the House has on March 28, 1990, **refused to concur** in the Senate amendment to the following bill in which the concurrence of the House was asked:

House File 2115, a bill for an act regulating the commercial cleaning of private sewage disposal facilities, by providing for the adoption of standards and the issuance of licenses, providing

license fees, providing a civil penalty, and providing effective and applicability dates.

ALSO: That the House has on March 28, 1990, passed the following bill in which the concurrence of the Senate is asked:

House File 2559, a bill for an act relating to the process by which a taxpayer appeals a decision of the local board of review to the district court and providing for the reinstatement of appeals dismissed and providing an effective date.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 28, 1990, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 2154, a bill for an act relating to civil rights by requiring certain cities to maintain a local civil rights agency or commission and provide adequate funding for the agency or commission, and providing for the continuation in effect of certain local civil rights laws.

House File 2201, a bill for an act relating to the disclosure of the names and certain contract costs of all subcontractors by bidders on a state procurement contract.

House File 2357, a bill for an act relating to the applicability of school district reorganization incentives and providing an effective date and a retroactive applicability date.

House File 2431, a bill for an act allowing a person to purchase insurance through the Iowa comprehensive health association even if the person has coverage under another insurance plan.

House File 2482, a bill for an act establishing an entrepreneurship task force.

House File 2496, a bill for an act requiring a group health benefits insurer to disclose certain information relating to claims experience and costs of those claims.

House File 2540, a bill for an act relating to and providing a temporary property tax exemption for certain increased valuation of historic property, providing a phase-in of increased valuation, and providing an applicability date.

ALSO: That the House has on March 28, 1990, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 390, a bill for an act relating to the transfer of agricultural land, by restricting the time land can be held by financial and insurance institutions, providing for valuation of land, the opportunity to repurchase land, for redemption, and providing effective dates and dates of applicability (S—5795).

Senate File 2326, a bill for an act requiring the department of education to develop and maintain nutrition guidelines for food and beverages sold on public school grounds (S—5794).

ALSO: That the House has on March 28, 1990, 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 2500, a bill for an act relating to the enforcement of outdoor recreation and natural resource laws, by defining repeat offenders, by requiring the reporting of hunting accidents, by providing for the suspension of licenses, permits, and certificates, and by providing penalties (S—5793 to H—5874).

House File 2522, a bill for an act relating to free hunting and fishing licenses for military personnel (S—5792 to H—5868).

ALSO: That the House has on March 29, 1990, passed the following bill in which the concurrence of the Senate is asked:

House File 2543, a bill for an act relating to the administration and benefits for certain public retirement systems, and providing effective dates and for the applicability of the Act.

This bill was read first time and **passed on file**.

CONSIDERATION OF BILLS (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2420.

Senate File 2420

On motion of Senator Varn, Senate File 2420, a bill for an act relating to the transfer of appropriations within and between state

departments, institutions, and agencies, was taken up for consideration.

Senator Welsh offered amendment S—5769 filed by Senators Welsh and Jensen on March 29, 1990, to page 1 of the bill and moved its adoption.

Amendment S—5769 was adopted by a voice vote.

Senator Welsh offered amendment S—5803 filed by Senators Welsh and Varn from the floor to page 1 of the bill and moved its adoption.

Amendment S—5803 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. 2420) the vote was:

Ayes, 44:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Running	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 2:

Hultman	Rife
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Absent or not voting, 4:

Drake	Murphy	Riordan	Szymoniak
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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 2423.

Senate File 2423

On motion of Senator Varn, Senate File 2423, 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, providing effective dates, and providing retroactive applicability, was taken up for consideration.

Senator Tinsman offered amendment S—5800 filed by Senators Tinsman, et al., from the floor to page 16 of the bill.

Senator Varn asked and received unanimous consent that action on amendment S—5800 be deferred.

Senator Varn offered amendment S—5798 filed by him from the floor to page 16 of the bill and moved its adoption.

Amendment S—5798 was adopted by a voice vote.

Senator Hagerla offered amendment S—5775 filed by him on March 29, 1990, to page 19 of the bill and moved its adoption.

Amendment S—5775 lost by a voice vote.

Senator Gentleman offered amendment S—5802 filed by her from the floor to page 21 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5802 be adopted?" (S.F. 2423) the vote was:

Ayes, 17:

Coleman	Dieleman	Fuhrman	Gentleman
Goodwin	Hagerla	Hannon	Hedge
Hester	Jensen	Lind	Pate
Rife	Soorholtz	Taylor	Tinsman
Vande Hoef			

Nays, 31:

Boswell	Bruner	Connolly	Corning
Deluhery	Doyle	Drake	Fraise
Gronstal	Horn	Hultman	Husak
Hutchins	Kibbie	Kinley	Lloyd-Jones
Mann	Miller	Nystrom	Palmer

Peterson	Priebe	Rensink	Riordan
Running	Scott	Sturgeon	Szymoniak
Tieden	Varn	Welsh	

Absent or not voting, 2:

Gettings	Murphy
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Amendment S—5802 lost.

Senator Gentleman offered amendment S—5781 filed by Senators Gentleman and Corning on March 29, 1990, to page 29 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5781 be adopted?" (S.F. 2423) the vote was:

Ayes, 20:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hannon	Hedge
Hester	Hultman	Jensen	Lind
Nystrom	Pate	Rensink	Rife
Taylor	Tieden	Tinsman	Vande Hoef

Nays, 29:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Horn	Husak
Hutchins	Kibbie	Kinley	Lloyd-Jones
Mann	Miller	Murphy	Palmer
Peterson	Priebe	Riordan	Running
Scott	Sturgeon	Szymoniak	Varn
Welsh			

Absent or not voting, 1:

Soorholtz

Amendment S—5781 lost.

Senator Kibbie offered amendment S—5776 filed by him on March 29, 1990, to pages 37 and 48 of the bill and moved its adoption.

Amendment S—5776 was adopted by a voice vote.

Senator Kibbie offered amendment S—5786 filed by Senators Kibbie and Boswell on March 29, 1990, to pages 38 and 39 of the bill.

Senator Murphy called for a division of amendment S—5786: page 1, lines 2 through 16 as division S—5786A; page 1, lines 17 through 50 and page 2, lines 1 through 35 as division S—5786B.

Senator Murphy asked and received unanimous consent that action on division S—5786A be deferred.

Senator Murphy raised the point of order that division S—5786B was not germane to the bill.

The Chair ruled the point well taken and division S—5786B out of order.

The Senate resumed consideration of division S—5786A, previously deferred.

Senator Tieden raised the point of order that division S—5786A was not germane to the bill.

The Chair ruled the point well taken and division S—5786A out of order.

Senator Rensink offered amendment S—5790 filed by him from the floor to page 48 of the bill and moved its adoption.

Amendment S—5790 was adopted by a voice vote.

Senator Kinley took the chair at 11:29 a.m.

Senator Tinsman moved the adoption of amendment S—5800, by Senators Tinsman, et al., to page 16 of the bill, previously deferred.

A record roll call was requested.

On the question “Shall amendment S—5800 be adopted?” (S.F. 2423) the vote was:

Ayes, 45:

Boswell
Corning

Bruner
Deluhery

Coleman
Dieleman

Connolly
Doyle

Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Hannon	Hedge
Hester	Horn	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Pate	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn			

Nays, 4:

Gentleman	Hagerla	Hultman	Peterson
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Voting present, 1:

Welsh

Amendment S—5800 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. 2423) the vote was:

Ayes, 43:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gettings	Gronstal
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 7:

Fuhrman	Gentleman	Goodwin	Hagerla
Hultman	Rife	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 Files 2423 and 2420** be **immediately messaged** to the House.

**BILL TO BE RETURNED
TO CALENDAR DEFERRED**

Senator Priebe asked and received unanimous consent to defer returning House File 2407 to the Senate Calendar, which was referred from the Calendar to the committee on Agriculture on March 28, 1990, to be returned to the Calendar by 1:00 p.m., March 30, 1990.

**UNFINISHED BUSINESS
(Deferred March 16, 1990)****House File 2537**

The Senate resumed consideration of House File 2537, a bill for an act relating to the sale of funeral services and merchandise, deferred March 16, 1990.

Senator Pate asked and received unanimous consent that action on **House File 2537** be **deferred**.

**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:

Karen Ann Voecks as a member of the Barber Examining Board.

George B. Kerr as a member of the Commission on the Deaf.

Beverly Jane Pangburn as a member of the Mental Health and Mental Retardation Commission.

Cherie Oetker as a member of the Board of Nursing Examiners.

Tom Morain as a member of the Commission on the Status of Women.

Senator Hutchins moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 49:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Hultman

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

UNFINISHED BUSINESS (Deferred March 12, 1990)

Senate File 2371

The Senate resumed consideration of Senate File 2371, a bill for an act relating to the department of human rights, deferred March 12, 1990.

Senator Gentleman offered amendment S—5450 filed by her on March 12, 1990, to pages 1 and 2 of the bill.

Senator Gentleman offered amendment S—5692 filed by her on March 27, 1990, to amendment S—5450 and moved its adoption.

Amendment S—5692 was adopted by a voice vote.

Senator Gentleman moved the adoption of amendment S—5450 as amended, which motion prevailed by a voice vote.

Senator Gentleman asked and received unanimous consent that **House File 2270** be substituted for **Senate File 2371**, as amended.

Senator Gentleman asked and received unanimous consent that action on **House File 2270** be deferred.

UNFINISHED BUSINESS (Deferred March 7, 1990)

Senate File 2338

The Senate resumed consideration of Senate File 2338, a bill for an act relating to the administration and benefits for certain public retirement systems, and providing for the applicability of the Act, deferred March 7, 1990.

Senator Kibbie offered amendment S—5801 filed by him on March 30, 1990, to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—5801 was adopted by a voice vote.

With the adoption of amendment S—5801, the Chair ruled the following amendments out of order:

S—5423 filed by Senator Hagerla on March 8, 1990, to page 4 of the bill.

S—5222 filed by Senator Doyle on February 26, 1990, to page 17 of the bill.

Senator Kibbie asked and received unanimous consent that **House File 2543** be substituted for **Senate File 2338**, as amended.

Senator Kibbie asked and received unanimous consent that action on **House File 2543** be deferred.

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:05 p.m., until 1:00 p.m.

APPENDIX

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on March 29, 1990, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 2015 — Relating to training requirements for reserve peace officers and providing for the act's applicability.

SENATE FILE 2291 — Relating to the interest rate charged in connection with a renewal or extension of time under a retail motor vehicle installment contract.

SENATE FILE 2309 — Relating to the issuance of class "A" liquor licenses to veterans organizations.

SENATE FILE 2311 — Relating to unclaimed fees to conform with the uniform disposition of unclaimed property act.

SENATE FILE 2315 — Relating to a pseudorabies control program, and making penalties applicable.

SENATE FILE 2317 — Relating to issuing permits for regulated uses of water by the department of natural resources.

SENATE FILE 2340 — Relating to the disposition of unclaimed property.

SENATE FILE 2343 — Relating to clinical privileges of certain health practitioners.

SENATE FILE 2350 — Relating to the uniform management of institutional funds act.

SENATE FILE 2369 — Relating to the historic resource development program.

SENATE FILE 2388 — Relating to administrative procedures for the establishment, determination, and collection of certain spousal support debts.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: March 29, 1990, 11:37 a.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Bruner, Corning, Fraise, Goodwin, Gronstal, Jensen, Lind, Lloyd-Jones, Pate, Peterson, Rensink, Riordan, Sturgeon, Tinsman and Varn.

Members Absent: Gettings, Husak and Running (all excused).

Committee Business: Approved the Education Appropriations bill; recommended passage of House File 2548.

Adjourned: 11:59 a.m.

WAYS AND MEANS

Convened: March 29, 1990, 1:58 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hester, Ranking Member; Bruner, Connolly, Drake, Fraise, Fuhrman, Gentleman, Hultman, Murphy, Palmer, Riordan, Soorholtz and Szymoniak.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 2552, 2546 and 2551 as amended; approved SSB 2305 as a committee bill.

Adjourned: 2:50 p.m.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-five eighth grade students from Mar-Mac Middle School, McGregor, Iowa, accompanied by Ron Vick and James Elliott. Senator Tieden.

Thirty-two students from Earlham High School, accompanied by Ron Myers. Senator Riordan.

Ten junior high school students from Jones and Washington Junior High School, Dubuque, Iowa, accompanied by Gary Kruse, Gary Reed and Deb Tschiggfrie. Senators Connolly and Welsh.

Forty talented and gifted students from Northeast Elementary School, Glenwood, Iowa, accompanied by Jim Elmeier. Senator Hultman.

The Chair welcomed as the guests of Senator Fraise, Jochen Duell, West Germany and Carlos Aramayo, Bolivia, AFS students attending Central Lee Schools.

The Chair welcomed as the guest of Senator Varn, Fong Yuan from Beijing, a student at Grinnell.

EXPLANATION OF VOTES

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on March 21, 22 and 23, 1990.

Had I been present, I would have voted "aye" on Senate Files 2365, 2080, 2413, 2240, 2422, 332, 148, 2418 and 2419 and Senate Joint Resolution 2003 and House Files 2517, 2338, 2115, 2450, 2177, 2455, 156, 534, 2188, 2320, 2436, 2271 and 2431.

I would have voted "nay" on Senate Files 2169 and 2245 and House File 2201.

PAUL D. PATE

AMENDMENTS FILED

S—5789	S. F.	2422	Dale Tieden Richard Drake
S—5790	S. F.	2423	Wilmer Rensink
S—5791	H. F.	2551	Ray Taylor
S—5792	H. F.	2522	House amendment
S—5793	H. F.	2500	House amendment
S—5794	S. F.	2326	House amendment
S—5795	S. F.	390	House amendment
S—5796	S. F.	2379	House amendment
S—5797	S. F.	2422	Dale Tieden
S—5798	S. F.	2423	Richard Varn
S—5799	H. F.	2552	Mark Hagerla

S—5800	S. F.	2423	Maggie Tinsman Mike Connolly Elaine Szymoniak Joy Corning Jack Rife Ray Taylor Larry Murphy
S—5801	S. F.	2338	John Kibbie
S—5802	S. F.	2423	Julia Gentleman
S—5803	S. F.	2420	Joe Welsh Richard Varn
S—5804	H. F.	2552	John Kibbie Michael E. Gronstal Emil Husak
S—5805	H. F.	2551	William W. Dieleman Mike Connolly Jack Hester Jim Lind
S—5806	H. F.	2537	Michael Gronstal
S—5807	S. F.	2416	Larry Murphy
S—5808	H. F.	2552	Emil Husak Richard Drake Eugene Fraise
S—5809	S. F.	2416	Larry Murphy
S—5810	H. F.	2552	Jack Hester Richard Drake
S—5811	H. F.	2543	John Peterson

AFTERNOON SESSION

The Senate reconvened at 1:09 p.m., Senator Husak presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

Senator Welsh took the chair at 1:26 p.m.

The vote revealed 42 present, 8 absent and a quorum present.

CONSIDERATION OF BILLS (Ways and Means Calendar)

Senate File 2415

On motion of Senator Murphy, Senate File 2415, a bill for an act authorizing an additional tax levy and the creation of a reserve account by a benefited fire district, 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. 2415) the vote was:

Ayes, 40:

Boswell	Bruner	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Peterson	Rensink
Running	Sturgeon	Szymoniak	Taylor
Tieden	Vande Hoef	Varn	Welsh

Nays, 3:

Priebe	Scott	Tinsman
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Absent or not voting, 7:

Connolly	Fraise	Kinley	Pate
Rife	Riordan	Soorholtz	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2416

On motion of Senator Murphy, Senate File 2416, a bill for an act relating to the service of notice of expiration of the right of redemption from tax sales on certain persons with an interest in the real estate, was taken up for consideration.

Senator Murphy offered amendment S—5696 filed by him on March 27, 1990, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5696 was adopted by a voice vote.

Senator Murphy offered amendment S—5807 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5807 was adopted by a voice vote.

Senator Murphy offered amendment S—5809 filed by him from the floor to page 1 and the title page of the bill and moved its adoption.

Amendment S—5809 was adopted by a voice vote.

Senator Murphy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2416) the vote was:

Ayes, 49:

Boswell	Bruner	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer

Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Connolly

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 2415 and 2416** be **immediately messaged** to the House.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 2459

Senator Boswell called up for consideration House File 2459, a bill for an act relating to the employment of personnel under sharing agreements between school districts, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5679 to Senate amendment H—5671 filed March 26, 1990.

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. 2459) the vote was:

Ayes, 44:

Boswell	Bruner	Coleman	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Vande Hoef	Varn	Welsh

Nays, 5:

Corning	Fuhrman	Gentleman	Jensen
Tinsman			

Absent or not voting, 1:

Connolly

The bill having 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 2459** be **immediately messaged** to the House.

UNFINISHED BUSINESS (Deferred March 15, 1990)

House File 489

The Senate resumed consideration of House File 489, a bill for an act relating to the time within which a claim must be brought by a minor or incompetent under the state torts claims Act, deferred March 15, 1990.

Senator Connolly took the chair at 1:55 p.m.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 489) 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	Coleman	Connolly
Deluhery	Doyle	Fraise	Gronstal
Hannon	Horn	Hutchins	Kibbie
Kinley	Lloyd-Jones	Mann	Miller
Murphy	Palmer	Peterson	Priebe
Riordan	Running	Scott	Sturgeon
Szymoniak	Varn	Welsh	

Nays, 23:

Corning	Dieleman	Drake	Fuhrman
Gentleman	Gettings	Goodwin	Hagerla
Hedge	Hester	Hultman	Husak
Jensen	Lind	Nystrom	Pate
Rensink	Rife	Soorholtz	Taylor
Tieden	Tinsman	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)

Senator Hutchins asked and received unanimous consent to take up for consideration House File 2552.

House File 2552

On motion of Senator Husak, House File 2552, a bill for an act relating to storage tanks, including the conditions and funding mechanisms of the Iowa comprehensive petroleum underground storage tank fund, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Husak offered amendment S—5777 filed by the committee on Ways and Means on March 29, 1990, to pages 1, 9, 12, 19, 21, 22 and the title page of the bill.

Senator Hester offered amendment S—5810 filed by Senators Hester and Drake from the floor to amendment S—5777 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5810 to amendment S—5777 be adopted?" (H.F. 2552) the vote was:

Ayes, 45:

Boswell	Coleman	Corning	Dieleman
Doyle	Drake	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 5:

Bruner	Connolly	Deluhery	Gronstal
Mann			

Amendment S—5810 was adopted.

Senator Husak offered amendment S—5808 filed by Senators Husak, Drake and Fraise from the floor to amendment S—5777 and moved its adoption.

Amendment S—5808 was adopted by a voice vote.

Senator Husak moved the adoption of amendment S—5777 as amended, which motion prevailed by a voice vote.

Senator Hagerla withdrew amendment S—5799 filed by him from the floor to pages 7 and 19 of the bill.

Senator Kibbie offered amendment S—5780 filed by him on March 29, 1990, to page 7 of the bill.

Senator Kibbie offered amendment S—5812 filed by him from the floor to amendment S—5780 and moved its adoption.

Amendment S—5812 was adopted by a voice vote.

Senator Kibbie moved the adoption of amendment S—5780 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—5780 as amended, the Chair ruled amendment S—5804 filed by Senators Kibbie, Gronstal and Husak from the floor to page 7 of the bill, out of order.

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. 2552) the vote was:

Ayes, 49:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Hultman

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

The Senate stood at ease until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session, President pro tempore Mann presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Rensink and Vande Hoef for the remainder of the day on request of Senator Jensen.

BUSINESS PENDING

House File 2543

The Senate resumed consideration of House File 2543, a bill for an act relating to the administration and benefits for certain public retirement systems, and providing effective dates and for the applicability of the Act, substituted for Senate File 2338 and previously deferred.

Senator Kibbie offered amendment S—5814 filed by Senators Kibbie, et al., from the floor to strike everything after the enacting clause of the bill.

Senator Hagerla offered amendment S—5816 filed by Senators Hagerla and Gentleman from the floor to page 5 of amendment S—5814 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5816 to amendment S—5814 be adopted?" (H.F. 2543) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 14:

Bruner	Corning	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Lind
Pate	Rife	Scott	Sturgeon
Taylor	Tinsman		

Nays, 33:

Boswell	Coleman	Connolly	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Gronstal	Hannon	Hester
Horn	Hultman	Husak	Hutchins

Jensen	Kibbie	Kinley	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Peterson	Priebe	Riordan
Running	Soorholtz	Szymoniak	Varn
Welsh			

Absent or not voting, 3:

Rensink	Tieden	Vande Hoef
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Amendment S—5816 lost.

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, 1990, passed the following bill in which the concurrence of the Senate is asked:

House File 2564, a bill for an relating to making appropriations for substance abuse treatment, prevention, education, and enforcement programs, establishing an evaluation mechanism for substance abuse treatment programs, and providing civil penalties.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 30, 1990, amended and adopted the following resolution in which the concurrence of the Senate is asked:

Senate Concurrent Resolution 128, a concurrent resolution relating to the provision of cable television service (S—5817).

INTRODUCTION OF BILL

Senate File 2425, by Hutchins and Hultman, a bill for an act relating to the care of children when a legally responsible adult is unavailable to provide the care.

Read first time and **passed on file**.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 109, by Vande Hoef, a resolution relating

to treatment of head-injured persons and requesting an interim study committee.

Read first time and **passed on file**.

Senate Concurrent Resolution 131, by Coleman, Connolly, and Drake, a concurrent resolution expressing opposition to the proposed federal gas tax increase.

Read first time and **passed on file**.

BILLS ASSIGNED TO COMMITTEE

The Chair announced the assignment of the following bills to committee:

H.F.	2559	Ways and Means
S. R.	109	Rules and Administration
S. F.	2425	Human Resources
H.F.	2564	Appropriations
S. C. R.	131	Transportation

BUSINESS PENDING

House File 2543

The Senate resumed consideration of House File 2543.

Senator Varn offered amendment S—5818 filed by him from the floor to page 15 of amendment S—5814 and moved its adoption.

Amendment S—5818 was adopted by a voice vote.

Senator Gentleman asked and received unanimous consent that action on amendment S—5814 as amended and **House File 2543** be deferred.

HOUSE AMENDMENT CONSIDERED

Senate Concurrent Resolution 128

Senator Welsh called up for consideration Senate Concurrent Resolution 128, a concurrent resolution relating to the provision of cable television service, amended by the House, and moved that

the Senate concur in House amendment S—5817 filed March 30, 1990.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Welsh moved that the resolution as amended by the House and concurred in by the Senate be adopted, which motion prevailed by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Riordan for the remainder of the day on request of Senator Husak.

UNFINISHED BUSINESS (Deferred March 15, 1990)

House File 677

The Senate resumed consideration of House File 677, a bill for an act relating to written credit agreements between a creditor and debtor and rights of action on that agreement, deferred March 15, 1990.

Senator Varn offered amendment S—5253 filed by the committee on Judiciary on February 27, 1990, to strike everything after the enacting clause of the bill.

Senator Varn offered amendment S—5752 filed by him on March 28, 1990, to amendment S—5253 and moved its adoption.

Amendment S—5752 was adopted by a voice vote.

Senator Varn moved the adoption of amendment S—5253 as amended, which motion prevailed by a voice vote.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 677) the vote was:

Ayes, 32:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gettings	Goodwin
Gronstal	Hannon	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Running	Sturgeon
Szymoniak	Tinsman	Varn	Welsh

Nays, 14:

Fuhrman	Gentleman	Hagerla	Hedge
Hultman	Kinley	Palmer	Pate
Peterson	Priebe	Rife	Scott
Soorholtz	Taylor		

Absent or not voting, 4:

Rensink	Riordan	Tieden	Vande Hoef
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

House File 2543

The Senate resumed consideration of House File 2543, a bill for an act relating to the administration and benefits for certain public retirement systems, and providing effective dates and for the applicability of the Act, and amendment S—5814 as amended, previously deferred.

Senator Gentleman offered amendment S—5819 filed by Senators Gentleman and Hedge from the floor to page 9 of amendment S—5814 and moved its adoption.

Amendment S—5819 lost by a voice vote.

Senator Lind offered amendment S—5820 filed by him from the floor to pages 4, 18 and 25 of amendment S—5814.

Senator Hutchins raised the point of order that amendment S—5820 to amendment S—5814 was not germane.

The Chair ruled the point well taken and amendment S—5820 out of order.

Senator Kibbie moved the adoption of amendment S—5814 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—5814 as amended, the Chair ruled amendment S—5811 filed by Senator Peterson on March 30, 1990, to page 4 of the bill, out of order.

Senator Kibbie moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2543) the vote was:

Ayes, 42:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Peterson	Priebe
Rife	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tinsman
Varn	Welsh		

Nays, 1:

Gentleman

Voting present, 3:

Hagerla	Mann	Pate
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Absent or not voting, 4:

Rensink	Riordan	Tieden	Vande Hoef
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Kibbie asked and received unanimous consent that

House Files 2543, 2552, 489 and 677 be immediately messaged to the House.

Senator Hutchins asked and received unanimous consent to send an immediate message to the House on **Senate Concurrent Resolution 128.**

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Varn presiding.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 30, 1990, 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 2328, a bill for an act relating to and making appropriations to regulatory bodies of state government, including the auditor of state, the campaign finance disclosure commission, the department of employment services, the office of the state public defender, the department of inspections and appeals, the department of commerce, and the racing and gaming commission.

Senate File 2364, a bill for an act relating to and making appropriations to the department of agriculture and land stewardship, the Iowa state fair authority, the department of natural resources, and the state racing commission, and changing the distribution of certain fees.

APPENDIX

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 2365, the following correction was made:

1. Page 4, line 24, the words "This act takes effect October 1, 1990" was changed to the words "This Act takes effect October 1, 1990".

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 30th day of March, 1990:

Senate Files 148, 2113, 2159, 2169, 2186, 2197, 2245, 2249, 2365 and 2385.

JOHN F. DWYER
Secretary of the Senate

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued a certificate of recognition as follows:

Larry and Mary Sobaski, Packwood, Iowa — For being named Southeast Iowa's Farm Family of the Year. Senator Hedge (March 22, 1990).

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Students from West Lyon Community School, Inwood, Iowa, accompanied by Ken Denekas and Ron Van Egdom. Senator Vande Hoef.

AMENDMENTS FILED

S—5812	H.F.	2552	John Kibbie
S—5813	H.F.	2551	Maggie Tinsman Dale Tieden William Palmer Joe Welsh Richard Drake Pat Deluhery
S—5814	H.F.	2543	John Kibbie John Nystrom Bill Hutchins Calvin Hultman
S—5815	H.F.	2548	Richard Vande Hoef
S—5816	H.F.	2543	Mark Hagerla Julia Gentleman
S—5817	S. C. R.	128	House amendment
S—5818	H.F.	2543	Richard Varn
S—5819	H.F.	2543	Julia Gentleman H. Kay Hedge
S—5820	H.F.	2543	Jim Lind
S—5821	H.F.	2268	Tom Mann, Jr.
S—5822	H.F.	2268	Tom Mann, Jr.
S—5823	H.F.	2488	Richard Varn

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 5:11 p.m., until 10:00 a.m., Monday, April 3, 1990.

JOURNAL OF THE SENATE

EIGHTY-FIFTH CALENDAR DAY
FIFTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 2, 1990

The Senate met in regular session at 10:06 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Kristy Smith, rector of St. Mark's Episcopal Church, Des Moines, Iowa.

The Journal of Friday, March 30, 1990, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Riordan until his arrival on request of Senator Hutchins and Senator Lind for the morning on request of Senator Hultman.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 29, 1990, **refused to concur** in the Senate amendment to the following bill in which the concurrence of the House was asked:

House File 2068, a bill for an act providing technical changes to the financing of education programs of school districts and providing a retroactive effective date.

ALSO: That the House has on March 29, 1990, passed the following bill in which the concurrence of the House was asked:

Senate File 2366, a bill for an act establishing councils on governments and providing certain duties.

ALSO: That the House has on March 29, 1990, concurred in the Senate amendment as amended and passed the following bill in which the concurrence of the Senate is asked:

House File 2320, a bill for an act relating to fire and casualty insurance, altering the method of filing rates subject to the approval of the commissioner of insurance, except for workers' compensation liability insurance rates, providing a special effective date, and authorizing civil penalties (S—5825 to H—5882).

ALSO: That the House has on March 29, 1990, 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 2163, a bill for an act relating to the composition and election of county agricultural extension councils, enacting transitional provisions, and providing an effective date.

ALSO: That the House has on March 29, 1990, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2114, a bill for an act relating to the updating of references to the federal Internal Revenue Code, relating to income tax and the computation of net income, increasing the tax credit allowed for certain research activities, providing an effective date, and providing certain retroactive applicability dates (S—5824).

ALSO: That the House has on March 29, 1990, adopted by unanimous consent the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 110, a concurrent resolution relating to an endorsement by the General Assembly for full federal funding for fish and wildlife mitigation on the Missouri River.

This resolution was read first time and **passed on file**.

ALSO: That the House has on March 30, 1990, passed the following bill in which the concurrence of the Senate is asked:

House File 2554, a bill for an act relating to county tax and services provisions by appropriating funds for state assistance to counties for certain services to the chronically mentally ill, by modifying the mobile home tax reduction for the elderly and

disabled, the property tax credit and rent reimbursement for the elderly and disabled, by increasing the amount of credit and reimbursement, creating a family farm tax credit, and providing a penalty, and effective and applicability dates.

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.

President pro tempore Mann took the chair at 10:20 a.m.

The vote revealed 40 present, 10 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 30, 1990, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2410, a bill for an act relating to higher education, including coordination, administration, standards, and funding, making appropriations, and providing effective dates (S—5826).

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2422.

Senate File 2422

On motion of Senator Welsh, Senate File 2422, a bill for an act relating to the compensation and benefits for faculty, public officials, employees, and certain legislators by providing adjustments for salaries, by specifying properly related matters, and by making appropriations and providing an effective date, was taken up for consideration.

Senator Hultman asked and received unanimous consent that action on **Senate File 2422** be **deferred**.

President Zimmerman took the chair at 10:37 a.m.

SENATE INSISTS

House File 2287

Senator Fuhrman called up for consideration House File 2287, a bill for an act relating to a subsequent employer's unemployment benefit contribution rate upon the purchase or transference of a small business, amended by the Senate, and moved that the Senate insist on its amendment.

The motion prevailed by a voice vote and the Senate **insisted** on its amendment.

MOTION TO RECONSIDER WITHDRAWN

Senate File 2392

Senator Connolly withdrew the motion to reconsider Senate File 2392, a bill for an act relating to the allocation of moneys between phases II and III in the educational excellence program, filed by him on March 8, 1990, and found on page 952 of the Senate Journal.

WITHDRAWN

Senator Kibbie asked and received unanimous consent that **Senate File 2338** be **withdrawn** from further consideration of the Senate.

MOTION TO RECONSIDER WITHDRAWN

House File 2475

Senator Gronstal withdrew the motion to reconsider House File 2475, a bill for an act relating to the surcharge for dishonored instruments, filed by him on March 26, 1990, and found on page 1323 of the Senate Journal.

SENATE INSISTS

House File 2416

Senator Corning called up for consideration House File 2416, a bill for an act relating to corporal punishment, amended by the Senate, and moved that the Senate insist on its amendment.

The motion prevailed by a voice vote and the Senate **insisted on** its amendment.

UNFINISHED BUSINESS (Deferred March 16, 1990)

House File 656

The Senate resumed consideration of House File 656, a bill for an act relating to reducing pollution by products purchased by the state, and by setting requirements for procurement by the department of general services, the state board of regents, the state department of transportation, and the commission for the blind, deferred March 16, 1990.

Senator Coleman asked and received unanimous consent that action on **House File 656** be **deferred**.

APPOINTMENT OF CONFERENCE COMMITTEES

The Chair announced the following conference committee on **House File 2287** on the part of the Senate: Senators Palmer, Chair; Mann, Peterson, Fuhrman and Vande Hoef.

The Chair announced the following conference committee on **House File 2416** on the part of the Senate: Senators Murphy, Chair; Lloyd-Jones, Horn, Corning and Tinsman.

UNFINISHED BUSINESS (Deferred March 30, 1990)

House File 2537

The Senate resumed consideration of House File 2537, a bill

for an act relating to the sale of funeral services and merchandise, deferred March 30, 1990.

Senator Gronstal offered amendment S—5435 filed by the committee on Commerce on March 12, 1990, to pages 4, 8, 9 and 10 of the bill.

Senator Lloyd-Jones called for a division of amendment S—5435: line 3 as division S—5435A and lines 4 through 6 as division S—5435B.

Senator Gronstal moved the adoption of division S—5435A.

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 25.

Division S—5435A lost.

Senator Hutchins asked and received unanimous consent that action on division S—5435B and **House File 2537** be **deferred**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:26 a.m., until 2:30 p.m.

APPENDIX

REPORT OF COMMITTEE MEETING

AGRICULTURE

Convened: March 29, 1990, 4:45 p.m.

Members Present: Priebe, Chair; Soorholtz, Ranking Member; Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Rensink, Scott and Vande Hoef.

Members Absent: Riordan, Vice Chair; Boswell, Coleman and Palmer (all excused).

Committee Business: Recommended passage of House File 2407 as amended.

Adjourned: 5:00 p.m.

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on March 30, 1990, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE JOINT RESOLUTION 2003 — Proposing the establishment of disability prevention activities coordination by certain state agencies, and requiring preparation of a report relating to coordination of disability prevention programs.

SENATE FILE 57 — Requiring the natural resource commission to adopt a rule to allow handicapped individuals to use a crossbow.

SENATE FILE 2052 — 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 2080 — Providing for the sale, offer for sale, or distribution of sterile varieties of purple loosestrife.

SENATE FILE 2097 — Relating to the mediation of disputes between licensees and patients by the board of dental examiners.

SENATE FILE 2158 — Permitting the shared ownership, operation, or cooperative use of publicly owned petroleum storage facilities by more than one public agency or political subdivision.

SENATE FILE 2201 — Relating to the family support subsidy program.

SENATE FILE 2227 — Relating to public improvements, by authorizing counties to create special assessment districts in areas of the county outside cities or within cities for certain public improvements, to assess the cost of the improvements to the benefited property within the districts, to establish and collect rates and charges to maintain and operate the improvements, and by providing an effective date.

SENATE FILE 2235 — Relating to reassignment of certificates of title and providing an effective date.

SENATE FILE 2262 — Relating to licensure to practice veterinary medicine.

SENATE FILE 2263 — Authorizing a board of trustees of certain public hospitals to establish a separate fund for depreciation and providing properly related matters.

COMMITTEE REPORT

AGRICULTURE

Final Bill Action: HOUSE FILE 2407, a bill for an act relating to the designation, inventory, and protection of wetlands, providing a civil penalty for violations, and providing a property tax exemption for wetlands.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5830.

Final Vote: Ayes, 11: Priebe, Soorholtz, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 4: Riordan, Boswell, Coleman and Palmer.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Eighteen sixth grade students from Meservey-Thornton Elementary School, Thornton, Iowa, accompanied by Alice Heitland. Senator Miller.

PETITION

The following petition was presented and placed on file by:

Senator Hedge from sixty-seven residents of Keokuk and Mahaska Counties opposing any increase in liquor and cigarette taxes.

SUBCOMMITTEE ASSIGNMENT

Senate File 2425

HUMAN RESOURCES: Riordan, Chair; Connolly, Tinsman, Murphy and Corning.

AMENDMENTS FILED

S—5824	S. F.	2114	House amendment
S—5825	H. F.	2320	House amendment
S—5826	S. F.	2410	House amendment
S—5827	S. F.	2422	Bill Hutchins
S—5828	S. F.	2422	George Kinley Bill Hutchins
S—5829	S. F.	2422	Joe Welsh
S—5830	H. F.	2407	Agriculture
S—5831	H. F.	2548	Richard Vande Hoef
S—5832	S. F.	2424	William Dieleman

AFTERNOON SESSION

The Senate reconvened at 2:32 p.m., Senator Sturgeon 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 28, 1990, concurred in the Senate amendment and passed the following bill in which the concurrence of the House was asked:

House File 2312, a bill for an act relating to nonsubstantive Code and Act corrections.

ALSO: That the House has on April 2, 1990, **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 2280, a bill for an act relating to and making appropriations to various state agencies including certain state 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, increasing certain fees, changing the procurement program, and providing for repeals of certain provisions.

Senate File 2402, a bill for an act relating to and making appropriations to state agencies whose responsibilities relate to public defense, public safety, transportation, and enforcement, and including allocation and use of moneys from the road use tax fund, primary road fund, and state aviation fund, mandating reports of certain agency purchases and providing expenses for certain members of the Iowa highway research board.

ALSO: That the House has on April 2, 1990, 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 2327, a bill for an act relating to and making appropriations to the department of economic development, INTERNET, Wallace technology transfer foundation, Iowa

finance authority, and small business advocate, and establishing a small business advocate.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House Files 2287, 2416 and 2475** be **immediately messaged** to the House.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 41 present, 9 absent and a quorum present.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2424.

Senate File 2424

On motion of Senator Dieleman, Senate File 2424, a bill for an act relating to county tax and services provisions by appropriating funds for state assistance to counties for certain services to the chronically mentally ill, by modifying the mobile home tax reduction for the elderly and disabled, the homestead tax credit, the property tax credit and rent reimbursement for the elderly and disabled, by increasing the amount of credit and reimbursement, creating a family farm tax credit, and providing a penalty, and effective and applicability dates, was taken up for consideration.

Senator Dieleman offered amendment S—5832 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—5832 was adopted by a voice vote.

Senator Dieleman asked and received unanimous consent that **House File 2554** be substituted for **Senate File 2424** as amended.

Senator Dieleman asked and received unanimous consent that action on **House File 2554** be deferred.

MOTION TO RECONSIDER ADOPTED

Senator Hutchins called up the motion to reconsider the vote by which the Senate refused to concur in House amendment S—5580 on March 22, 1990, to Senate File 2003, a bill for an act permitting a refund of unexpired motor vehicle registration fees to persons who sell their motor vehicles and who will no longer be driving, filed by Senator Welsh on March 22, 1990, found on page 1256 of the Senate Journal and moved its adoption.

A record roll call was requested.

(Please refer to page 1448 for an explanation on this vote).

Senator Szymoniak moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2003) the vote was:

Ayes, 38:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Fraise	Gettings	Gronstal	Hannon
Hester	Horn	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Peterson	Priebe	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Tinsman
Varn	Welsh		

Nays, 12:

Drake	Fuhrman	Gentleman	Goodwin
Hagerla	Hedge	Hultman	Nystrom
Pate	Rensink	Szymoniak	Vande Hoef

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Due to a malfunction of the voting machine, the roll call requested on the motion to concur did not record, necessitating a motion to reconsider final passage of the bill.

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 Senate File 2003 passed the Senate on April 2, 1990.

On the question "Shall the motion to reconsider be adopted?" (S.F. 2003) the vote was:

Ayes, 34:

Boswell	Coleman	Connolly	Deluhery
Dieleman	Doyle	Fraise	Gettings
Gronstal	Hannon	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Peterson
Priebe	Rife	Riordan	Running
Scott	Sturgeon	Szymoniak	Taylor
Varn	Welsh		

Nays, 13:

Bruner	Corning	Drake	Fuhrman
Goodwin	Hagerla	Hedge	Hultman
Pate	Rensink	Tieden	Tinsman
Vande Hoef			

Absent or not voting, 3:

Gentleman	Palmer	Soorholtz
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The motion prevailed.

Senator Hutchins moved to reconsider the vote by which Senate File 2003 went to its last reading, which motion prevailed by a voice vote.

Senator Hutchins renewed the motion by Senator Welsh to reconsider the vote by which the Senate refused to concur in House amendment S—5580 on March 22, 1990.

A record roll call vote was taken.

On the question "Shall the motion to concur be adopted?" (S.F. 2003) the vote was:

Ayes, 34:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Hester
Horn	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Palmer
Priebe	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Taylor
Varn	Welsh		

Nays, 16:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hultman
Nystrom	Pate	Peterson	Rensink
Szymoniak	Tieden	Tinsman	Vande Hoef

The motion prevailed.

Senator Szymoniak moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2003) the vote was:

Ayes, 37:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Fraise	Gettings	Gronstal	Hannon
Hester	Horn	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Peterson	Priebe	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Taylor	Tinsman	Varn
Welsh			

Nays, 12:

Drake	Fuhrman	Goodwin	Hagerla
Hedge	Hultman	Nystrom	Pate
Rensink	Szymoniak	Tieden	Vande Hoef

Absent or not voting, 1:

Gentleman

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

SENATE INSISTS

Senate File 2402

Senator Gettings called up for consideration Senate File 2402, a bill for an act relating to and making appropriations to state agencies whose responsibilities relate to public defense, public safety, transportation, and enforcement, and including allocation and use of moneys from the road use tax fund, primary road fund, and state aviation fund, mandating reports of certain agency purchases and providing expenses for certain members of the Iowa highway research board, amended by the House, further amended by the Senate, and moved that the Senate insist on its amendment.

The motion prevailed by a voice vote and the Senate **insisted on** its amendment.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **Senate File 2402** on the part of the Senate: Senators Gettings, Chair; Husak, Welsh, Lind and Drake.

Senate File 2280

Senator Gronstal called up for consideration Senate File 2280, a bill for an act relating to and making appropriations to various state agencies including certain state 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, increasing certain fees, changing the procurement program, and providing for repeals of certain provisions, amended by the House, further amended by the Senate, and moved that the Senate insist on its amendment.

The motion prevailed by a voice vote and the Senate **insisted on** its amendment.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **Senate File 2280** on the part of the Senate: Senators Gronstal, Chair; Dieleman, Kibbie, Jensen and Hultman.

HOUSE AMENDMENT CONSIDERED

Senate File 2326

Senator Connolly called up for consideration Senate File 2326, a bill for an act requiring the department of education to develop and maintain nutrition guidelines for food and beverages sold on public school grounds, amended by the House, and moved that the Senate concur in House amendment S—5794 filed March 30, 1990.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Connolly 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. 2326) the vote was:

Ayes, 33:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Fraise	Gettings	Gronstal	Hannon
Horn	Husak	Hutchins	Kibbie
Kinley	Lloyd-Jones	Mann	Miller
Murphy	Palmer	Peterson	Priebe
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Tinsman	Varn
Welsh			

Nays, 17:

Drake	Fuhrman	Gentleman	Goodwin
Hagerla	Hedge	Hester	Hultman

Jensen
Rensink
Vande Hoef

Lind
Rife

Nystrom
Taylor

Pate
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 Files 2003, 2402, 2280 and 2326** be immediately messaged to the House.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 2522

Senator Doyle called up for consideration House File 2522, a bill for an act relating to free hunting and fishing licenses for military personnel, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5792 to Senate amendment H—5868 filed March 30, 1990.

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. 2522) the vote was:

Ayes, 50:

Boswell
Corning
Drake
Gettings
Hannon
Hultman
Kibbie
Mann
Palmer

Bruner
Deluhery
Fraise
Goodwin
Hedge
Husak
Kinley
Miller
Pate

Coleman
Dieleman
Fuhrman
Gronstal
Hester
Hutchins
Lind
Murphy
Peterson

Connolly
Doyle
Gentleman
Hagerla
Horn
Jensen
Lloyd-Jones
Nystrom
Priebe

Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENTS CONSIDERED

Senate File 2379

Senator Priebe called up for consideration Senate File 2379, a bill for an act relating to anaerobic lagoons, making penalties applicable, and providing for applicability of the Act, amended by the House, and moved that the Senate concur in House amendment S—5796 filed March 30, 1990.

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. 2379) the vote was:

Ayes, 48:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Goodwin	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Gettings Gronstal

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 390

Senator Husak called up for consideration Senate File 390, a bill for an act relating to the transfer of agricultural land, by restricting the time land can be held by financial and insurance institutions, providing for valuation of land, the opportunity to repurchase land, for redemption, and providing effective dates and dates of applicability, amended by the House, and moved that the Senate concur in House amendment S—5795 filed March 30, 1990.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Husak moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 390) the vote was:

Ayes, 49:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Gronstal

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

Senate File 2422

The Senate resumed consideration of Senate File 2422, a bill for an act relating to the compensation and benefits for faculty, public officials, employees, and certain legislators by providing adjustments for salaries, by specifying properly related matters, and by making appropriations and providing an effective date, previously deferred.

Senator Welsh offered amendment S—5768 filed by him on March 29, 1990, to page 1 of the bill and moved its adoption.

Amendment S—5768 was adopted by a voice vote.

With the adoption of amendment S—5768, the Chair ruled amendment S—5797 filed by Senator Tieden on March 30, 1990, to page 1 of the bill, out of order.

Senator Tieden offered amendment S—5789 filed by Senators Tieden and Drake on March 30, 1990, to pages 1 and 5 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5789 be adopted?" (S.F. 2422) the vote was:

Ayes, 23:

Boswell	Corning	Drake	Fuhrman
Gentleman	Goodwin	Hagerla	Hedge
Hester	Hultman	Jensen	Lind
Nystrom	Pate	Peterson	Rensink
Rife	Scott	Soorholtz	Taylor
Tieden	Tinsman	Vande Hoef	

Nays, 27:

Bruner	Coleman	Connolly	Deluhery
Dieleman	Doyle	Fraise	Gettings
Gronstal	Hannon	Horn	Husak
Hutchins	Kibbie	Kinley	Lloyd-Jones
Mann	Miller	Murphy	Palmer
Priebe	Riordan	Running	Sturgeon
Szymoniak	Varn	Welsh	

Amendment S—5789 lost.

Senator Tieden withdrew amendment S—5771 filed by him on March 29, 1990, to page 5 of the bill.

Senator Welsh offered amendment S—5829 filed by him from the floor to pages 18 and 23 of the bill and moved its adoption.

Amendment S—5829 was adopted by a voice vote.

Senator Hutchins offered amendment S—5827 filed by him from the floor to page 23 of the bill and moved its adoption.

Amendment S—5827 was adopted by a voice vote.

Senator Kinley offered amendment S—5828 filed by Senators Kinley and Hutchins from the floor to page 24 of the bill and moved its adoption.

Amendment S—5828 was adopted by a voice vote.

Senator Lind offered amendment S—5835 filed by Senators Lind, Varn and Welsh from the floor to pages 24 and 26 of the bill.

Senator Hutchins 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 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. 2422) the vote was:

Ayes, 31:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Peterson	Priebe
Riordan	Running	Soorholtz	Sturgeon
Szymoniak	Varn	Welsh	

Nays, 19:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Pate
Rensink	Rife	Scott	Taylor
Tieden	Tinsman	Vande Hoef	

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 4:20 p.m.

HOUSE AMENDMENT CONSIDERED

Senate File 2410

Senator Varn called up for consideration Senate File 2410, a bill for an act relating to higher education, including coordination, administration, standards, and funding, making appropriations, and providing effective dates, amended by the House in House amendment S—5826 filed April 2, 1990.

Senator Rife offered amendment S—5834 filed by him from the floor to pages 6 through 10 of House amendment S—5826 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5834 to House amendment S—5826 be adopted?" (S.F. 2410) the vote was:

Ayes, 18:

Connolly	Fuhrman	Gentleman	Goodwin
Hagerla	Hannon	Hedge	Hester

Jensen	Kinley	Murphy	Pate
Peterson	Rife	Tieden	Tinsman
Vande Hoef	Welsh		

Nays, 32:

Boswell	Bruner	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Gronstal	Horn
Hultman	Husak	Hutchins	Kibbie
Lind	Lloyd-Jones	Mann	Miller
Nystrom	Palmer	Priebe	Rensink
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Varn

Amendment S—5834 lost.

Senator Varn moved that the Senate concur in the House amendment, which motion prevailed by a voice vote.

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. 2410) the vote was:

Ayes, 43:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gettings	Gronstal
Hannon	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 7:

Fuhrman	Gentleman	Goodwin	Hagerla
Hedge	Kinley	Rife	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 23, 1990, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2408, a bill for an act relating to and making appropriations to the justice system (S—5838).

ALSO: That the House has on April 2, 1990, **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 2306, a bill for an act relating to open enrollment, including the general intent, notification dates, exceptions to notification dates, board action on requests, counting of pupils for state foundation aid purposes, student expulsion or suspension, qualification for transportation, and participation of laboratory schools, and providing an effective date.

ALSO: That the House has on April 2, 1990, passed the following bill in which the concurrence of the Senate is asked:

House File 2563, a bill for an act relating to the investment by the state and political subdivisions of bond proceeds and sinking funds in tax-exempt bonds.

This bill was read first time and **passed on file**.

INTRODUCTION OF BILL

Senate File 2426, by Hutchins and Hultman, a bill for an act relating to persons who act as the president of the senate, providing for the term of office of the president of the senate, providing authorization for the compensation of the lieutenant governor in executive branch Code provisions, removing the lieutenant governor from membership on the legislative council, making the president of the senate, the speaker pro tempore, and two additional minority party members legislative council members, making changes in the manner of appointment of senate members

of certain boards, commissions, agencies, councils, associations, and statutory committees, and providing an effective date.

Read first time and **passed on file.**

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

H.C.R.	110	Natural Resources
S.F.	2426	Rules and Administration
H.F.	2563	Ways and Means

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 2410, 2379, 390, 2422** and **House File 2522** be **immediately messaged** to the House.

SENATE INSISTS

Senate File 2306

Senator Murphy called up for consideration Senate File 2306, a bill for an act relating to open enrollment, including the general intent, notification dates, exceptions to notification dates, board action on requests, counting of pupils for state foundation aid purposes, student expulsion or suspension, qualification for transportation, and participation of laboratory schools, and providing an effective date, amended by the House, and moved that the Senate insist 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 2306 on the part of the Senate: Senators Murphy, Chair; Horn, Coleman, Tieden and Taylor.

BUSINESS PENDING

House File 2537

The Senate resumed consideration of House File 2537, a bill for an act relating to the sale of funeral services and merchandise, and division S—5435B, by the committee on Commerce to pages 4, 8, 9 and 10 of the bill, previously deferred.

Senator Gronstal moved the adoption of division S—5435B, which motion prevailed by a voice vote.

Senator Gronstal offered amendment S—5806 filed by him on March 30, 1990, to pages 4 and 10 of the bill and moved its adoption.

Amendment S—5806 was adopted by a voice vote.

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 division S—5435A to House File 2537 failed to be adopted by the Senate on April 2, 1990.

The motion prevailed by a voice vote.

Senator Gronstal moved the adoption of division S—5435A.

A record roll call was requested.

On the question “Shall division S—5435A be adopted?” (H.F. 2537) the vote was:

Ayes, 38:

Boswell	Coleman	Corning	Dieleman
Doyle	Drake	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Hagerla
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Miller	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn		

Nays, 11:

Bruner	Connolly	Deluhery	Gronstal
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Hannon	Kibbie	Lloyd-Jones	Mann
Murphy	Sturgeon	Welsh	

Absent or not voting, 1:

Soorholtz

Division S—5435A was adopted.

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. 2537) the vote was:

Ayes, 48:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 1:

Hedge

Absent or not voting, 1:

Soorholtz

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 2551.

House File 2551

On motion of Senator Szymoniak, House File 2551, a bill for an act relating to taxes administered and fees collected by the department of revenue and finance including technical corrections, payment and liability for certain sales and use taxes, special fuel taxes, income tax, franchise tax, inheritance tax, and providing for certain retroactive applicability and effective dates, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Szymoniak asked and received unanimous consent that action on amendment S—5778 filed by the committee on Ways and Means on March 29, 1990, to page 6 of the bill be deferred.

Senator Taylor offered amendment S—5791 filed by him on March 30, 1990, to page 6 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 15, nays 32.

Amendment S—5791 lost.

Senator Dieleman offered amendment S—5805 filed by Senators Dieleman, et al., on March 30, 1990, to page 6 of the bill and moved its adoption.

Amendment S—5805 was adopted by a voice vote.

Senator Tinsman offered amendment S—5813 filed by Senators Tinsman, et al., on March 30, 1990, to page 6 of the bill and moved its adoption.

Amendment S—5813 was adopted by a voice vote.

Senator Szymoniak asked and received unanimous consent that action on **House File 2551** be **deferred** (amendment S—5778 pending).

UNFINISHED BUSINESS
(Deferred March 15, 1990)

House File 2488

The Senate resumed consideration of House File 2488, a bill

for an act relating to the characterization of certain corporate shares as issued, but not outstanding, shares, and making conforming amendments to reflect adoption of chapter 490, the new Iowa model business corporation Act, deferred on March 15, 1990.

Senator Varn withdrew amendment S—5823 filed by him on March 30, 1990, to page 12 of amendment S—5788.

Senator Varn withdrew amendment S—5788 filed by him on March 29, 1990, to pages 1, 2 and the title page of the bill.

Senator Varn offered amendment S—5839 filed by him from the floor to pages 1, 2 and the title page of the bill and moved its adoption.

Amendment S—5839 was adopted by a voice vote.

With the adoption of amendment S—5839, the Chair ruled amendments S—5668 and S—5669 filed by Senator Varn on March 23, 1990, to pages 1 and 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?" (H.F. 2488) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Hultman

Murphy

Soorholtz

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House File 2488** and **Senate File 2306** 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 2, 1990, **refused to concur** in the Senate amendment to the following bills in which the concurrence of the Senate is asked:

House File 156, a bill for an act relating to the separation of workers' compensation insurance premiums into two parts.

House File 2543, a bill for an act relating to the administration and benefits for certain public retirement systems, and providing effective dates and for the applicability of the Act.

ALSO: That the House has on April 2, 1990, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 112, a concurrent resolution relating to the board of regents' ten-year building program and providing for the financing of fire and life safety and deferred maintenance projects.

This resolution was read first time and assigned to the committee on **Appropriations**.

ALSO: That the House, on April 2, 1990, insisted on its amendment to Senate File 2057, a bill for an act relating to the conduct of pari-mutuel racing by simultaneous telecast, and that the members of the conference committee on the part of the House are: The Representative from Greene, Mr. Blanshan, Chair; the Representative from Polk, Mr. Bisignano; the Representative from Polk, Mr.

Connors; the Representative from Story, Ms. Garman; the Representative from Grundy, Mr. Renken.

ALSO: That the members of the conference committee, appointed April 2, 1990, on House File 2287, a bill for an act relating to a subsequent employer's unemployment benefit contribution rate upon the purchase or transference of a small business, on the part of the House are: The Representative from Clinton, Mr. Ollie, Chair; the Representative from Black Hawk, Ms. Harper; the Representative from Scott, Mr. Lykam; the Representative from Sioux, Mr. Plasier; the Representative from Iowa, Mr. Tyrrell.

ALSO: That the members of the conference committee, appointed April 2, 1990, on House File 2416, a bill for an act relating to corporal punishment, on the part of the House are: The Representative from Black Hawk, Ms. Harper, Chair; the Representative from Linn, Mr. Corbett; the Representative from Polk, Mr. Haverland; the Representative from Wright, Mr. Iverson; the Representative from Clinton, Mr. Ollie.

INTRODUCTION OF BILL

Senate File 2427, by committee on Appropriations, a bill for an act codifying certain regulatory and budgetary requirements relating to the duties and powers of state agencies and state budget procedures and providing an effective date.

Read first time and **placed on the Appropriations Calendar**.

SENATE INSISTS

House File 2543

Senator Kibbie called up for consideration House File 2543, a bill for an act relating to the administration and benefits for certain public retirement systems, and providing effective dates and for the applicability of the Act, amended by the Senate and moved that the Senate insist on its amendment.

The motion prevailed by a voice vote and the Senate **insisted** on its amendment.

APPOINTMENT OF CONFERENCE COMMITTEES

The Chair announced the following conference committee on **House File 2543** on the part of the Senate: Senators Kibbie, Chair; Hutchins, Horn, Nystrom and Rife.

The Chair announced the following conference committee on **Senate File 2057** on the part of the Senate: Senators Kinley, Chair; Fraise, Running, Lind and Gentleman.

SENATE INSISTS

House File 156

Senator Running called up for consideration House File 156, a bill for an act relating to the separation of workers' compensation insurance premiums into two parts, amended by the Senate, and moved that the Senate insist on its amendment.

The motion prevailed by a voice vote and the Senate **insisted on** its amendment.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **House File 156** on the part of the Senate: Senators Running, Chair; Gettings, Palmer, Fuhrman and Vande Hoef.

MOTION TO OVERRIDE GOVERNOR'S VETO LOST

Senator Lloyd-Jones called up for consideration Senate File 2296, a bill for an act relating to informal dispute resolution, establishing a council for dispute resolution, and relieving the office of prosecuting attorneys training coordinator of the department of justice of responsibility for the dispute resolution program, and moved to reconsider and pass the bill, the objection of the Governor notwithstanding, as vetoed by the Governor on March 29, 1990.

On the question "Shall the Senate on reconsideration, agree to pass the bill, the objections of the Governor to the contrary notwithstanding?" (S.F. 2296) the vote was:

Ayes, 30:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley

Lloyd-Jones	Mann	Miller	Murphy
Palmer	Peterson	Priebe	Riordan
Running	Scott	Sturgeon	Szymoniak
Varn	Welsh		

Nays, 18:

Corning	Drake	Fuhrman	Goodwin
Hagerla	Hedge	Hester	Hultman
Jensen	Lind	Nystrom	Pate
Rensink	Rife	Taylor	Tieden
Tinsman	Vande Hoef		

Absent or not voting, 2:

Gentleman	Soorholtz
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The motion having **failed to receive** a two-thirds majority was declared to have lost and the Governor's veto was sustained.

BUSINESS PENDING

House File 2551

The Senate resumed consideration of House File 2551, a bill for an act relating to taxes administered and fees collected by the department of revenue and finance including technical corrections, payment and liability for certain sales and use taxes, special fuel taxes, income tax, franchise tax, inheritance tax, and providing for certain retroactive applicability and effective dates, and amendment S—5778 by the committee on Ways and Means to pages 6 and 9 of the bill, previously deferred.

Senator Lind offered amendment S—5843 filed by Senators Lind, et al., from the floor to amendment S—5778 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5843 to amendment S—5778 be adopted?" (H.F. 2551) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 21:

Corning	Gentleman	Goodwin	Hagerla
Hedge	Hester	Hultman	Jensen
Lind	Murphy	Nystrom	Rensink
Rife	Riordan	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Welsh			

Nays, 24:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Doyle	Fraise
Fuhrman	Gettings	Gronstal	Hannon
Horn	Husak	Hutchins	Kibbie
Kinley	Lloyd-Jones	Mann	Miller
Palmer	Peterson	Priebe	Scott

Absent or not voting, 5:

Drake	Pate	Running	Soorholtz
Varn			

Amendment S—5843 lost.

Senator Szymoniak moved the adoption of amendment S—5778, which motion prevailed by a voice vote.

Senator Riordan offered amendment S—5846 filed by Senators Riordan, et al., from the floor to page 6 of the bill and moved its adoption.

Amendment S—5846 was adopted by a voice vote.

Senator Szymoniak moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2551) the vote was:

Ayes, 46:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Peterson	Priebe	Rensink	Rife

Riordan
Szymoniak
Vande Hoef

Running
Taylor
Welsh

Scott
Tieden

Sturgeon
Tinsman

Nays, none.

Absent or not voting, 4:

Drake

Pate

Soorholtz

Varn

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 2543, 156, 2551 and Senate File 2057** be **immediately messaged** to the House.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the members of the conference committee, appointed April 2, 1990, on Senate File 2306, a bill for an act relating to open enrollment, including the general intent, notification dates, exceptions to notification dates, board action on requests, counting of pupils for state foundation aid purposes, student expulsion or suspension, qualification for transportation, and participation of laboratory schools, and providing an effective date, on the part of the House are: The Representative from Clinton, Mr. Ollie, Chair; the Representative from Hamilton, Ms. Adams; the Representative from Adams, Mr. Daggett; the Representative from Calhoun, Mr. Maulsby; the Representative from Lee, Mr. Wise.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Zimmerman presiding.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 2, 1990, passed the following bill in which the concurrence of the House was asked:

Senate File 2421, a bill for an act relating to human services and making appropriations to the department of human services and other properly related matters, providing for retroactive applicability of certain provisions, and providing an effective date.

APPENDIX

SUPPLEMENTAL REPORT OF THE COMMITTEE ON MEMORIAL RESOLUTIONS

MADAM PRESIDENT: The committee on memorial resolutions has ascertained the name of a former member of the Senate who has become deceased and appoints the following committee to prepare a memorial resolution:

DEWEY B. PHELPS, SR.: Fraise, Chair; Hagerla and Hedge

C. JOSEPH COLEMAN
DONALD DOYLE
DALE L. TIEDEN
RICHARD F. DRAKE

REPORTS OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 2114, the following corrections were made:

1. Page 33, line 24, the word and number "Section 200" was changed to the word and number "Section 43".
2. Page 33, line 29, the word and number "Section 100" was changed to the word and number "Section 45".
3. Page 33, line 32, the word and number "Section 300" was changed to the word and number "Section 7".
4. Page 33, line 34, the word and number "Section 25" was changed to the word and number "Section 29".

ALSO: That in enrolling Senate File 2114, the following corrections were made:

1. Page 14, line 24, the word and number "section 7" were changed to the word and number "section 8".
2. Page 20, line 17, the words and numbers "Sections 100, 200, 300, 800 and 900" were changed to the words and numbers "Sections 21, 23, 24, 26, and 28".

JOHN F. DWYER
Secretary of the Senate

SUBCOMMITTEE ASSIGNMENT

Senate Concurrent Resolution 131

TRANSPORTATION: Gettings, Chair; Doyle and Jensen

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 April, 1990:

Senate Files 368, 2328 and 2364.

JOHN F. DWYER
Secretary of the Senate

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which House File 2537 passed the Senate on April 2, 1990.

PAUL PATE

MADAM PRESIDENT: I move to reconsider the vote by which House File 2537 passed the Senate on April 2, 1990.

BILL HUTCHINS

MADAM PRESIDENT: I move to reconsider the vote by which House File 2537 passed the Senate on April 2, 1990.

MICHAEL GRONSTAL

COMMITTEE REPORT

APPROPRIATIONS

Final Bill Action: SENATE FILE 2427, a bill for an act codifying certain regulatory and budgetary requirements relating to the duties and powers of state agencies and state budget procedures and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 20: Welsh, Boswell, Tieden, Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Pate, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn. Nays, none. Absent or not voting, 1: Peterson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5833	H.F.	2268	Elaine Szymoniak
S—5834	S.F.	2410	Jack Rife
S—5835	S.F.	2422	Jim Lind Richard Varn Joe Welsh
S—5836	H.F.	2536	Joe Welsh
S—5837	H.F.	2268	Elaine Szymoniak
S—5838	S.F.	2408	House amendment
S—5839	H.F.	2488	Richard Varn
S—5840	H.F.	656	Patrick Deluhery C. Joseph Coleman
S—5841	H.F.	2407	Jim Riordan
S—5842	H.F.	2412	Mike Connolly
S—5843	H.F.	2551	Jim Lind Norman Goodwin Elaine Szymoniak Larry Murphy
S—5844	H.F.	2536	Richard Varn
S—5845	H.F.	2564	Charles Bruner
S—5846	H.F.	2551	Jim Riordan Richard Drake Elaine Szymoniak Calvin Hultman George Kinley Berl Priebe

ADJOURNMENT

On motion of Senator Riordan, the Senate adjourned at 7:06 p.m., until 9:00 a.m., Tuesday, April 3, 1990.

JOURNAL OF THE SENATE

EIGHTY-SIXTH CALENDAR DAY
FIFTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 3, 1990

The Senate met in regular session at 9:13 a.m., President pro tempore Mann presiding.

Prayer was offered by the Honorable Mark R. Hagerla, member of the Senate from Des Moines County, West Burlington, Iowa.

The Journal of Monday, April 2, 1990, was approved.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 46 present, 4 absent and a quorum present.

UNFINISHED BUSINESS (Deferred March 16, 1990)

House File 2412

The Senate resumed consideration of House File 2412, a bill for an act providing for the enactment of municipal infractions relating to the environment and providing penalties, deferred March 16, 1990.

Senator Connolly offered amendment S—5439 filed by the committee on Environment and Energy Utilities on March 12, 1990, to pages 1 and 2 of the bill and called for a division: lines 3 through 6 as division S—5439A and lines 7 through 15 as division S—5439B.

Senator Connolly asked and received unanimous consent to withdraw division S—5439A.

Senator Connolly moved the adoption of division S—5439B, which motion prevailed by a voice vote.

Senator Connolly offered amendment S—5774 filed by him on March 29, 1990, to page 1 of the bill.

Senator Connolly offered amendment S—5842 filed by him on April 2, 1990, to amendment S—5774 and moved its adoption.

Amendment S—5842 was adopted by a voice vote.

Senator Connolly moved the adoption of amendment S—5774 as amended.

A non record roll call was requested.

The ayes were 28, nays 7.

Amendment S—5774 as amended was adopted.

With the adoption of amendment S—5774 as amended, the Chair ruled amendment S—5478 filed by Senator Connolly on March 13, 1990, to page 1 of the bill, out of order.

Senator Connolly moved that the bill be read the last time now and placed upon its passage, 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, 33:

Bruner	Coleman	Connolly	Deluhery
Dieleman	Doyle	Fraise	Gentleman
Gettings	Goodwin	Gronstal	Hannon
Horn	Husak	Hutchins	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Palmer	Pate
Priebe	Rife	Riordan	Running
Sturgeon	Szymoniak	Tinsman	Varn
Welsh			

Nays, 17:

Boswell	Corning	Drake	Fuhrman
Hagerla	Hedge	Hester	Hultman
Jensen	Nystrom	Peterson	Rensink

Scott
Vande Hoef

Soorholtz

Taylor

Tieden

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred March 16, 1990)

House File 724

The Senate resumed consideration of House File 724, 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, deferred March 16, 1990.

Senator Coleman offered amendment S—5321 filed by the committee on Judiciary on March 1, 1990, to strike everything after the enacting clause of the bill.

Senator Coleman withdrew amendment S—5586 filed by him on March 20, 1990, to pages 3, 13, 15, 17, 18, 26, 28 and 29 of amendment S—5321.

Senator Coleman offered amendment S—5850 filed by him from the floor to pages 3, 13, 15, 17, 18, 26, 28 and 29 of amendment S—5321 and moved its adoption.

Amendment S—5850 was adopted by a voice vote.

Senator Coleman offered amendment S—5365 filed by him on March 6, 1990, to page 13 of amendment S—5321 and moved its adoption.

Amendment S—5365 was adopted by a voice vote.

Senator Coleman moved the adoption of amendment S—5321 as amended, 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. 724) the vote was:

Ayes, 49:

Boswell	Bruner	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Connolly

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 10:25 a.m.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 20, 1990, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2329, a bill for an act relating to motor vehicle registration fees by allowing semiannual installment payments of registration fees for certain commercial vehicles, and to the use and issuance of motor vehicle licenses including provisions authorizing the issuance of commercial driver's licenses, setting fees for issuance of motor vehicle licenses, providing penalties, and making penalties applicable (S—5851).

ALSO: That the members of the conference committee, appointed April 2, 1990, on Senate File 2280, a bill for an act relating to and making appropriations to various state agencies including certain state 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, increasing certain fees, changing the procurement program, and providing for repeals of certain provisions, on the part of the House are: The Representative from Polk, Mr. Renaud, Chair; the Representative from Hamilton, Ms. Adams; the Representative from Hardin, Mr. Fuller; the Representative from Buchanan, Mr. Kremer; the Representative from Jones, Mr. McKean.

ALSO: That the members of the conference committee, appointed April 2, 1990, on Senate File 2402, a bill for an act relating to and making appropriations to state agencies whose responsibilities relate to public defense, public safety, transportation, and enforcement, and including allocation and use of moneys from the road use tax fund, primary road fund, and state aviation fund, mandating reports of certain agency purchases and providing expenses for certain members of the Iowa highway research board, on the part of the House are: The Representative from Des Moines, Mr. Cohoon, Chair; the Representative from Clarke, Mr. Beaman; the Representative from Mitchell, Mr. Koenigs; the Representative from Crawford, Mr. Muhlbauer; the Representative from Woodbury, Mr. Shoning.

UNFINISHED BUSINESS (Deferred March 16, 1990)

House File 2486

The Senate resumed consideration of House File 2486, a bill for an act relating to the regulation of tanning facilities, providing penalties, and providing for the establishment of fees, deferred March 16, 1990.

Senator Rensink offered amendment S—5852 filed by Senators Rensink and Vande Hoef from the floor to page 1 and the title page of the bill.

Senator Gronstal raised the point of order that amendment S—5852 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5852 out of order.

Senator Riordan offered amendment S—5535 filed by Senators Riordan and Fuhrman on March 16, 1990, to page 2 of the bill and moved its adoption.

Amendment S—5535 was adopted by a voice vote.

Senator Riordan moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2486) the vote was:

Ayes, 30:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Doyle	Fraise
Gronstal	Hannon	Hedge	Horn
Husak	Hutchins	Kibbie	Kinley
Lloyd-Jones	Mann	Miller	Palmer
Peterson	Priebe	Riordan	Running
Scott	Sturgeon	Szymoniak	Tinsman
Varn	Welsh		

Nays, 20:

Corning	Drake	Fuhrman	Gentleman
Gettings	Goodwin	Hagerla	Hester
Hultman	Jensen	Lind	Murphy
Nystrom	Pate	Rensink	Rife
Soorholtz	Taylor	Tieden	Vande Hoef

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House Files 724 and 2486** be **immediately messaged** to the House.

SENATE RECEDES

House File 2068

Senator Murphy called up for consideration House File 2068, a bill for an act providing technical changes to the financing of education programs of school districts and providing a retroactive effective date, amended by the Senate, and moved that the Senate recede from its amendment.

On the question "Shall the motion to recede be adopted?" (H.F. 2068) 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	Coleman	Connolly
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Priebe	Riordan	Running
Scott	Szymoniak	Varn	

Nays, 23:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Nystrom
Pate	Peterson	Rensink	Rife
Soorholtz	Sturgeon	Taylor	Tieden
Tinsman	Vande Hoef	Welsh	

The motion prevailed and the Senate recessed from its amendment.

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. 2068) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Varn	Welsh	

Nays, 2:

Hultman	Rife
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Absent or not voting, 1:

Vande Hoef

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **House File 2068** be **immediately messaged** to the House.

INTRODUCTION OF RESOLUTION

Senate Resolution 110, by committee on Agriculture, a resolution to request that the Legislative Council establish an interim committee to study methods to increase livestock production and expand value-added processes involving livestock products in this state.

Read first time and **placed on calendar**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:25 a.m., until 2:00 p.m.

APPENDIX

REPORT OF COMMITTEE MEETINGS

AGRICULTURE

Convened: April 2, 1990, 6:50 p.m.

Members Present: Priebe, Chair; Boswell, Coleman, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Palmer, Rensink and Scott.

Members Absent: Riordan, Vice Chair; Soorholtz, Ranking Member and Vande Hoef.

Committee Business: Approved LSBs 8451 and 8460 as committee resolutions.

Adjourned: 7:00 p.m.

APPROPRIATIONS

Convened: April 2, 1990, 1:46 p.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Pate, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn.

Members Absent: Peterson (excused).

Committee Business: Amended LSB 8462 and ordered redrafted for final approval as a committee bill; approved LSB 8291 as a committee bill; discussed House File 2564.

Recessed: 2:25 p.m.

Reconvened: April 2, 1990, 6:45 p.m.

Members Present: All members present.

Committee Business: none.

Adjourned: 6:46 p.m.

HUMAN RESOURCES

Convened: April 2, 1990, 6:25 p.m.

Members Present: Hannon, Chair; Bruner, Vice Chair; Corning, Ranking Member; Connolly, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman.

Members Absent: none.

Committee Business: Recommended passage of Senate File 2425.

Adjourned: 6:35 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate Resolution 109

RULES AND ADMINISTRATION: Lloyd-Jones, Chair; Hultman and Hutchins

House File 2559

WAYS AND MEANS: Riordan, Chair; Fraise and Drake

House File 2560

WAYS AND MEANS: Murphy, Chair; Szymoniak and Drake

House File 2563

WAYS AND MEANS: Palmer, Chair; Szymoniak and Gentleman

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE RESOLUTION 110, a resolution to request that the Legislative Council establish an interim committee to study methods to increase livestock production and expand value-added processes involving livestock products in this state.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 12: Priebe, Boswell, Coleman, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Palmer, Rensink and Scott. Nays, none. Absent or not voting, 3: Riordan, Soorholtz and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE CONCURRENT RESOLUTION 132, a concurrent resolution to request that the Legislative Council establish an interim committee to study issues relating to the regulation of grain dealers and grain warehouse operators, and to the protection of the grain depositors and sellers under chapters 542, 543, and 543A.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 12: Priebe, Boswell, Coleman, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Palmer, Rensink and Scott. Nays, none. Absent or not voting, 3: Riordan, Soorholtz and Vande Hoef.

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 Agriculture Committee on Senate Concurrent Resolution 132 and they were attached to the committee report.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 2425, a bill for an act relating to the care of children when a legally responsible adult is unavailable to provide the care.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Hannon, Bruner, Corning, Connolly, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: SENATE FILE 2426, a bill for an act relating to persons who act as the president of the senate, providing for the term of office of the president of the senate, providing authorization for the compensation of the lieutenant governor in executive branch Code provisions, removing the lieutenant governor from membership on the legislative council, making the president of the senate, the speaker pro tempore, and two additional minority party members legislative council members, making changes in the manner of appointment of senate members of certain boards, commissions, agencies, councils, associations, and statutory committees, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Hutchins, Gettings, Hultman, Jensen, Kinley and Lloyd-Jones. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 130, a concurrent resolution on Namibian independence.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Hutchins, Gettings, Hultman, Jensen, Kinley and Lloyd-Jones. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which House File 2412 passed the Senate on April 3, 1990.

EMIL J. HUSAK

MADAM PRESIDENT: I move to reconsider the vote by which House File 2412 passed the Senate on April 3, 1990.

PAUL PATE

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-five fifth grade students from Rex Mathes Elementary School, West Des Moines, Iowa. Senator Gentleman.

Fifty-one eighth grade students from Pella Christian School, Pella, Iowa, accompanied by Jim De Boef. Senator Dieleman.

Sixty-three fifth grade students from State Center Elementary School, West Marshall, Iowa. Senator Soorholtz.

REPORTS OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 2274, the following corrections were made:

1. Page 1, line 20, the word "Section 2" was changed to the word "Sec. 2".

ALSO: That in enrolling Senate File 2327, the following corrections were made:

1. Page 12, line 14, the numbers "46 and 47" were changed to the numbers "34 and 35".

2. Page 18, line 19, the word and number "subsection 15" was changed to the word and number "subsection 14".

3. Page 20, line 11, the words "air ballon races" were changed to the words "air balloon races".

ALSO: That in enrolling Senate File 2366, the following corrections were made:

1. Page 3, line 24, the word and number "Sec. 5" was changed to the word and number "Sec. 4".

2. Page 4, line 3, the word and number "Sec. 6" was changed to the word and number "Sec. 5".

3. Page 4, line 11, the word and number "Sec. 7" was changed to the word and number "Sec. 6".

ALSO: That in enrolling Senate File 2410, the following corrections were made:

1. Page 56, line 11, the word "colleges" was changed to the word "college".

2. Page 81, line 35, the word and number "Section 87" was changed to the word and number "Section 90".

3. Page 82, line 2, the word and number "Section 100" was changed to the word and number "Section 94".

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5847	H.F.	2503	Jim Lind
S—5848	H.F.	2554	John Jensen
S—5849	H.F.	2554	John Jensen
S—5850	H.F.	724	C. Joseph Coleman
S—5851	S.F.	2329	House amendment
S—5852	H.F.	2486	Wilmer Rensink
			Richard Vande Hoef
S—5853	H.F.	2546	Julia Gentleman
			Maggie Tinsman
			Linn Fuhrman
			Richard F. Drake
			William W. Dieleman

AFTERNOON SESSION

The Senate reconvened at 2:16 p.m., President pro tempore Mann presiding.

QUORUM CALL

Senator Husak requested a non record roll call to determine that a quorum was present.

President Zimmerman took the chair at 2:24 p.m.

The vote revealed 43 present, 7 absent and a quorum present.

UNFINISHED BUSINESS

(Deferred March 15, 1990)

House File 2009

The Senate resumed consideration of House File 2009, a bill for an act relating to elections, providing that an eligible elector residing in a precinct may register to vote at the polling place on election day, and increasing the penalty for improper voting, deferred March 15, 1990.

Senator Gronstal asked and received unanimous consent that action on amendment S—5432 filed by the committee on State Government on March 12, 1990, to pages 2, 3 and the title page of the bill be deferred.

Senator Gronstal offered amendment S—5858 filed by Senators Gronstal, et al., from the floor to pages 1 through 3 and the title page of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 29, nays 18.

Amendment S—5858 was adopted.

With the adoption of amendment S—5858, the Chair ruled amendment S—5432, 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. 2009) the vote was:

Ayes, 30:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Peterson	Priebe	Riordan
Running	Scott	Sturgeon	Szymoniak
Varn	Welsh		

Nays, 19:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Nystrom
Pate	Rensink	Rife	Taylor
Tieden	Tinsman	Vande Hoef	

Absent or not voting, 1:

Soorholtz

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Hutchins asked and received unanimous consent that **House File 2009** be **immediately messaged** to the House.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President pro tempore Mann presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 2, 1990, passed the following bill in which the concurrence of the Senate is asked:

House File 2562, a bill for an act relating to the use of white flashing lights on privately owned motor vehicles of certain emergency medical care providers and making penalties applicable.

This bill was read first time and **passed on file**.

ALSO: That the members of the conference committee, appointed April 3, 1990, on House File 156, a bill for an act relating to the separation of workers' compensation insurance premiums into two parts, on the part of the House are: the Representative from Clinton, Mr. Ollie, Chair; the Representative from Polk, Mr. Sherzan; the Representative from Linn, Ms. Chapman; the Representative from Scott, Mr. Hermann; and the Representative from Pottawattamie, Ms. Hester.

ALSO: That the members of the conference committee, appointed April 3, 1990, on House File 2543, a bill for an act relating to the administration and benefits for certain public retirement systems, and providing for the applicability of the Act, on the part of the House are: the Representative from Green, Mr. Blanshan, Chair; the Representative from Delaware, Mr. Hanson; the Representative from Polk, Mr. Connors; the Representative from Woodbury, Mr. Hansen; and the Representative from Polk, Ms. Carpenter.

INTRODUCTION OF RESOLUTIONS

Senate Resoluton 111, by committee on Agriculture, a senate resolution to request that the Legislative Council establish an interim committee to study business practices related to consignment sales of agricultural property.

Read first time and **placed on calendar**.

Senate Concurrent Resolution 132, by committee on Agriculture, a concurrent resolution to request that the Legislative Council establish an interim committee to study issues relating to the regulation of grain dealers and grain warehouse operators, and to the protection of the grain depositors and sellers under chapters 542, 543, and 543A.

Read first time and **placed on calendar**.

HOUSE AMENDMENT CONSIDERED

Senate File 2329

Senator Coleman called up for consideration Senate File 2329, a bill for an act relating to implied consent to test persons operating commercial motor vehicles, to motor vehicle registration fees by allowing semiannual installment payments of registration fees for certain commercial vehicles, and to the use and issuance of motor vehicle licenses including provisions authorizing the issuance of commercial driver's licenses, setting fees for issuance of motor vehicle licenses, providing penalties, and making penalties applicable, amended by the House in House amendment S—5851 filed April 3, 1990.

Senator Coleman offered amendment S—5857 filed by Senators Coleman and Drake from the floor to pages 1, 3, 4 and 5 of House amendment S—5851 and moved its adoption.

Amendment S—5857 was adopted by a voice vote.

President Zimmerman took the chair at 4:05 p.m.

Senator Coleman moved that the Senate concur in the House amendment as amended, which motion prevailed by a voice vote.

Senator Coleman moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2329) the vote was:

Ayes, 46:

Boswell	Bruner	Coleman	Connelly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Nystrom	Palmer	Peterson
Priebe	Rensink	Rife	Riordan
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 4:

Mann

Murphy

Pate

Running

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 out of order House File 2546.

House File 2546

On motion of Senator Bruner, House File 2546, a bill for an act relating to child day care and the state child dependent care tax credit and providing a retroactive applicability date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Bruner offered amendment S—5779 filed by the committee on Ways and Means on March 29, 1990, to pages 4, 5, 6 and the title page of the bill.

Senator Gentleman offered amendment S—5853 filed by Senators Gentleman, et al., from the floor to amendment S—5779.

Senator Bruner called for a division of amendment S—5853 to amendment S—5779: lines 4 through 12 as division S—5853A and lines 13 through 29 as division S—5853B.

Senator Gentleman moved the adoption of division S—5853A to amendment S—5779, which motion prevailed by a voice vote.

Senator Gentleman moved the adoption of division S—5853B to amendment S—5779.

A record roll call was requested.

On the question "Shall division S—5853B to amendment S—5779 be adopted?" (H.F. 2546) the vote was:

Ayes, 18:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Nystrom
Pate	Rife	Taylor	Tieden
Tinsman	Vande Hoef		

Nays, 28:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kinley	Lloyd-Jones
Mann	Miller	Murphy	Palmer
Peterson	Priebe	Riordan	Scott
Sturgeon	Szymoniak	Varn	Welsh

Absent or not voting, 4:

Kibbie	Rensink	Running	Soorholtz
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Division S—5853B lost.

Senator Bruner moved the adoption of amendment S—5779 as amended, which motion prevailed by a voice vote.

Senator Hultman raised the point of order that with the adoption of amendment S—5779 as amended, House File 2546 should be referred to the committee on **Appropriations** under Senate Rule 37.

Senator Hutchins asked and received unanimous consent that **House File 2546** be referred to the committee on **Appropriations** and returned to the Senate Calendar by 12:00 noon on April 4, 1990.

UNFINISHED BUSINESS

(Deferred April 2, 1990)

House File 2554

The Senate resumed consideration of House File 2554, a bill for an act relating to county tax and services provisions by appropriating funds for state assistance to counties for certain services to the chronically mentally ill, by modifying the mobile home tax reduction for the elderly and disabled, the property tax

credit and rent reimbursement for the elderly and disabled, by increasing the amount of credit and reimbursement, creating a family farm tax credit, and providing a penalty, and effective and applicability dates, substituted for Senate File 2424 and deferred on April 2, 1990.

Senator Dieleman offered amendment S—5860 filed by Senators Dieleman, et al., from the floor to pages 2 through 4, 9 through 15 and the title page of the bill.

Senator Hultman asked and received unanimous consent that action on amendment S—5860 be deferred.

Senator Jensen offered amendment S—5848 filed by him from the floor to page 3 and the title page of the bill.

Senator Dieleman asked and received unanimous consent that action on amendment S—5848 and **House File 2554** be deferred.

HOUSE AMENDMENTS CONSIDERED

Senate File 2114

Senator Szymoniak called up for consideration Senate File 2114, a bill for an act relating to the updating of references to the federal Internal Revenue Code, relating to income tax and the computation of net income, increasing the tax credit allowed for certain research activities, providing an effective date, and providing certain retroactive applicability dates, amended by the House, and moved that the Senate concur in House amendment S—5824 filed April 2, 1990.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Szymoniak 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. 2114) the vote was:

Ayes, 48:

Boswell

Bruner

Coleman

Connolly

Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Scott
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Running Soorholtz

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 2408

Senator Fraise called up for consideration Senate File 2408, a bill for an act relating to and making appropriations to the justice system, amended by the House in House amendment S—5838 filed April 2, 1990.

Senator Doyle offered amendment S—5864 filed by Senators Doyle, et al., from the floor to pages 1 and 7 of House amendment S—5838.

Senator Doyle asked and received unanimous consent that action on amendment S—5864 be deferred.

Senator Fraise offered amendment S—5868 filed by Senators Fraise and Welsh from the floor to pages 1 through 7 of House amendment S—5838 and called for a division:

Division S—5868A: Page 3, lines 9 through 16.

Division S—5868B: Page 1, lines 4 through 50; page 2; page 3, lines 1 through 8.

Senator Fraise asked and received unanimous consent to withdraw division S—5868A to House amendment S—5838.

Senator Fraise moved the adoption of division S—5868B to House amendment S—5838.

A non record roll call was requested.

The ayes were 29, nays 19.

Division S—5868B was adopted.

With the adoption of division S—5868B, the Chair ruled the following amendments to House amendment S—5838 out of order:

S—5856 filed by Senators Welsh and Vande Hoef from the floor to pages 2 and 7.

S—5855 filed by Senators Welsh and Vande Hoef from the floor to page 4.

S—5876 filed by Senators Welsh and Vande Hoef from the floor to pages 2 and 7.

Senator Connolly offered amendment S—5854 filed by him from the floor to page 5 of House amendment S—5838 and moved its adoption.

Amendment S—5854 was adopted by a voice vote.

Senator Fraise offered amendment S—5866 filed by Senators Fraise and Welsh from the floor to pages 6 and 7 of House amendment S—5838 and moved its adoption.

Amendment S—5866 was adopted by a voice vote.

Senator Fraise asked and received unanimous consent that action on **Senate File 2408** be **deferred** (amendment S—5864 pending).

COMMITTEE REPORT

APPROPRIATIONS

Final Bill Action: HOUSE CONCURRENT RESOLUTION 112, a concurrent resolution relating to the board of regents' ten-year building program and providing for the financing of fire and life safety and deferred maintenance projects.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5870.

Final Vote: Ayes, 18: Welsh, Boswell, Tieden, Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Lloyd-Jones, Pate, Peterson, Rensink, Riordan, Running, insman and Varn. Nays, 3: Jensen, Lind and Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF RESOLUTION (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration House Concurrent Resolution 112.

House Concurrent Resolution 112

On motion of Senator Varn, House Concurrent Resolution 112, a concurrent resolution relating to the board of regents' ten-year building program and providing for the financing of fire and life safety and deferred maintenance projects, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Kinley took the chair at 5:45 p.m.

Senator Varn offered amendment S—5870 filed by the committee on Appropriations from the floor to pages 3 and 4 of the resolution and moved its adoption.

Amendment S—5870 was adopted by a voice vote.

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 Concurrent Resolution 112

The Senate resumed consideration of House Concurrent Resolution 112.

Senator Varn moved the adoption of House Concurrent Resolution 112 as amended.

On the question "Shall the resolution be adopted?" (H.C.R. 112) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 32:

Boswell	Conroy	Corning	Deluhery
Dieleman	Doyle	Drake	Gettings
Gronstal	Hannon	Horn	Husak
Hutchins	Kibbie	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Peterson	Rensink	Riordan	Running
Scott	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Varn	Welsh

Nays, 16:

Coleman	Fraise	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Kinley	Lind
Pate	Priebe	Rife	Vande Hoef

Absent or not voting, 2:

Bruner	Soorholtz
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The resolution having received a constitutional majority was declared to have been adopted by the Senate.

BUSINESS PENDING

Senate File 2408

The Senate resumed consideration of Senate File 2408, a bill for an act relating to and making appropriations to the justice system, House amendment S—5838 and amendment S—5864 by Senators Doyle, et al., to House amendment S—5838, previously deferred.

President Zimmerman took the chair at 6:04 p.m.

Senator Doyle offered amendment S—5875 filed by him from the floor to amendment S—5864 to House amendment S—5838 and moved its adoption.

Amendment S—5875 was adopted by a voice vote.

Senator Doyle moved the adoption of amendment S—5864 as amended to House amendment S—5838, which motion prevailed by a voice vote.

Senator Welsh offered amendment S—5878 filed by him from the floor to page 7 of House amendment S—5838 and moved its adoption.

Amendment S—5878 was adopted by a voice vote.

Senator Fraise moved that the Senate concur in the House amendment as amended, which motion prevailed by a voice vote.

Senator Fraise 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. 2408) the vote was:

Ayes, 30:

Boswell	Coleman	Connolly	Deluhery
Dieleman	Doyle	Fraise	Gettings
Gronstal	Hannon	Horn	Husak
Hutchins	Kibbie	Kinley	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Peterson	Priebe	Riordan
Running	Scott	Sturgeon	Szymoniak
Varn	Welsh		

Nays, 17:

Corning	Fuhrman	Gentleman	Goodwin
Hagerla	Hedge	Hester	Hultman
Jensen	Lind	Pate	Rensink
Rife	Taylor	Tieden	Tinsman
Vande Hoef			

Absent or not voting, 3:

Bruner	Drake	Soorholtz
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 2329, 2114, 2408** and **House Concurrent Resolution 112** be **immediately messaged** to the House.

BUSINESS PENDING

House File 2554

The Senate resumed consideration of House File 2554, a bill for an act relating to county tax and services provisions by appropriating funds for state assistance to counties for certain services to the chronically mentally ill, by modifying the mobile home tax reduction for the elderly and disabled, the property tax credit and rent reimbursement for the elderly and disabled, by increasing the amount of credit and reimbursement, creating a family farm tax credit, and providing a penalty, and effective and applicability dates, and amendment S—5860 by Senators Dieleman, et al., and amendment S—5848 by Senator Jensen, previously deferred.

Senator Taylor offered amendment S—5877 filed by him from the floor to pages 1 through 15 and the title page of the bill.

Senator Dieleman raised the point of order that amendment S—5877 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5877 out of order.

The Senate resumed consideration of amendment S—5860 to pages 2, 3, 4, 9 through 15 and the title page of the bill, previously deferred.

Senator Hultman offered amendment S—5873 filed by Senators Hultman, et al., from the floor to amendment S—5860.

President pro tempore Mann took the chair at 6:47 p.m.

President Zimmerman took the chair at 7:03 p.m.

Senator Hultman moved the adoption of amendment S—5873 to amendment S—5860.

A record roll call was requested.

On the question "Shall amendment S—5873 to amendment S—5860 be adopted?" (H.F. 2554) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 21:

Coleman	Corning	Drake	Gentleman
Gettings	Goodwin	Hagerla	Hedge
Hester	Hultman	Jensen	Lind
Nystrom	Pate	Rensink	Rife
Scott	Taylor	Tieden	Tinsman
Vande Hoef			

Nays, 26:

Boswell	Connolly	Deluhery	Dieleman
Doyle	Fraise	Gronstal	Hannon
Horn	Husak	Hutchins	Kibbie
Kinley	Lloyd-Jones	Mann	Miller
Murphy	Palmer	Peterson	Priebe
Riordan	Running	Sturgeon	Szymoniak
Varn	Welsh		

Absent or not voting, 3:

Bruner	Fuhrman	Soorholtz
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Amendment S—5873 lost.

Senator Dieleman offered amendment S—5871 filed by Senators Dieleman and Bruner from the floor to amendment S—5860 and moved its adoption.

Amendment S—5871 was adopted by a voice vote.

Senator Welsh offered amendment S—5874 filed by Senators Welsh and Dieleman from the floor to amendment S—5860 and moved its adoption.

Amendment S—5874 was adopted by a voice vote.

President pro tempore Mann took the chair at 7:21 p.m.

Senator Dieleman moved the adoption of amendment S—5860 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—5860 as amended, the Chair ruled the following amendments out of order:

S—5848 by Senator Jensen to page 3 and the title page of the bill, previously deferred.

S—5865 filed by Senator Dieleman from the floor to page 12 of the bill.

S—5849 filed by Senator Jensen from the floor to page 13 of the bill.

Senator Rife offered amendment S—5872 filed by him from the floor to pages 3, 15 and the title page of the bill.

Senator Dieleman raised the point of order that amendment S—5872 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5872 out of order.

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. 2554) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 40:

Boswell	Coleman	Connolly	Corning
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Hedge
Hester	Horn	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Peterson	Priebe
Rensink	Riordan	Running	Scott
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 7:

Drake
Hultman

Gentleman
Pate

Goodwin
Rife

Hagerla

Absent or not voting, 3:

Bruner

Fuhrman

Soorholtz

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Hutchins asked and received unanimous consent that **House File 2554** be **immediately messaged** to the House.

President Zimmerman took the chair at 7:40 p.m.

INTRODUCTION OF BILLS

Senate File 2428, by committee on Appropriations, a bill for an act relating to and making appropriations of federal and other nonstate funds including 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 catagorical grants are consolidated into new or existing block grants.

Read first time and **placed on Appropriations calendar**.

Senate File 2429, by Hutchins and Hultman, a bill for an act relating to responsibilities for the receipt and disbursement if support payments.

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.

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

H.F.	2562	Transportation
S.F.	2429	Judiciary

APPENDIX

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE RESOLUTION 111, a senate resolution to request that the Legislative Council establish an interim committee to study business practices related to consignment sales of agricultural property.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 15: Priebe, Riordan, Soorholtz, Boswell, Coleman, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

APPROPRIATIONS

Final Bill Action: SENATE FILE 2428, a bill for an act relating to and making appropriations of federal and other nonstate funds including funds made available from federal block grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated or if categorical grants are consolidated into new or existing block grants.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 21: Welsh, Boswell, Tieden, Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Pate, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2564, a bill for an act relating to making appropriations for substance abuse treatment, prevention, education, and enforcement programs, establishing an evaluation mechanism for substance abuse treatment programs, and providing civil penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5879.

Final Vote: Ayes, 21: Welsh, Boswell, Tieden, Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Pate, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: HOUSE FILE 2560, a bill for an act relating to the formation of community clusters by certain governmental units for the joint exercise of powers.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Dieleman, Hester, Bruner, Connolly, Drake, Fraise, Murphy, Riordan and Szymoniak. Nays, none. Absent or not voting, 6: Husak, Fuhrman, Gentleman, Hultman, Palmer and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 3rd day of April, 1990:

Senate Files 2240, 2274, 2327, 2366, 2410 and 2421.

JOHN F. DWYER
Secretary of the Senate

GOVERNOR'S VETO MESSAGE

April 3, 1990

The Honorable Jo Ann Zimmerman
President of the Senate
State Capitol Building
L O C A L

Dear Madam President:

Senate File 2421, a bill for an act relating to human services and making appropriations to the department of human services and other properly related matters, providing for retroactive applicability of certain provisions, and providing an effective date, is hereby disapproved and transmitted to you in accordance with Article III, Section 16, of the Constitution of the State of Iowa.

Senate File 2421 overspends my budget recommendation by \$6.5 million. With revenues continuing to fall below the Revenue Estimating Conference estimate in March, it is critical that we not authorize additional spending. I cannot allow spending levels to exceed our ability to pay.

I want to work with the legislature to achieve an acceptable level of spending on human services, and as I have stated before, I would like to reach an agreement with the legislature on the total level of spending for fiscal year 1991.

For the above reasons, I hereby respectfully disapprove Senate File 2421.

Sincerely,
TERRY E. BRANSTAD
Governor

AMENDMENTS FILED

S—5854	S. F.	2408	Mike Connolly
S—5855	S. F.	2408	Joe Welsh Richard Vande Hoef
S—5856	S. F.	2408	Joe Welsh Richard Vande Hoef
S—5857	S. F.	2329	C. Joseph Coleman Richard Drake
S—5858	H. F.	2009	Michael Gronstal Emil Husak Berl Priebe Wally Horn Jean Lloyd-Jones Bill Hutchins John Kibbie Tom Mann, Jr.
S—5859	S. F.	2427	Joe Welsh
S—5860	H. F.	2554	William Dieleman Berl Priebe Emil Husak William Palmer Charles Bruner
S—5861	H. F.	2407	Mike Connolly
S—5862	H. F.	2412	Kenneth Scott Berl Priebe Emil Husak John Soorholtz

			Richard Vande Hoef
			Jack Rife
S—5863	H.F.	2564	Charles Bruner
S—5864	S.F.	2408	Donald Doyle
			Richard Varn
			Richard Vande Hoef
			Eugene Fraise
S—5865	H.F.	2554	William Dieleman
S—5866	S.F.	2408	Eugene Fraise
			Joe Welsh
S—5867	H.F.	2533	Ray Taylor
S—5868	S.F.	2408	Eugene Fraise
			Joe Welsh
S—5869	S.F.	2427	Joe Welsh
S—5870	H.C.R.	112	Appropriations
S—5871	H.F.	2554	William Dieleman
			Charles Bruner
S—5872	H.F.	2554	Jack Rife
S—5873	H.F.	2554	Calvin Hultman
			John Jensen
			Dale Tieden
			Ray Taylor
			Paul Pate
			Richard Vande Hoef
			Mark Hagerla
			Wilmer Rensink
			Jack Hester
			Linn Fuhrman
			Maggie Tinsman
			Joy Corning
			Jack Rife
			Jim Lind
			Richard Drake
			H. Kay Hedge
			Norman Goodwin
			Julia Gentleman
S—5874	H.F.	2554	Joe Welsh
			William Dieleman
S—5875	S.F.	2408	Donald Doyle
S—5876	S.F.	2408	Joe Welsh
			Richard Vande Hoef
S—5877	H.F.	2554	Ray Taylor

S—5878	S.F.	2408	Joe Welsh
S—5879	H.F.	, 2564	Appropriations

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 7:44 p.m., until 9:00 a.m., Wednesday, April 4, 1990.

JOURNAL OF THE SENATE

EIGHTY-SEVENTH CALENDAR DAY
SIXTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 4, 1990

The Senate met in regular session at 9:10 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Thomas Jolivette, pastor at Waldorf College, Forest City, Iowa.

The Journal of Tuesday, April 3, 1990, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Bruner for the day on request of Senator Hutchins and Senator Tieden until his arrival on request of Senator Hultman.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 2, 1990, passed the following bills in which the concurrence of the House was asked:

Senate File 2304, a bill for an act relating to penalty and interest on cigarette, tobacco, motor fuel, individual income, withholding, corporation income, franchise, sales, use, retailer's use, environmental protection charge, inheritance, generation skipping transfer, and estate taxes, and providing effective and applicability dates.

Senate File 2407, a bill for an act relating to the premium taxation on certain health maintenance organization payments.

ALSO: That the House has on April 3, 1990, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2423, 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, providing effective dates, and providing retroactive applicability (S—5881).

INTRODUCTION OF RESOLUTIONS

Senate Resolution 112, by committee on Rules and Administration, a resolution honoring Senator John N. Nystrom for his years of legislative service.

Read first time and placed on calendar.

Senate Resolution 113, by committee on Rules and Administration, a resolution honoring Senator Emil J. Husak for his years of legislative service.

Read first time and placed on calendar.

Senate Resolution 114, by committee on Rules and Administration, a resolution honoring Senator George R. Kinley for his years of legislative service.

Read first time and placed on calendar.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 46 present, 4 absent and a quorum present.

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate Resolutions 110, 111** and **Senate Concurrent Resolution 132** 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:

McKenzly Wilson as a member of the Commission on the Status of Blacks.

Rhea Renee Walker as a member of the Board of Educational Examiners.

Frank H. Hermsen as a member of the Mental Health and Mental Retardation 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, 45:

Boswell	Coleman	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tinsman	Vande Hoef
Varn			

Nays, none.

Absent or not voting, 5:

Bruner	Hannon	Miller	Tieden
Welsh			

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS
(Individual Confirmation Calendar)

Senator Dieleman called up the appointment of Corine A. Hadley as a member of the State Board of Education, placed on the Individual Confirmation Calendar on March 22, 1990, and found on page 1255 of the Senate Journal.

Senator Dieleman moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 47:

Boswell	Coleman	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Szymoniak	Taylor	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Bruner	Sturgeon	Tieden
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The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Boswell called up the appointment of Francis N. Kenkel as a member of the State Board of Education, placed on the Individual Confirmation Calendar on March 22, 1990, and found on page 1255 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:

Ayes, 48:

Boswell	Coleman	Cannolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Bruner Tieden

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Running called up the appointment of Cynthia Eisenhower as Director of the Department of Employment Services placed on the the Individual Confirmation Calendar on March 15, 1990, and found on page 1224 of the Senate Journal.

Senator Running moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 48:

Boswell	Coleman	Cannolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer

Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Bruner	Tieden
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The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Hannon called up the reappointment of Merle Kjonaas as a member of the Optometry Examining Board, placed on the Individual Confirmation Calendar on March 6, 1990, and found on page 893 of the Senate Journal.

Senator Hannon moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 43:

Boswell	Coleman	Connolly	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hedge	Hester
Horn	Hultman	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tinsman	Vande Hoef	Varn	

Nays, 4:

Deluhery	Hannon	Murphy	Welsh
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Absent or not voting, 3:

Bruner	Husak	Tieden
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The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Hannon called up the appointment of Cynthia M. Lyon as a member of the Psychology Examining Board, placed on the the Individual Confirmation Calendar on March 6, 1990, and found on page 893 of the Senate Journal.

Senator Hannon moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 46:

Boswell	Coleman	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 1:

Hannon

Voting present, 1:

Murphy

Absent or not voting, 2:

Bruner Tieden

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Szymoniak called up the appointment of Nancy Jane Tomes as a member of the Wallace Technology Transfer Foundation, placed on the the Individual Confirmation Calendar on February 12, 1990, and found on page 479 of the Senate Journal.

Senator Szymoniak moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 49:

Boswell	Coleman	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Bruner

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

INTRODUCTION OF BILL

Senate File 2430, by Hutchins and Hultman, a bill for an act relating to higher education including the funding, administration, and authority for dormitory bonding of community colleges, coordination of higher education sectors, and studies relating to educational opportunities.

Read first time and **passed on file**.

INTRODUCTION OF RESOLUTION

Senate Resolution 115, by committee on Rules and Administration, a resolution deferring action on the confirmation of an appointment submitted by the Governor.

Read first time and **placed on calendar.**

COMMITTEE REPORT

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 115, a resolution deferring action on the confirmation of an appointment submitted by the Governor.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 4: Hutchins, Gettings, Kinley and Lloyd-Jones. Nays, 2: Hultman and Jensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for immediate consideration Senate Resolution 115.

Senate Resolution 115

On motion of Senator Hutchins, Senate Resolution 115, a resolution deferring action on the confirmation of an appointment submitted by the Governor (Richard Timmerman as Director of the Department of Economic Development), was taken up for consideration.

Senator Hutchins moved the adoption of Senate Resolution 115.

A non record roll call was requested.

The ayes were 27, nays 22.

The resolution was adopted.

BILL ASSIGNED TO COMMITTEE

President Zimmerman announced that **Senate File 2430** was assigned to the committee on **Appropriations.**

CONSIDERATION OF BILL
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2425.

Senate File 2425

On motion of Senator Riordan, Senate File 2425, a bill for an act relating to the care of children when a legally responsible adult is unavailable to provide the care, 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. 2425) the vote was:

Ayes, 47:

Boswell	Coleman	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 1:

Gentleman

Absent or not voting, 2:

Bruner Sturgeon

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 2548.

House File 2548

On motion of Senator Varn, House File 2548, a bill for an act relating to agricultural health and safety, with report of committee recommending passage, was taken up for consideration.

Senator Vande Hoef withdrew amendment S—5815 filed by him on March 30, 1990, to page 2 of the bill.

Senator Vande Hoef offered amendment S—5831 filed by him on April 2, 1990, to page 2 of the bill and moved its adoption.

Amendment S—5831 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. 2548) the vote was:

Ayes, 47:

Boswell	Coleman	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 2:

Gentleman	Tieden
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Absent or not voting, 1:

Bruner

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred March 19, 1990)

House File 209

The Senate resumed consideration of House File 209, a bill for an act relating to the limitations on smoking, and providing penalties, deferred March 19, 1990.

Senator Kibbie called up the motion to reconsider the vote by which amendment S—5567 to House File 209 was adopted by the Senate on March 19, 1990, filed by him on March 22, 1990, found on page 1271 of the Senate Journal.

Senator Running asked unanimous consent that action on the motion to reconsider and House File 209 be deferred.

Senator Running withdrew his request for deferral.

Senator Kibbie moved the adoption of the motion to reconsider and requested a record roll call.

On the question "Shall the motion to reconsider be adopted?" (H.F. 209) the vote was:

Ayes, 29:

Boswell	Connolly	Corning	Dieleman
Gettings	Gronstal	Hannon	Hedge
Hester	Horn	Hutchins	Jensen
Kibbie	Lind	Lloyd-Jones	Mann
Miller	Pate	Priebe	Rensink
Riordan	Scott	Sturgeon	Szymoniak
Taylor	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 17:

Coleman	Deluhery	Drake	Fraise
Fuhrman	Gentleman	Goodwin	Hagerla

Hultman
Peterson
Tieden

Husak
Rife

Kinley
Running

Palmer
Soorholtz

Voting present, 1:

Doyle

Absent or not voting, 3:

Bruner

Murphy

Nystrom

The motion prevailed and amendment S—5567 by Senator Running to page 2 of the bill was taken up for reconsideration.

President pro tempore Mann took the chair at 12:00 noon.

Senator Running moved the adoption of amendment S—5567.

A non record roll call was requested.

The ayes were 20, nays 27.

Amendment S—5567 lost.

Senator Running withdrew amendment S—5569 filed by him on March 19, 1990, to page 2 of the bill.

Senator Running withdrew amendment S—5571 filed by him on March 19, 1990, to page 2 of the bill.

Senator Lind withdrew the motion to reconsider the vote by which amendment S—5557 to House File 209 was adopted by the Senate on March 19, 1990, filed by him on March 20, 1990, and found on page 1210 of the Senate Journal.

Senator Running withdrew amendment S—5570 filed by him on March 19, 1990, to page 3 of the bill.

Senator Hultman asked and received unanimous consent that action on **House File 209** 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 3, 1990, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 205, a bill for an act relating to the credentialing and regulation of respiratory care practitioners (S—5886).

ALSO: That the House has on April 4, 1990, amended the Senate amendment, concurred in the Senate amendment as amended, and adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 112, a concurrent resolution relating to the board of regents' ten-year building program and providing for the financing of fire and life safety and deferred maintenance projects (S—5889 to H—6084).

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate File 2425** and **House File 2548** be immediately messaged to the House.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House Concurrent Resolution 112

Senator Varn called up for consideration House Concurrent Resolution 112, a concurrent resolution relating to the board of regents' ten-year building program and providing for the financing of fire and life safety and deferred maintenance projects, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5889 to Senate amendment H—6084 filed April 4, 1990.

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 resolution be adopted?" (H.C.R. 112) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 26:

Boswell	Connolly	Corning	Deluhery
Dieleman	Doyle	Fraise	Gronstal
Horn	Husak	Hutchins	Lloyd-Jones
Mann	Miller	Murphy	Palmer
Rensink	Riordan	Running	Soorholtz
Szymoniak	Taylor	Tieden	Tinsman
Varn	Welsh		

Nays, 18:

Coleman	Fuhrman	Gentleman	Gettings
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Kinley	Lind
Pate	Peterson	Rife	Scott
Sturgeon	Vande Hoef		

Absent or not voting, 6:

Bruner	Drake	Hannon	Kibbie
Nystrom	Priebe		

The resolution having received a constitutional majority was declared to have been adopted by the Senate.

Senator Hutchins asked and received unanimous consent that **House Concurrent Resolution 112** be immediately messaged to the House.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 3, 1990, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2413, a bill for an act relating to certain specific crimes and the disposition of offenders by providing for payment of sexual abuse medical examinations, providing for workers' compensation coverage and the liability of certain persons performing community service, providing for notification of the parents of persons under age eighteen discovered to be in possession of alcohol or drugs, providing for a term of confinement for distribution of illegal drugs within one thousand feet of a public park, providing for the reporting and identification of certain precursor drugs, providing for the disposition of certain juvenile offenders, establishing a family preservation program, establishing institutional reading room requirements, providing for the diversion of certain offenders to treatment facilities, providing that certain persons serving mandatory minimum sentences serve a portion of their sentence on work release, establishing a penalty for certain persons who cause a serious injury to another while operating a motor vehicle, providing for certain offenders to serve their sentence on consecutive days, providing for posttreatment services as a condition of probation, establishing a tax on marijuana and controlled substances, providing an expansion of the business deduction for businesses employing individuals on parole, probation, work release, or convicted of a felony, establishing penalties for participation in criminal gang activity, providing for the nonbailability of certain offenders, providing requirements for presentence investigations, providing for early release of offenders participating in certain treatment or for certain property offenders, making certain changes relating to conditions of parole and work release, authorizing parole and probation officers to discharge certain offenders, making certain changes relating to the victim reparation program, establishing a pilot project for the chemical testing of persons arrested for felony offenses, and providing penalties (S—5888).

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:25 p.m., until 2:00 p.m.

APPENDIX**GOVERNOR'S VETO MESSAGE**

April 3, 1990

The Honorable Jo Ann Zimmerman
President of the Senate
State Capitol Building
L O C A L

Dear Madam President:

Senate File 2249, a bill for an act relating to workers' health, safety, and welfare, by providing an expedited hearing process for certain contested cases, requiring payment of medical expenses of an injured employee in certain circumstances, staying debt collection proceedings against an employee by a person providing treatment pending resolution of a contested case before the industrial commissioner, altering certain formulas for the calculation of benefits, establishing initial hearing deadlines, requiring certain unannounced inspections, authorizing certain administrative search warrants, and imposing certain benefit payment requirements and penalties for unreasonable denial or nonpayment of medical benefits, exempting union agents and employees from certain tort liability, and providing applicability and effective dates, is hereby disapproved and transmitted to you in accordance with Article III, Section 16, of the Constitution of the State of Iowa.

After reviewing the provisions of Senate File 2249, I find that the effect of this Act will make Iowa's economic climate less competitive, slow the process of handling contested cases, and increase costs for Iowa employers.

After reviewing the provisions of Senate File 2249, I find that the effect of this Act will make Iowa's economic climate less competitive, slow the process of handling contested cases, and increase costs for Iowa employers.

Senate File 2249 could increase costs to Iowa employers by increasing minimum benefit payments for permanent partial disability and permanent total disability, providing for additional penalties and interest and possibly preventing an employer from recouping the full cost of medical services when the employer chooses the medical care for an injured employee, and it is later determined that an injury is not work related.

Senate File 2249 could also delay the completion of contested case proceedings by creating a new expedited hearing process and by specifying when certain stages of the hearing process must be completed. While the provisions of this act are intended to speed the completion of certain workers' compensation cases, by creating an additional hearing process, resources that would otherwise be devoted to the regular hearing process and the writing of decisions by the Industrial Commissioner would be diverted to the additional hearings.

The requirements that initial hearings be conducted within six months also seems to be intended to speed the handling of contested cases. But while initial hearings may be completed more quickly, the time required to complete a contested case and to reach a final decision may not improve. In fact, contested cases which are already on file may be further delayed, because the Division of Industrial services would be required to give priority to the initial hearing.

The Department of Employment Services has recognized concerns about the time required to complete contested workers' compensation cases and has asked for additional staff to handle that case load. I have recommended that additional staff be provided to the Division of the Industrial Commissioner in response to this concern. The Department of Employment Services has also developed an internal plan to expedite the hearing process, and to provide for the mediation of workers' compensation cases prior to hearing.

For the above reasons, I hereby respectfully disapprove Senate File 2249.

Sincerely,
TERRY E. BRANSTAD
Governor

GOVERNOR'S ITEM VETO MESSAGE

April 3, 1990

The Honorable Jo Ann Zimmerman
President of the senate
State Capitol Buidling
L O C A L

Dear Madam President:

I hereby transmit Senate File 2365, an act relating to and making appropriations to the department of human services and the Iowa department of public health and providing other properly related matters and providing an effective date.

This bill doubles the spousal impoverishment exemption from \$12,000 to \$24,000. I am pleased to approve this important provision, which will allow many spouses of persons residing in care facilities to avoid depletion of their resources.

Senate File 2365 is, therefore, approved on this date with the following exceptions which I hereby disapprove.

I am unable to approve the item designated as Section 1, subsection 1, in its entirety. This provision increases spending for the state's Medicaid program by \$1.35 million. Given the fiscal constraints of the state, I cannot approve this additional expenditure for the Medicaid program at this time.

I am unable to approve the item designated as Section 1, subsection 4, in its entirety. This provision would allocate funding to the Department of Human Services to establish a task force to develop a pharmaceutical assistance program. The Department of Human Services has estimated that such a program could cost the state in excess of \$3.6 million a year. Before we commit to the development of such a costly program, more study should be devoted to the concept, including other states' experiences with such programs.

I am unable to approve the item designated as Section 3, in its entirety. This provision appropriates \$150,000 to the Department of Public Health for the Homemaker-Home Health Aide Program. This appropriation would be in addition to the \$8,699,000 included for the program in Senate File 2371, which increases the funding by \$223,799 above last year's appropriation. Given the fiscal constraints of the state, I cannot approve this additional funding increase beyond that which I have approved in Senate File 2371.

I am unable to approve Sections 4 and 5, in their entirety. These provisions provide the statutory language changes necessary to implement Section 1, subsection 1, of this bill. Since this item has been vetoed, these provisions are unnecessary.

I am unable to approve the designated portion of Section 7 which grants authority to the Department of Human Services to adopt rules necessary to implement Section "4" of the bill. I have item vetoed Section 4, therefore, rulemaking authority relating to its provisions are unnecessary.

I am unable to approve the item designated as Section 8, in its entirety. With the item veto of Section 3, this language is unnecessary.

For the above reasons, I hereby respectfully disapprove these items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in Senate File 2365 are hereby approved as of this date.

Sincerely,
TERRY E. BRANSTAD
Governor

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on April 3, 1990, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 148 — Prohibiting certain actions against police service dogs, and providing penalties.

SENATE FILE 2113 — Relating to reporting ingredients of pesticides, making penalties applicable, and providing penalties.

SENATE FILE 2159 — Relating to this state's labor laws administered by the labor commissioner by amending provisions of the Code regulating occupational safety and health, amusement ride and boiler inspections, asbestos removal and encapsulation, the division of labor services, wage payment collection, and construction contractors, and providing a penalty.

SENATE FILE 2169 — Relating to actions by employers by prohibiting employers from taking certain deductions from employees' wages, requiring employers to provide certain services for non-English speaking employees, requiring certain practices upon recruitment of employees from out-of-state locations, and providing penalties.

SENATE FILE 2186 — Relating to the receipt of assistance under certain economic development programs and providing criminal penalties for certain violations.

SENATE FILE 2197 — Relating to violations of an individual's rights, by prohibiting interference with the contractual or business relations of another person, by prohibiting acts of assault and criminal mischief, providing victims actionable civil relief against offenders, establishing a program to monitor rights violations, and providing a penalty.

SENATE FILE 2245 — Relating to bids for certain specialized bridge construction projects.

SENATE FILE 2385 — Establishing a new agricultural products and processes program and creating a state fund to support the program.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued a certificate of recognition as follows:

SEAN GREENWALT, LaSalle High School, Cedar Rapids — For being named to the All-Metro Boys' basketball team and serving as scoring champion of Linn County; being selected to the First Team, 1990 All-State Boys' High School Class 2-A basketball team; being chosen to the Iowa AAU Select Team. Senator Running (April 3, 1990).

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 3, 1990, 3:09 p.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Pate, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn.

Members Absent: none.

Committee Business: Approved LSB 8462 as a committee bill; recommended passage of House Concurrent Resolution 112 and House File 2564 as amended; House File 781 failed recommendation for passage.

Adjourned: 4:00 p.m.

RULES AND ADMINISTRATION

Convened: April 3, 1990, 8:40 a.m.

Members Present: Hutchins, Chair; Gettings, Vice Chair; Hultman, Ranking Member; Jensen, Kinley and Lloyd-Jones.

Members Absent: none.

Committee Business: Recommended passage of Senate File 2426 and Senate Concurrent Resolution 130; approved proposed committee resolutions honoring legislators for twenty years of service; assigned Senate Resolution 109 to a subcommittee.

Adjourned: 9:10 a.m.

WAYS AND MEANS

Convened: April 3, 1990, 1:34 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hester, Ranking Member; Bruner, Connolly, Drake, Fraise, Fuhrman, Gentleman, Hultman, Murphy, Palmer, Riordan and Szymoniak.

Members Absent: Soorholtz.

Committee Business: Assigned bills to subcommittees; recommended passage of House File 2560.

Adjourned: 2:00 p.m.

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: In preparing the Senate amendment to House File 2554, the following correction was made:

Amendment S—5871: 1. Page 1, line 4, the word and number “through 3” was changed to the word and number “through 6”.

JOHN F. DWYER
Secretary of the Senate

REPORT OF STANDING COMMITTEE
(Place nominee on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 59, the committee on Small Business and Economic Development assigned to investigate the following Governor's appointment, completed its investigation on April 4, 1990, and recommended the appointee be confirmed:

Paula Dean for appointment as a member of the Iowa Product Development Corporation.

SUBCOMMITTEE ASSIGNMENT

House File 2562

TRANSPORTATION: Jensen, Chair; Scott and Nystrom

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Fourteen eighth grade students from St. John's School, Bancroft, Iowa, accompanied by Madeline Summitt. Senator Priebe.

Fifty-three fourth, fifth and sixth grade students from St. Pauls Lutheran School, Waverly, Iowa. Senator Jensen.

Twelve senior students from Monticello High School, Monticello, Iowa, accompanied by Tony Amsler. Senator Hannon.

Five senior students from South Clay High School, Gillette Grove, Iowa, accompanied by Larry Stegge. Senator Kibbie.

Ten twelfth grade students from Charles City High School, Charles City, Iowa, accompanied by Chuck Redenius. Senator Scott.

Forty-five eleventh grade students from Lenox High School, Lenox, Iowa, accompanied by Karl Peterson. Senator Boswell.

Sixty-two fifth grade students from Mt. Ayr Elementary School, Mt. Ayr, Iowa. Senator Boswell.

Thirty-two fifth grade students from Villisca Community High School, Villisca, Iowa, accompanied by Nina Strum. Senator Hultman.

Twenty-five senior students from Manning High School, Manning, Iowa, accompanied by Joe Follett. Senator Hutchins.

Thirty senior students from Schleswig High School, Schleswig, Iowa. Senator Hutchins.

COMMITTEE REPORTS

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 112, a resolution honoring Senator John N. Nystrom for his years of legislative service.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 6: Hutchins, Gettings, Hultman, Jensen, Kinley and Lloyd-Jones. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE RESOLUTION 113, a resolution honoring Senator Emil J. Husak for his years of legislative service.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 6: Hutchins, Gettings, Hultman, Jensen, Kinley and Lloyd-Jones. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE RESOLUTION 114, a resolution honoring Senator George R. Kinley for his years of legislative service.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 6: Hutchins, Gettings, Hultman, Jensen, Kinley and Lloyd-Jones. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: HOUSE FILE 2559, a bill for an act relating to the process by which a taxpayer appeals a decision of the local board of review to the district court and providing for the reinstatement of appeals dismissed and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5885.

Final Vote: Ayes, 8: Dieleman, Husak, Hester, Connolly, Fraise, Fuhrman, Gentleman and Murphy. Nays, none. Absent or not voting, 7: Bruner, Drake, Hultman, Palmer, Riordan, Soorholtz and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EXPLANATION OF VOTES

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on April 3, 1990.

Had I been present, I would have voted "aye" on amendment S—5873 to amendment S—5860 to House File 2554 and "nay" on final passage of House File 2554.

LINN FUHRMAN

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 4th day of April, 1990:

Senate File 2003.

JOHN F. DWYER
Secretary of the Senate

BILL RETURNED TO CALENDAR
(House File 2546)

Pursuant to Senate Rule 13 and unanimous consent received by Senator Hutchins on April 3, 1990, on Senate Journal page 1493, **House File 2546** was automatically returned to the Unfinished Business Calendar from the committee on Appropriations at 12:00 noon, Wednesday, April 4, 1990, without committee recommendation.

AMENDMENTS FILED

S-5880	H.F.	2564	Jim Lind
S-5881	S.F.	2423	House amendment
S-5882	H.F.	2268	Tom Mann, Jr.
S-5883	S.F.	2428	Charles Bruner
S-5884	H.F.	2407	Mike Connolly
S-5885	H.F.	2559	Ways and Means
S-5886	S.F.	205	House amendment
S-5887	H.F.	2268	Jean Lloyd-Jones
S-5888	S.F.	2413	House amendment
S-5889	H.C.R.	112	House amendment
S-5890	S.F.	2428	Joe Welsh
S-5891	H.F.	209	Calvin Hultman

AFTERNOON SESSION

The Senate reconvened at 2:47 p.m., Senator Coleman presiding.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

President pro tempore Mann took the chair at 2:59 p.m.

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 April 4, 1990, 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 2408, a bill for an act relating to and making appropriations to the justice system.

ALSO: That the House has on April 4, 1990, passed the following bill in which the concurrence of the Senate is asked:

House File 2557, a bill for an act relating to the filing of liens against property for nonpayment of city utility or enterprise charges.

This bill was read first time and assigned to the committee on **Local Government**.

CONSIDERATION OF BILL (Ways and Means Calendar)

House File 2407

On motion of Senator Connolly, House File 2407, a bill for an act relating to the designation, inventory, and protection of wetlands, providing a civil penalty for violations, and providing a property tax exemption for wetlands, with report of committees

on Ways and Means and Agriculture recommending amendment and passage, was taken up for consideration.

Senator Connolly offered amendment S—5706 filed by the committee on Ways and Means on March 27, 1990, to page 1 of the bill and moved its adoption.

Amendment S—5706 was adopted by a voice vote.

Senator Husak offered amendment S—5830 filed by the committee on Agriculture on April 2, 1990, to pages 5 and 6 of the bill.

Senator Connolly called for a division of amendment S—5830: lines 3 through 10 and 17 through 35 as division S—5830A; lines 11 through 16 as division S—5830B.

Senator Connolly offered amendment S—5884 filed by him from the floor to division S—5830A and moved its adoption.

Amendment S—5884 lost by a voice vote.

Senator Husak moved the adoption of division S—5830A, which motion prevailed by a voice vote.

Senator Connolly withdrew amendment S—5861 filed by him on April 3, 1990, to division S—5830B.

Senator Husak moved the adoption of division S—5830B, which motion prevailed by a voice vote.

Senator Riordan offered amendment S—5841 filed by him on April 2, 1990, to page 7 and the title page of the bill and moved its adoption.

Amendment S—5841 was adopted by a voice vote.

Senator Connolly moved that the bill be read the last time now and placed upon its passage, 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, 46:

Boswell
Deluhery

Coleman
Dieleman

Connolly
Doyle

Corning
Drake

Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Hagerla	Hannon	Hedge
Horn	Hultman	Husak	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 1:

Hester

Absent or not voting, 3:

Bruner

Gronstal

Hutchins

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 4, 1990, 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 2552, a bill for an act relating to storage tanks, including the conditions and funding mechanisms of the Iowa comprehensive petroleum underground storage tank fund (S—5898 to H—6028).

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House File 2407** 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 pro tempore Mann presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 43 present, 7 absent and a quorum present.

UNFINISHED BUSINESS (Deferred March 15, 1990)

House File 2536

The Senate resumed consideration of House File 2536, a bill for an act relating to regulation of persons providing courses of instruction for profit, by revising requirements for corporate surety bonds, and repealing certain disclosure requirements, deferred on March 15, 1990.

Senator Welsh offered amendment S—5678 filed by him on March 23, 1990, to page 3 of the bill.

Senator Varn withdrew amendment S—5745 filed by him on March 28, 1990, to amendment S—5678.

Senator Varn offered amendment S—5844 filed by him on April 2, 1990, to amendment S—5678 and moved its adoption.

Amendment S—5844 was adopted by a voice vote.

Senator Welsh offered amendment S—5836 filed by him on April 2, 1990, to amendment S—5678 and moved its adoption.

A non record roll call was requested.

The ayes were 26, nays 10.

Amendment S—5836 was adopted.

Senator Running raised the point of order that amendment S—5678 as amended was not germane to the bill.

The Chair ruled the point well taken and amendment S—5678 as amended out of order.

Senator Running moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2536) the vote was:

Ayes, 48:

Boswell	Coleman	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Bruner Hannon

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 2552

Senator Husak called up for consideration House File 2552, a bill for an act relating to storage tanks, including the conditions and funding mechanisms of the Iowa comprehensive petroleum underground storage tank fund, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5898 to Senate amendment H—6028 filed April 4, 1990.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Husak 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. 2552) the vote was:

Ayes, 47:

Boswell	Coleman	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 1:

Mann

Absent or not voting, 2:

Bruner Kibbie

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 2430, a bill for an act relating to higher education including the funding, administration, and authority for dormitory bonding of community colleges, coordination of higher education sectors, and studies relating to educational opportunities.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5894.

Final Vote: Ayes, 19: Welsh, Boswell, Tieden, Corning, Fraise, Gettings, Goodwin, Husak, Jensen, Lind, Lloyd-Jones, Pate, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn. Nays, none. Absent or not voting, 2: Bruner and Gronstal.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 131, a concurrent resolution expressing opposition to the proposed federal gas tax increase.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Coleman, Scott, Drake, Dieleman, Doyle, Gettings, Goodwin, Jensen and Lloyd-Jones. Nays, none. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2562, a bill for an act relating to the use of white flashing lights on privately owned motor vehicles of certain emergency medical care providers and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Coleman, Scott, Drake, Dieleman, Doyle, Gettings, Goodwin and Jensen. Nays, 1: Lloyd-Jones. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2430.

Senate File 2430

On motion of Senator Varn, Senate File 2430, a bill for an act relating to higher education including the funding, administration, and authority for dormitory bonding of community colleges, coordination of higher education sectors, and studies relating to educational opportunities, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Varn offered amendment S—5894 filed by the committee on Appropriations from the floor to page 1 of the bill and moved its adoption.

Amendment S—5894 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. 2430) the vote was:

Ayes, 47:

Bruner	Coleman	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 1:

Gentleman

Absent or not voting, 2:

Boswell Kibbie

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 2552** and **Senate File 2430** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 2413

Senator Gronstal called up for consideration Senate File 2413, a bill for an act relating to certain specific crimes and the disposition of offenders by providing for payment of sexual abuse medical examinations, providing for workers' compensation coverage and the liability of certain persons performing community service, providing for notification of the parents of persons under age eighteen discovered to be in possession of alcohol or drugs, providing for a term of confinement for distribution of illegal drugs within one thousand feet of a public park, providing for the reporting and identification of certain precursor drugs, providing for the disposition of certain juvenile offenders, establishing a family preservation program, establishing institutional reading room requirements, providing for the diversion of certain offenders to treatment facilities, providing that certain persons serving mandatory minimum sentences serve a portion of their sentence on work release, establishing a penalty for certain persons who cause a serious injury to another while operating a motor vehicle, providing for certain offenders to serve their sentence on consecutive days, providing for posttreatment services as a condition of probation, establishing a tax on marijuana and controlled substances, providing an expansion of the business deduction for businesses employing individuals on parole, probation, work release, or convicted of a felony, establishing penalties for participation in criminal gang activity, providing for the nonbailability of certain offenders, providing requirements for presentence investigations, providing for early release of offenders participating in certain treatment or for certain property offenders, making certain changes relating to conditions of parole and work release, authorizing parole and probation officers to discharge certain offenders, making certain changes relating to the victim reparation program, establishing a pilot project for the chemical testing of persons arrested for felony offenses, and providing penalties, amended by the House in House amendment S—5888 filed April 4, 1990.

Senator Lind offered amendment S—5895 filed by him from the floor to pages 1 and 2 of House amendment S—5888 and moved its adoption.

Amendment S—5895 was adopted by a voice vote.

Senator Hagerla offered amendment S—5901 filed by Senators Hagerla and Vande Hoef from the floor to pages 8 through 10, 33 and 34 of House amendment S—5888 and moved its adoption.

Amendment S—5901 was adopted by a voice vote.

Senator Doyle withdrew amendment S—5896 filed by him from the floor to pages 32 and 33 of House amendment S—5888.

Senator Gentleman offered amendment S—5903 filed by her from the floor to pages 10 through 31 and 35 of House amendment S—5888.

Senator Lind called for a division of amendment S—5903: lines 4 through 5 and 7 through 8 as division S—5903A; line 6 as division S—5903B.

Senator Gentleman moved the adoption of division S—5903A to House amendment S—5888.

A record roll call was requested.

On the question “Shall division S—5903A to House amendment S—5888 be adopted?” (S.F. 2413) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 30:

Coleman	Connolly	Deluhery	Doyle
Fraise	Fuhrman	Gentleman	Gettings
Gronstal	Horn	Husak	Hutchins
Kinley	Lind	Lloyd-Jones	Mann
Murphy	Palmer	Peterson	Priebe
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Tieden
Varn	Welsh		

Nays, 17:

Boswell	Corning	Dieleman	Drake
Goodwin	Hagerla	Hannon	Hedge
Hester	Hultman	Jensen	Nystrom
Pate	Rensink	Taylor	Tinsman
Vande Hoef			

Absent or not voting, 3:

Bruner Kibbie Miller

Division S—5903A was adopted.

Senator Gentleman moved the adoption of division of S—5903B to House amendment S—5888.

On the question “Shall division S—5903B to House amendment S—5888 be adopted?” (S.F. 2413) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 22:

Bruner	Coleman	Connolly	Doyle
Fraise	Gronstal	Horn	Husak
Hutchins	Kibbie	Kinley	Lloyd-Jones
Mann	Miller	Murphy	Palmer
Peterson	Priebe	Riordan	Running
Szymoniak	Varn		

Nays, 28:

Boswell	Corning	Deluhery	Dieleman
Drake	Fuhrman	Gentleman	Gettings
Goodwin	Hagerla	Hannon	Hedge
Hester	Hultman	Jensen	Lind
Nystrom	Pate	Rensink	Rife
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Tinsman	Vande Hoef	Welsh

Division S—5903B lost.

Senator Gentleman offered amendment S—5904 filed by her from the floor to page 5 of House amendment S—5888 and moved its adoption.

A non record roll call was requested.

The ayes were 17, nays 27.

Amendment S—5904 lost.

Senator Gronstal moved that the Senate concur in the House amendment as amended.

A record roll call was requested.

On the question "Shall the motion to concur be adopted?" (S.F. 2413) the vote was:

Ayes, 13:

Corning	Fuhrman	Gentleman	Goodwin
Hagerla	Hedge	Jensen	Lind
Pate	Rensink	Taylor	Tinsman
Vande Hoef			

Nays, 36:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Gronstal	Hannon
Hester	Horn	Hultman	Husak
Hutchins	Kinley	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Peterson	Priebe	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Tieden	Varn	Welsh

Absent or not voting, 1:

Kibbie

The motion lost and the Senate **refused to concur** in the House amendment as amended.

Senator Hutchins asked and received unanimous consent that **Senate File 2413** 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 2426.

Senate File 2426

On motion of Senator Hutchins, Senate File 2426, a bill for an act relating to persons who act as the president of the senate, providing for the term of office of the president of the senate, providing authorization for the compensation of the lieutenant governor in executive branch Code provisions, removing the lieutenant governor from membership on the legislative council, making the president of the senate, the speaker pro tempore, and

two additional minority party members legislative council members, making changes in the manner of appointment of senate members of certain boards, commissions, agencies, councils, associations, and statutory committees, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Hutchins offered amendment S—5899 filed by Senators Hutchins and Kinley from the floor to page 2 of the bill.

Senator Hultman offered amendment S—5900 filed by him from the floor to amendment S—5899 and moved its adoption.

Amendment S—5900 lost by a voice vote.

Senator Hutchins moved the adoption of amendment S—5899, which motion prevailed by a voice vote.

Senator Hutchins moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2426) the vote was:

Ayes, 50:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

House File 209

The Senate resumed consideration of House File 209, a bill for an act relating to the limitations on smoking, and providing penalties, previously deferred.

Senator Hultman withdrew amendment S—5892 filed by him from the floor to page 2 of the bill.

Senator Hultman withdrew amendment S—5891 filed by him from the floor to page 2 of the bill.

Senator Coleman offered amendment S—5893 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—5893 lost 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. 209) the vote was:

Ayes, 37:

Boswell	Bruner	Coleman	Connolly
Corning	Dieleman	Drake	Fraise
Gettings	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Lind	Lloyd-Jones	Mann	Miller
Palmer	Pate	Priebe	Rensink
Riordan	Scott	Sturgeon	Szymoniak
Taylor	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 12:

Deluhery	Fuhrman	Gentleman	Goodwin
Kinley	Murphy	Nystrom	Peterson
Rife	Running	Soorholtz	Tieden

Voting present, 1:

Doyle

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 2426** be **immediately messaged** to the House.

APPENDIX**CONFERENCE COMMITTEE REPORT RECEIVED
(House File 156)**

A conference committee report signed by the following Senate and House members was filed April 4, 1990, on House File 156, a bill for an act relating to the separation of workers' compensation insurance premiums into two parts:

On the Part of the Senate:

RICHARD RUNNING, Chair
DON GETTINGS
WILLIAM D. PALMER

On the Part of the House:

C. ARTHUR OLLIE, Chair
KAY CHAPMAN
GARY SHERZAN

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Forty-six eighth grade students from Dow City-Arion High School, Dow City, Iowa, accompanied by Kevin Patterson. Senator Hutchins.

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which House File 2536 passed the Senate on April 4, 1990.

JOE WELSH

MADAM PRESIDENT: I move to reconsider the vote by which House File 2536 passed the Senate on April 4, 1990.

RICHARD RUNNING

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—5774 to House File 2412 was adopted by the Senate on April 3, 1990.

MICHAEL W. CONNOLLY

MADAM PRESIDENT: I move to reconsider the vote by which House File 209 passed the Senate on April 4, 1990.

C. JOSEPH COLEMAN

MADAM PRESIDENT: I move to reconsider the vote by which House File 209 passed the Senate on April 4, 1990.

CALVIN HULTMAN

MADAM PRESIDENT: I move to reconsider the vote by which House File 209 passed the Senate on April 4, 1990.

EMIL HUSAK

MADAM PRESIDENT: I move to reconsider the vote by which House File 209 passed the Senate on April 4, 1990.

AL STURGEON

SUBCOMMITTEE ASSIGNMENTS

Senate Resolution 110

RULES AND ADMINISTRATION: Lloyd-Jones, Chair; Hultman and Hutchins

Senate Resolution 111

RULES AND ADMINISTRATION: Lloyd-Jones, Chair; Hultman and Hutchins

Senate Concurrent Resolution 132

RULES AND ADMINISTRATION: Lloyd-Jones, Chair; Hultman and Hutchins

House File 2557

LOCAL GOVERNMENT: Szymoniak, Chair; Miller and Tinsman

COMMITTEE REPORT

APPROPRIATIONS

Final Bill Action: SENATE FILE 2431, a bill for an act relating to competitive bids on contracts awarded by the department of natural resources.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Welsh, Boswell, Tieden, Fraise, Goodwin, Gronstal, Husak, Lind, Pate, Rensink, Riordan, Tinsman and Varn. Nays, none. Absent or not voting, 8: Bruner, Corning, Gettings, Jensen, Lloyd-Jones, Peterson, Running and Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILL

Senate File 2431, by committee on Appropriations, a bill for an act relating to competitive bids on contracts awarded by the department of natural resources.

Read first time under Rule 28 and **placed on Appropriations Calendar.**

AMENDMENTS FILED

S—5892	H.F.	209	Calvin Hultman
S—5893	H.F.	209	C. Joseph Coleman
S—5894	S.F.	2430	Appropriations
S—5895	S.F.	2413	Jim Lind
S—5896	S.F.	2413	Donald Doyle
S—5897	H.F.	2412	Kenneth Scott
			Berl Priebe
			Emil Husak
			John Soorholtz
			Richard Vande Hoef
			Paul Pate
			Jack Rife
S—5898	H.F.	2552	House amendment
S—5899	S.F.	2426	Bill Hutchins
			George Kinley
S—5900	S.F.	2426	Calvin Hultman
S—5901	S.F.	2413	Mark Hagerla
			Richard Vande Hoef
S—5902	S.F.	2428	Joe Welsh
S—5903	S.F.	2413	Julia Gentleman
S—5904	S.F.	2413	Julia Gentleman
S—5905	H.F.	2412	Kenneth Scott
			Berl Priebe
			Emil Husak

S—5906	H.F.	2546	Paul Pate
S—5907	S.F.	2417	Michael Connolly
S—5908	S.F.	2428	John Soorholtz
S—5909	H.F.	2533	Emil Husak
			Joe Welsh
			Joe Welsh
			Tom Mann, Jr.

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 7:10 p.m., until 8:00 a.m., Thursday, April 5, 1990.

JOURNAL OF THE SENATE

EIGHTY-EIGHTH CALENDAR DAY
SIXTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 5, 1990

The Senate met in regular session at 8:03 a.m., Senator Coleman presiding.

Prayer was offered by the Reverend John Hemann, pastor of St. Patrick's Church, Cedar Rapids, Iowa.

The Journal of Wednesday, April 4, 1990, was approved.

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.

ADOPTION OF RESOLUTION (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 131.

Senate Concurrent Resolution 131

On motion of Senator Gettings, Senate Concurrent Resolution 131, a concurrent resolution expressing opposition to the proposed federal gas tax increase, with report of committee recommending passage, was taken up for consideration.

Senator Gettings moved the adoption of Senate Concurrent Resolution 131, which motion prevailed by a voice vote and the resolution was adopted.

HOUSE AMENDMENTS TO
SENATE AMENDMENTS CONSIDERED

House File 2329

Senator Gronstal called up for consideration House File 2329, a bill for an act relating to elections and election procedures, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5723 to Senate amendment H—5701 filed March 28, 1990.

A non record roll call was requested.

The ayes were 1, nays 29.

The motion lost and the Senate **refused to concur** in the House amendment to the Senate amendment.

House File 2320

Senator Gronstal called up for consideration House File 2320, a bill for an act relating to fire and casualty insurance, altering the method of filing rates subject to the approval of the commissioner of insurance, except for workers' compensation liability insurance rates, providing a special effective date, and authorizing civil penalties, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5825 to Senate amendment H—5882 filed April 2, 1990.

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. 2320) the vote was:

Ayes, 43:

Boswell
Deluhery

Bruner
Dieleman

Coleman
Drake

Corning
Fraise

Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Nystrom	Palmer
Peterson	Priebe	Rensink	Rife
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 7:

Connolly	Doyle	Hannon	Mann
Murphy	Pate	Riordan	

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 16, 1990)

House File 2440

The Senate resumed consideration of House File 2440, a bill for an act relating to the duties of the board of educational examiners, providing for alternative routes to licensing, and defining which persons are teachers for purposes of educational excellence programs, deferred March 16, 1990.

Senator Corning offered amendment S—5466 filed by her on March 13, 1990, to pages 1 and 10 of the bill and moved its adoption.

Amendment S—5466 was adopted by a voice vote.

Senator Lloyd-Jones offered amendment S—5716 filed by Senators Lloyd-Jones, et al., on March 27, 1990, to page 1 of the bill and moved its adoption.

Amendment S—5716 was adopted by a voice vote.

Senator Lloyd-Jones offered amendment S—5510 filed by Senators Murphy and Tinsman on March 15, 1990, to page 3 of the bill and moved its adoption.

Amendment S—5510 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. 2440) the vote was:

Ayes, 37:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Drake
Fraise	Gettings	Goodwin	Gronstal
Horn	Hultman	Husak	Hutchins
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Riordan	Running	Soorholtz	Sturgeon
Szymoniak	Taylor	Tinsman	Varn
Welsh			

Nays, 10:

Fuhrman	Gentleman	Hagerla	Hedge
Hester	Jensen	Rife	Scott
Tieden	Vande Hoef		

Absent or not voting, 3:

Doyle	Hannon	Mann
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2428.

Senate File 2428

On motion of Senate Welsh, Senate File 2428, a bill for an act relating to and making appropriations of federal and other nonstate funds including funds made available from federal block grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or

if federal block grants are more or less than anticipated or if categorical grants are consolidated into new or existing block grants, was taken up for consideration.

Senator Welsh offered amendment S—5908 filed by him on April 4, 1990, to page 5 of the bill and moved its adoption.

Amendment S—5908 was adopted by a voice vote.

With the adoption of amendment S—5908, the Chair ruled amendment S—5902 filed by Senator Welsh on April 4, 1990, to page 5 of the bill, out of order.

Senator Welsh offered amendment S—5890 filed by him on April 4, 1990, to pages 18 and 24 of the bill and moved its adoption.

Amendment S—5890 was adopted by a voice vote.

Senator Bruner offered amendment S—5883 filed by him on April 4, 1990, to pages 12, 22, 25 and 27 of the bill and called for a division: lines 2 through 11 as division S—5883A and lines 12 through 47 as division S—5883B.

Senator Bruner moved the adoption of division S—5883A, which motion prevailed by a voice vote.

Senator Bruner asked and received unanimous consent that action on division S—5883B and **Senate File 2428** be **deferred**.

IMMEDIATELY MESSAGED

Senator Lloyd-Jones asked and received unanimous consent that **Senate Concurrent Resolution 131, House Files 2329, 2320 and 2240** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2427.

Senate File 2427

On motion of Senator Welsh, Senate File 2427, a bill for an act codifying certain regulatory and budgetary requirements

relating to the duties and powers of state agencies and state budget procedures and providing an effective date, was taken up for consideration.

Senator Welsh offered amendment S—5859 filed by him on April 3, 1990, to pages 4 and 5 of the bill and moved its adoption.

Amendment S—5859 was adopted by a voice vote.

Senator Welsh withdrew amendment S—5869 filed by him on April 3, 1990, to page 10 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?" (S.F. 2427) the vote was:

Ayes, 48:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Doyle	Hannon
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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 2537

Senators Pate, Gronstal and Hutchins withdrew the motions

to reconsider House File 2537, a bill for an act relating to the sale of funeral services and merchandise, filed by them on April 2, 1990, and found on page 1473 of the Senate Journal.

Senator Hutchins asked and received unanimous consent that **House File 2537** be **immediately messaged** to the House.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Lloyd-Jones asked and received unanimous consent to take up out of order Senate Concurrent Resolution 130.

Senate Concurrent Resolution 130

On motion of Senator Riordan, Senate Concurrent Resolution 130, a concurrent resolution on Namibian independence, with report of committee recommending passage, was taken up for consideration.

Senator Riordan moved the adoption of Senate Concurrent Resolution 130, which motion prevailed by a voice vote.

CONSIDERATION OF BILL (Ways and Means Calendar)

House File 2560

On motion of Senator Murphy, House File 2560, a bill for an act relating to the formation of community clusters by certain governmental units for the joint exercise of powers, 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. 2560) the vote was:

Ayes, 47:

Boswell
Corning
Drake

Bruner
Deluhery
Fraise

Coleman
Dieleman
Fuhrman

Connolly
Doyle
Gentleman

Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Nystrom	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Kibbie	Mann	Palmer
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Lloyd-Jones asked and received unanimous consent that **House File 2560** and **Senate Concurrent Resolution 130** be **immediately messaged** to the House.

MOTIONS TO OVERRIDE GOVERNOR'S VETO LOST

Senator Bruner called up for consideration Senate File 2421, a bill for an act relating to human services and making appropriations to the department of human services and other properly related matters, providing for retroactive applicability of certain provisions, and providing an effective date, and moved to reconsider and pass, the objections of the Governor notwithstanding, as vetoed by the Governor on April 3, 1990.

On the question "Shall the Senate on reconsideration, agree to pass the bill, the objections of the Governor to the contrary notwithstanding?" (S.F. 2421) the vote was:

Ayes, 28:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn

Husak	Kibbie	Kinley	Lloyd-Jones
Mann	Miller	Murphy	Palmer
Peterson	Riordan	Running	Scott
Sturgeon	Szymoniak	Varn	Welsh

Nays, 21:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Nystrom
Pate	Priebe	Rensink	Rife
Soorholtz	Taylor	Tieden	Tinsman
Vande Hoef			

Absent or not voting, 1:

Hutchins

The motion having failed to receive a two-thirds majority was declared to have lost and the Governor's veto was sustained.

Senator Peterson called up for consideration Senate File 2249, a bill for an act relating to workers' health, safety, and welfare, by providing an expedited hearing process for certain contested cases, requiring payment of medical expenses of an injured employee in certain circumstances, staying debt collection proceedings against an employee by a person providing treatment pending resolution of a contested case before the industrial commissioner, altering certain formulas for the calculation of benefits, establishing initial hearing deadlines, requiring certain unannounced inspections, authorizing certain administrative search warrants, and imposing certain benefit payment requirements and penalties for unreasonable denial or nonpayment of medical benefits, exempting union agents and employees from certain tort liability, and providing applicability and effective dates, and moved to reconsider and pass the bill, the objections of the Governor notwithstanding, as vetoed by the Governor on April 3, 1990.

On the question "Shall the Senate on reconsideration, agree to pass the bill, the objections of the Governor to the contrary notwithstanding?" (S.F. 2249) the vote was:

Ayes, 30:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Kibbie	Kinley	Lloyd-Jones
Mann	Miller	Murphy	Palmer
Peterson	Priebe	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Varn	Welsh		

Nays, 17:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Jensen	Lind	Nystrom	Pate
Rensink	Taylor	Tieden	Tinsman
Vande Hoef			

Absent or not voting, 3:

Hultman	Hutchins	Rife
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The motion having failed to receive a two-thirds majority was declared to have lost and the Governor's veto was sustained.

MOTION TO OVERRIDE THE GOVERNOR'S ITEM VETOES LOST

Senator Bruner called up for consideration Senate File 2365, a bill for an act relating to and making appropriations to the department of human services and the Iowa department of public health and providing other properly related matters, and moved the reconsider and pass the bill, the objections of the Governor notwithstanding, Section 1, subsections 1 and 4, and Sections 3, 4, 5, 7 and 8, as item vetoed by the Governor on April 3, 1990.

On the question "Shall the Senate on reconsideration, agree to pass Section 1, subsections 1 and 4 and Sections 3, 4, 5, 7 and 8, the objections of the Governor to the contrary notwithstanding?" (S.F. 2365) the vote was:

Ayes, 29:

Boswell	Bruner	Coleman	Connolly
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn

Husak	Hutchins	Kibbie	Kinley
Lloyd-Jones	Mann	Murphy	Palmer
Peterson	Priebe	Riordan	Running
Scott	Sturgeon	Szymoniak	Varn
Welsh			

Nays, 20:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Nystrom
Pate	Rensink	Rife	Soorholtz
Taylor	Tieden	Tinsman	Vande Hoef

Absent or not voting, 1:

Miller

The motion having failed to receive a two-thirds majority was declared to have lost and the Governor's item vetoes were sustained.

Senator Lloyd-Jones asked and received unanimous consent that further action on the Governor's vetoes of Senate File 2421, 2249 and 2365 be indefinitely postponed and that the bills be removed from the Veto Messages Calendar.

IMMEDIATELY MESSAGED

Senator Lloyd-Jones asked and received unanimous consent that **Senate File 2427** 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 3, 1990, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2011, a bill for an act providing for a minimum number of toilets for women and men in public buildings and private buildings intended for use by the general public (S—5910).

ALSO: That the House has on April 4, 1990, 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 2488, a bill for an act relating to the characterization of certain corporate shares as issued, but not outstanding, shares, and making conforming amendments to reflect adoption of chapter 490, the new Iowa model business corporation Act (S—5911 to H—6045).

House File 2534, a bill for an act relating to sanitary disposal projects (S—5914 to H—5745).

ALSO: That the House has on April 4, 1990, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2153, a bill for an act relating to and making a commitment to the environment, agriculture, and natural resources by making appropriations from Iowa lottery revenues and providing for an income tax credit for establishing permanent grass and buffer zones including erosion control structures, and providing effective and applicability dates (S—5915).

BUSINESS PENDING

Senate File 2428

The Senate resumed consideration of Senate File 2428, a bill for an act relating to and making appropriations of federal and other nonstate funds including 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, and division S—5883B by Senator Bruner to pages 22, 25 and 27 of the bill, previously deferred.

Senator Bruner offered amendment S—5912 filed by him from the floor to pages 12, 22, 25 and 27 of the bill and called for a division: Page 1, lines 2 through 11 and 45 through 50 and page 2 as division S—5912A; page 1, lines 12 through 44 as division S—5912B.

Senator Bruner withdrew division S—5912A.

Senator Bruner moved the adoption of division S—5912B, which motion prevailed by a voice vote.

Senator Bruner withdrew division S—5883B, 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. 2428) the vote was:

Ayes, 48:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Mann Murphy

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Lloyd-Jones asked and received unanimous consent that **Senate File 2428** be **immediately messaged** to the House.

HOUSE AMENDMENTS CONSIDERED

Senate File 138

Senator Jensen called up for consideration Senate File 138, a bill for an act to change the name of the county board of supervisors to the board of county commissioners, amended by the House, and moved that the Senate concur in House amendment S—5071 filed February 8, 1990.

A record roll call was requested.

On the question "Shall the motion to concur be adopted?" (S.F. 138) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 33:

Bruner	Connolly	Corning	Deluhery
Dieleman	Fraise	Gentleman	Gettings
Goodwin	Hagerla	Hannon	Hedge
Hester	Hultman	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Nyström	Pate
Priebe	Rensink	Rife	Szymoniak
Taylor	Tieden	Tinsman	Varn
Welsh			

Nays, 16:

Boswell	Coleman	Doyle	Drake
Fuhrman	Gronstal	Horn	Husak
Palmer	Peterson	Riordan	Running
Scott	Soorholtz	Sturgeon	Vande Hoef

Absent or not voting, 1:

Murphy

The motion prevailed and the Senate concurred in the House amendment.

Senator Jensen moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 138) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 22:

Bruner	Connolly	Corning	Gentleman
Hannon	Hedge	Hester	Hultman
Hutchins	Jensen	Kibbie	Lind
Lloyd-Jones	Mann	Miller	Nyström

Pate	Rensink	Szymoniak	Taylor
Tinsman	Varn		

Nays, 27:

Boswell	Coleman	Deluhery	Dieleman
Doyle	Drake	Fraise	Fuhrman
Gettings	Goodwin	Gronstal	Hagerla
Horn	Husak	Kinley	Palmer
Peterson	Priebe	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Tieden	Vande Hoef	Welsh	

Absent or not voting, 1:

Murphy

The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

Senate File 2349

Senator Doyle called up for consideration Senate File 2349, a bill for an act relating to scheduled fines and court procedures for certain violations of snowmobile and all-terrain vehicle regulations, game and fish regulations, and parks, amended by the House, and moved that the Senate concur in House amendment S—5533 filed March 16, 1990.

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. 2349) the vote was:

Ayes, 48:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann

Miller	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Hutchins Murphy

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred March 15, 1990)

House File 2268

The Senate resumed consideration of House File 2268, a bill for an act relating to discovery and the statute of limitations in a civil action involving sexual abuse, sexual assault, or sexual harassment and providing for the acts applicability, deferred on March 15, 1990.

Senator Mann offered amendment S—5822 filed by him on March 30, 1990, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5822 was adopted by a voice vote.

Senator Mann offered amendment S—5821 filed by him on March 30, 1990, to page 1 of the bill and moved the adoption.

Amendment S—5821 was adopted by a voice vote.

With the adoption of amendments S—5822 and S—5821, the Chair ruled the following amendments out of order:

S—5833 filed by Senator Szymoniak on April 2, 1990, to page 1 and the title page of the bill.

S—5837 filed by Senator Szymoniak on April 2, 1990, to page 1 and the title page of the bill.

S—5882 filed by Senator Mann on April 4, 1990, to amendment S—5837.

S—5887 filed by Senator Lloyd-Jones on April 4, 1990, to amendment S—5837.

Senator Sturgeon asked and received unanimous consent that action on **House File 2268** be deferred.

UNFINISHED BUSINESS
(Deferred March 15, 1990)

House File 121

The Senate resumed consideration of House File 121, a bill for an act relating to parental leaves of absence for employees of the state and providing an effective date, and amendment S—5379 by Senator Running to page 1 of the bill, deferred March 15, 1990.

Senator Running moved the adoption of amendment S—5379, which motion prevailed by a voice vote.

Senator Fuhrman offered amendment S—5518 filed by him on March 15, 1990, to pages 1 and 2 of the bill.

Senator Connolly took the chair at 11:40 a.m.

Senator Fuhrman moved the adoption of amendment S—5518.

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 23.

Amendment S—5518 lost.

Senator Running moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 121) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 26:

Bruner	Coleman	Connolly	Deluhery
Doyle	Fraise	Gettings	Gronstal
Hannon	Horn	Husak	Hutchins
Kibbie	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Peterson
Riordan	Running	Sturgeon	Szymoniak
Varn	Welsh		

Nays, 22:

Boswell	Corning	Dieleman	Drake
Fuhrman	Gentleman	Goodwin	Hagerla
Hedge	Hester	Jensen	Lind
Pate	Priebe	Rensink	Rife
Scott	Soorholtz	Taylor	Tieden
Tinsman	Vande Hoef		

Absent or not voting, 2:

Hultman	Kinley
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENT CONSIDERED

Senate File 2011

Senator Hannon called up for consideration Senate File 2011, a bill for an act providing for a minimum number of toilets for women and men in public buildings and private buildings intended for use by the general public, amended by the House in House amendment S—5910 filed April 5, 1990.

Senator Hannon offered amendment S—5916 filed by her from the floor to House amendment S—5910 and moved its adoption.

Amendment S—5916 was adopted by a voice vote.

Senator Hannon moved that the Senate concur in the House amendment as amended, which motion prevailed by a voice vote.

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. 2011) the vote was:

Ayes, 44:

Boswell	Bruner	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Jensen	Kibbie	Lind	Lloyd-Jones
Mann	Miller	Murphy	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn

Nays, none.

Absent or not voting, 6:

Connolly	Hultman	Hutchins	Kinley
Nystrom	Welsh		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Lloyd-Jones asked and received unanimous consent that **Senate Files 2349 and 2011 and House File 121** be **immediately messaged** to the House.

RECESS

On motion of Senator Lloyd-Jones, the Senate recessed at 12:10 p.m., until 1:15 p.m.

APPENDIX

REPORT OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 4, 1990, 2:26 p.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Corning, Fraise, Gettings, Goodwin, Husak, Jensen, Lind, Lloyd-Jones, Pate, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn.

Members Absent: Bruner and Gronstal (both excused).

Committee Business: Recommended passage of Senate File 2430 as amended.

Recessed: 2:46 p.m.

Reconvened: April 4, 1990, 7:26 p.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Fraise, Goodwin, Gronstal, Husak, Lind, Pate, Rensink, Riordan, Tinsman and Varn.

Members Absent: Bruner, Corning, Gettings, Jensen, Lloyd-Jones, Peterson, Running and Sturgeon (all excused).

Committee Business: Approved LSB 8468 as a committee bill.

Adjourned: 7:27 p.m.

RULES AND ADMINISTRATION

Convened: April 4, 1990, 9:30 a.m.

Members Present: Hutchins, Chair; Gettings, Vice Chair; Hultman, Ranking Member; Jensen, Kinley and Lloyd-Jones.

Members Absent: none.

Committee Business: Approved committee resolution deferring action on confirmation of Richard Timmerman as Director of the Department of Economic Development; approved excusing Paula Dean from introduction before the Senate as an appointee to the Iowa Product Development Corporation.

Adjourned: 9:35 a.m.

TRANSPORATION

Convened: April 4, 1990, 2:06 p.m.

Members Present: Coleman, Chair; Scott, Vice Chair; Drake, Ranking Member; Dieleman, Doyle, Gettings, Goodwin, Jensen and Lloyd-Jones.

Members Absent: Nystrom.

Committee Business: Announced subcommittee assignments and recommended passage of House File 2562 and Senate Concurrent Resolution 131.

Adjourned: 2:16 p.m.

WAYS AND MEANS

Convened: April 4, 1990, 8:55 a.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hester, Ranking Member; Connolly, Fraise, Fuhrman, Gentleman and Murphy.

Members Absent: Bruner (excused), Drake, Hultman, Palmer, Riordan, Soorholtz and Szymoniak (excused).

Committee Business: Recommended passage of House File 2559 as amended.

Adjourned: 9:03 a.m.

REPORTS OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 2163, the following correction was made:

1. Page 3, line 22, the word "election" was changed to the word "elections".

ALSO: That in enrolling Senate File 2244, the following correction was made:

1. Page 8, line 5, the word and number "section 3" was changed to the word and number "section 5".

ALSO: That in enrolling Senate File 2427, the following correction was made:

1. Page 12, line 10, the word and number "Section 11" was changed to the word and number "Section 12".

JOHN F. DWYER
Secretary of the Senate

EXPLANATION OF VOTES

MADAM PRESIDENT: I was necessarily absent from the Senate chamber the morning of April 5, 1990.

Had I been present, I would have voted "aye" on Senate Concurrent Resolution 131 and House Files 2329, 2320 and 2440.

MIKE CONNOLLY

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty senior students from Wilton High School, Wilton, Iowa, accompanied by Brenda Grunder. Senator Rife.

Eighty senior students from Johnston High School, Johnston, Iowa, accompanied by Pat Kinsey and Dave Pitz. Senator Palmer.

Fifty twelfth grade students from Belle Plaine High School, Belle Plaine, Iowa, accompanied by Jeff Henderson. Senator Husak.

Twenty-three fifth grade students from Colo Elementary School, Colo, Iowa, accompanied by Liz Robinson. Senator Bruner.

Sixth grade students from Clarinda Community School District, Clarinda, Iowa, accompanied by Chris Campbell and Lori Lastine. Senator Hultman.

Sixty fifth grade students from Studebaker Elementary School, Des Moines, Iowa, accompanied by Ted Shirley. Senator Kinley.

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—5822 to House File 2268 was adopted by the Senate on April 5, 1990.

JOY CORNING

AMENDMENTS FILED

S-5910	S.F.	2011	House amendment
S-5911	H.F.	2488	House amendment
S-5912	S.F.	2428	Charles Bruner
S-5913	H.F.	2533	Tom Mann, Jr.
S-5914	H.F.	2534	House amendment
S-5915	S.F.	2153	House amendment
S-5916	S.F.	2011	Beverly Hannon
S-5917	H.F.	2495	Richard Vande Hoef
S-5918	S.F.	2431	Richard Drake William Dieleman
S-5919	S.F.	2431	Jim Riordan

AFTERNOON SESSION

The Senate reconvened at 1:35 p.m., Senator Connolly presiding.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 5, 1990, passed the following bill in which the concurrence of the House was asked:

Senate File 2411, a bill for an act providing a seed capital income tax credit, authorizing expedited registration by filing for small issues under the state securities law, and providing effective and applicability dates.

**HOUSE AMENDMENT TO
SENATE AMENDMENT CONSIDERED****House File 2488**

Senator Varn called up for consideration House File 2488, a bill for an act relating to the characterization of certain corporate shares as issued, but not outstanding, shares, and making conforming amendments to reflect adoption of chapter 490, the new Iowa model business corporation Act, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5911 to Senate amendment H—6045 filed April 5, 1990.

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. 2488) the vote was:

Ayes, 41:

Boswell	Bruner	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Hagerla	Hedge	Hester
Horn	Hultman	Jensen	Kibbie
Lind	Lloyd-Jones	Miller	Nystrom
Palmer	Pate	Peterson	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 9:

Coleman	Gronstal	Hannon	Husak
Hutchins	Kinley	Mann	Murphy
Priebe			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONFIRMATION OF GOVERNOR'S APPOINTMENT (En Bloc Confirmation Calendar)

In accordance with Senate Rule 59, Senator Lloyd-Jones called up the following appointee on the En Bloc Confirmation Calendar:

Paula Dean as a member of the Iowa Product Development Corporation.

Senator Lloyd-Jones moved that the foregoing appointee be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 40:

Boswell	Bruner	Connolly	Corning
Deluhery	Drake	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Gronstal
Hagerla	Hedge	Hester	Horn
Hultman	Jensen	Kibbie	Lind
Lloyd-Jones	Miller	Nystrom	Palmer

Pate	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 2:

Doyle	Peterson
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Absent or not voting, 8:

Coleman	Dieleman	Hannon	Husak
Hutchins	Kinley	Mann	Murphy

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

CONSIDERATION OF BILL (Regular Calendar)

Senator Lloyd-Jones asked and received unanimous consent to take up for consideration House File 2562.

House File 2562

On motion of Senator Jensen, House File 2562, a bill for an act relating to the use of white flashing lights on privately owned motor vehicles of certain emergency medical care providers and making penalties applicable, with report of committee recommending passage, was taken up for consideration.

Senator Jensen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2562) the vote was:

Ayes, 30:

Bruner	Connolly	Corning	Deluhery
Drake	Fraise	Gettings	Goodwin
Gronstal	Hagerla	Hedge	Hester
Horn	Hultman	Jensen	Kibbie
Mann	Palmer	Pate	Priebe
Rensink	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn		

Nays, 14:

Boswell	Dieleman	Doyle	Fuhrman
Gentleman	Hutchins	Lind	Lloyd-Jones
Miller	Nystrom	Peterson	Rife
Riordan	Running		

Absent or not voting, 6:

Coleman	Hannon	Husak	Kinley
Murphy	Welsh		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Lloyd-Jones asked and received unanimous consent to take up for consideration House File 2559.

House File 2559

On motion of Senator Riordan, House File 2559, a bill for an act relating to the process by which a taxpayer appeals a decision of the local board of review to the district court and providing for the reinstatement of appeals dismissed and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Riordan offered amendment S—5885 filed by the committee on Ways and Means on April 4, 1990, to page 1 of the bill and moved its adoption.

Amendment S—5885 was adopted by a voice vote.

Senator Riordan moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2559) the vote was:

Ayes, 44:

Boswell	Bruner	Connolly	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin

Gronstal	Hagerla	Hedge	Hester
Horn	Hultman	Jensen	Kibbie
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 6:

Coleman	Corning	Hannon	Husak
Hutchins	Kinley		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Lloyd-Jones asked and received unanimous consent that **House Files 2559 and 2562** be **immediately messaged** to the House.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Connolly presiding.

QUORUM CALL

Senator Lloyd-Jones requested a non record roll call to determine that a quorum was present.

Senator Sturgeon took the chair at 2:58 p.m.

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 April 5, 1990, refused to concur in the Senate amendment to the following bill in which the concurrence of the House was asked:

House File 2554, a bill for an act relating to county tax and services provisions by appropriating funds for state assistance to counties for certain services to the chronically mentally ill, by modifying the mobile home tax reduction for the elderly and disabled, the property tax credit and rent reimbursement for the elderly and disabled, by increasing the amount of credit and reimbursement, creating a family farm tax credit, and providing a penalty, and effective and applicability dates.

SENATE INSISTS

House File 2554

Senator Dieleman called up for consideration House File 2554, a bill for an act relating to county tax and services provisions by appropriating funds for state assistance to counties for certain services to the chronically mentally ill, by modifying the mobile home tax reduction for the elderly and disabled, the property tax credit and rent reimbursement for the elderly and disabled, by increasing the amount of credit and reimbursement, creating a family farm tax credit, and providing a penalty, and effective and applicability dates, amended by the Senate, and moved that the Senate insist on its amendment.

The motion prevailed by a voice vote and the Senate **insisted on its amendment.**

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on House File 2554 on the part of the Senate: Senators Dieleman, Chair; Bruner, Husak, Drake and Hester.

UNFINISHED BUSINESS (Deferred March 15, 1990)

House File 2533

The Senate resumed consideration of House File 2533, a bill

for an act relating to the courts, establishing a family court, and providing effective dates, deferred on March 15, 1990.

Senator Mann withdrew amendment S—5909 filed by him on April 4, 1990, to pages 1, 6, 8, 10 through 12, 14 through 18, and 20 through 24 of the bill.

Senator Mann offered amendment S—5913 filed by him from the floor to pages 1, 6, 8, 10 through 12, 14 through 18, and 20 through 24 of the bill.

Senator Lloyd-Jones asked and received unanimous consent that action on amendment S—5913 and **House File 2533** be **deferred**.

UNFINISHED BUSINESS

House File 2546

The Senate resumed consideration of House File 2546, a bill for an act relating to child day care and the state child and dependent care tax credit and providing a retroactive applicability date, referred to the committee on Appropriations on April 3, 1990, with report of committee on Appropriations making no recommendation, was taken up for further consideration.

Senator Husak offered amendment S—5923 filed by him from the floor to page 4 of the bill and moved its adoption.

Amendment S—5923 was adopted by a voice vote.

With the adoption of amendment S—5779 as amended on April 3, 1990, the Chair ruled amendment S—5906 filed by Senator Husak on April 4, 1990, to amendment S—5779, 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. 2546) the vote was:

Ayes, 49:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Hagerla	Hannon

Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 1:

Gentleman

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, on April 4, 1990, **insisted on** its amendment to **Senate File 2413**, a bill for an act relating to certain specific crimes and the disposition of offenders by providing for payment of sexual abuse medical examinations, providing for workers' compensation coverage and the liability of certain persons performing community service, providing for notification of the parents of persons under age eighteen discovered to be in possession of alcohol or drugs, providing for a term of confinement for distribution of illegal drugs within one thousand feet of a public park, providing for the reporting and identification of certain precursor drugs, providing for the disposition of certain juvenile offenders, establishing a family preservation program, establishing institutional reading room requirements, providing for the diversion of certain offenders to treatment facilities, providing that certain persons serving mandatory minimum sentences serve a portion of their sentence on work release, establishing a penalty for certain persons who cause a serious injury to another while operating a motor vehicle, providing for certain offenders to serve their sentence on consecutive days, providing for posttreatment services as a condition of probation, establishing a tax on marijuana and controlled substances, providing an expansion of the business deduction for businesses employing individuals on parole, probation, work release, or convicted of a felony, establishing penalties for participation in criminal gang activity, providing for the nonbailability of certain offenders, providing requirements for presentence investigations, providing for early release of offenders participating in certain treatment or for certain property offenders, making certain changes relating to conditions of parole and work release, authorizing parole and probation officers to discharge certain offenders, making certain changes relating to the victim reparation program, establishing a pilot project for the chemical testing of persons arrested for felony offenses, and providing penalties, and the members

of the conference committee, on the part of the House are: the Representative from Appanoose, Mr. Jay, Chair; the Representative from Mills, Mr. Harbor; the Representative from Carroll, Mr. Peterson; the Representative from Polk, Mr. Sherzan; and the Representative from Muscatine, Mr. Trent.

ALSO: That the House has on April 5, 1990, adopted the conference committee report and passed House File 156, a bill for an act relating to the separation of workers' compensation insurance premiums into two parts.

ALSO: That the House has on April 5, 1990, **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 2018, a bill for an act relating to the membership of the public safety commission of a unified law enforcement district.

IMMEDIATELY MESSAGED

Senator Lloyd-Jones asked and received unanimous consent that **House Files 2488, 2554 and 2546** be **immediately messaged** to the House.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Sturgeon presiding.

UNFINISHED BUSINESS (Deferred March 16, 1990)

House File 2313

The Senate resumed consideration of House File 2313, 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, deferred March 16, 1990.

Senator Varn offered amendment S—5447 filed by the committee on Judiciary on March 12, 1990, to pages 1, 2, 12, 14, 17, 20 and 21 of the bill.

Senator Mann called for a division of amendment S—5447: Page 1, lines 3 through 50; page 2; page 3, lines 1 through 16 and 22 through 37 as division S—5447A; page 3, lines 17 through 21 as division S—5447B.

Senator Varn moved the adoption of division S—5447A, which motion prevailed by a voice vote.

Senator Mann raised the point of order that division S—5447B was not in order pursuant to Joint Rule 11.

The Chair ruled the point well taken and division S—5447B 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. 2313) the vote was:

Ayes, 48:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 1:

Hultman

Absent or not voting, 1:

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 205

Senator Hannon called up for consideration Senate File 205, a bill for an act relating to the credentialing and regulation of respiratory care practitioners, amended by the House in House amendment S—5886 filed April 4, 1990.

Senator Hannon asked and received unanimous consent that action on House amendment S—5886 and Senate File 205 be deferred.

BUSINESS PENDING

House File 2533

The Senate resumed consideration of House File 2533, a bill for an act relating to the courts, establishing a family court, and providing effective dates, and amendment S—5913 by Senator Mann, previously deferred.

Senator Gentleman asked and received unanimous consent that action on amendment S—5913 continue to be deferred for consideration of amendment S—5926.

Senator Gentleman offered amendment S—5926 filed by her from the floor 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—5926 be adopted?" (H.F. 2533) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 29:

- | | | | |
|---------|---------|---------|-----------|
| Boswell | Coleman | Corning | Deluhery |
| Doyle | Fraise | Fuhrman | Gentleman |
| Goodwin | Hagerla | Hedge | Hester |
| Hultman | Husak | Jensen | Kinley |
| Lind | Mann | Palmer | Pate |

Priebe
Soorholtz
Vande Hoef

Rensink
Taylor

Rife
Tieden

Scott
Tinsman

Nays, 21:

Bruner
Gettings
Hutchins
Murphy
Running
Welsh

Connolly
Gronstal
Kibbie
Nystrom
Sturgeon

Dieleman
Hannon
Lloyd-Jones
Peterson
Szymoniak

Drake
Horn
Miller
Riordan
Varn

Amendment S—5926 was adopted.

With the adoption of amendment S—5926, the Chair ruled the following amendments out of order:

S—5913 by Senator Mann, previously deferred.

S—5867 filed by Senator Taylor on April 3, 1990, to pages 15, 16 and 23 of the bill.

S—5924 filed by Senator Lloyd-Jones from the floor to amendment S—5913.

Senator Mann asked and received unanimous consent that action on **House File 2533** be deferred.

UNFINISHED BUSINESS (Deferred March 15, 1990)

House File 2346

The Senate resumed consideration of House File 2346, a bill for an act relating to the minimum amount of wages required in an individual's base period to be eligible for unemployment compensation benefits, deferred March 15, 1990.

Senator Hultman offered amendment S—5691 filed by him on March 27, 1990, to page 1 of the bill.

Senator Mann raised the point of order that amendment S—5691 was not in order pursuant to Mason's Manual of Legislative Procedures.

The Chair ruled the point not well taken and amendment S—5691 in order.

Senator Hultman moved the adoption of amendment S—5691.

A record roll call was requested.

On the question “Shall amendment S—5691 be adopted?” (H.F. 2346) the vote was:

Ayes, 23:

Boswell	Corning	Dieleman	Drake
Fuhrman	Gentleman	Goodwin	Hagerla
Hedge	Hester	Hultman	Husak
Jensen	Lind	Nystrom	Pate
Rensink	Rife	Soorholtz	Taylor
Tieden	Tinsman	Vande Hoef	

Nays, 26:

Bruner	Coleman	Connolly	Deluhery
Doyle	Gettings	Gronstal	Hannon
Horn	Hutchins	Kibbie	Kinley
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Peterson	Priebe	Riordan
Running	Scott	Sturgeon	Szymoniak
Varn	Welsh		

Absent or not voting, 1:

Fraise

Amendment S—5691 lost.

Senator Dieleman offered amendment S—5579 filed by Senators Dieleman, et al., on March 20, 1990, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 23, nays 27.

Amendment S—5579 lost.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2346) the vote was:

Ayes, 29:

Bruner	Coleman	Connolly	Deluhery
Doyle	Drake	Fraise	Gettings
Gronstal	Hannon	Horn	Husak
Hutchins	Kibbie	Kinley	Lloyd-Jones
Mann	Miller	Murphy	Palmer
Peterson	Priebe	Riordan	Running
Soorholtz	Sturgeon	Szymoniak	Varn
Welsh			

Nays, 21:

Boswell	Corning	Dieleman	Fuhrman
Gentleman	*Goodwin	Hagerla	Hedge
Hester	Hultman	Jensen	Lind
Nystrom	Pate	Rensink	Rife
Scott	Taylor	Tieden	Tinsman
Vande Hoef			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONFERENCE COMMITTEE REPORT LOST

House File 156

Senator Running called up the conference committee report on House File 156, a bill for an act relating to the separation of workers' compensation insurance premiums into two parts, filed on April 4, 1990, and moved its adoption.

A non record roll call was requested.

The ayes were 23, nays 27.

The motion lost.

BUSINESS PENDING

House File 2533

The Senate resumed consideration of House File 2533, a bill for an act relating to the courts, establishing a family court, and providing effective dates, previously deferred.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2533) the vote was:

Ayes, 49:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Kibbie

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MOTION TO RECONSIDER ADOPTED.

Senator Husak called up the motion to reconsider House File 2412 filed by him on April 3, 1990, found on page 1486 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. 2412) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hannon

Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 2:

Peterson Tieden

Absent or not voting, 1:

Hagerla

The motion prevailed.

Senator Husak moved to reconsider the vote by which House File 2412 went to its last reading, which motion prevailed by a voice vote.

House File 2412

On motion of Senator Connolly, House File 2412, a bill for an act providing for the enactment of municipal infractions relating to the environment and providing penalties, was taken up for reconsideration.

The motion to reconsider House File 2412 filed by Senator Pate on April 3, 1990, and found on page 1486 of the Senate Journal, was out of order.

Senator Connolly called up the motion to reconsider the vote by which amendment S—5774 to House File 2412 was adopted by the Senate on April 4, 1990, filed by him on April 4, 1990, found on page 1550 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and amendment S—5774 by Senator Connolly to page 1 of the bill, was taken up for reconsideration.

Senator Scott asked and received unanimous consent to withdraw amendment S—5862 filed by Senators Scott, et al., on April 3, 1990, to amendment S—5774.

Senator Scott offered amendment S—5925 filed by Senators Scott, et al., from the floor to amendment S—5774.

Senator Pate asked and received unanimous consent that action on amendment S—5925 be deferred.

Senator Scott offered amendment S—5897 filed by Senators Scott, et al., on April 4, 1990, to amendment S—5774.

Senator Scott asked unanimous consent that action on amendment S—5897 be deferred for consideration of amendment S—5925.

Objection was raised by Senator Pate.

Senator Pate withdrew his objection and action on amendment S—5897 was deferred.

The Senate resumed consideration of amendment S—5925 to amendment S—5774, previously deferred.

Senator Pate asked and received unanimous consent that action on amendment S—5925 to amendment S—5774, amendment S—5774 and **House File 2412** be deferred.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House Files 2313, 2346 and 2533** be immediately messaged to the House.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President pro tempore Mann 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 on April 5, 1990, insisted on its amendment to House File 2329, a bill for an act relating to elections and election procedures, and that the members of the conference committee on the part of the House are: The Representative from Pottawattamie, Mr. Pavich, Chair; the representative from Clayton Mr.

Halvorson; the representative from Dubuque, Mr. Knapp; the representative from Linn, Ms. Lundby; the representative from Henry, Mr. Spenner.

QUORUM CALL

Senator Lloyd-Jones requested a non record roll call to determine that a quorum was present.

The vote revealed 39 present, 11 absent and a quorum present.

CONFERENCE COMMITTEE REPORT RECEIVED (Senate File 2057)

A conference committee report signed by the following Senate and House members was filed April 5, 1990, on Senate File 2057, a bill for an act relating to the conduct of pari-mutuel racing by simultaneous telecast:

On the Part of the Senate:

GEORGE R. KINLEY, Chair
EUGENE S. FRAISE
JULIA B. GENTLEMAN
JIM LIND
RICHARD V. RUNNING

On the Part of the House:

EUGENE H. BLANSHAN, Chair
TONY BISIGNANO
JOHN H. CONNORS

CONFERENCE COMMITTEE REPORT ADOPTED

Senate File 2057

Senator Kinley called up the conference committee report on Senate File 2057, a bill for an act relating to the conduct of pari-mutuel racing by simultaneous telecast, filed on April 5, 1990, 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 Kinley moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2057) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 34:

Coleman	Connolly	Corning	Deluhery
Doyle	Drake	Fraise	Gentleman
Gettings	Gronstal	Hagerla	Horn
Hultman	Husak	Hutchins	Kibbie
Kinley	Lind	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Priebe	Rife	Riordan	Running
Soorholtz	Sturgeon	Szymoniak	Tieden
Tinsman	Welsh		

Nays, 16:

Boswell	Bruner	Dieleman	Fuhrman
Goodwin	Hannon	Hedge	Hester
Jensen	Lloyd-Jones	Peterson	Rensink
Scott	Taylor	Vande Hoef	Varn

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Lloyd-Jones asked and received unanimous consent that **Senate File 2057** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Lloyd-Jones asked and received unanimous consent to take up out of order House File 2564.

House File 2564

On motion of Senator Varn, House File 2564, a bill for an act relating to and making appropriations for substance abuse treatment, prevention, education, and enforcement programs, establishing an evaluation mechanism for substance abuse treatment programs, and providing civil penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Varn asked and received unanimous consent that action on amendment S—5879 filed by the committee on Appropriations on April 3, 1990, to pages 1 through 6 and 8 through 23 of the bill be deferred.

Senator Varn offered amendment S—5933 filed by Senators Varn and Szymoniak from the floor to pages 1 through 19 and 21 through 23 of the bill.

Senator Hultman asked and received unanimous consent that action on amendment S—5933 and **House File 2564** be deferred (amendment S—5879 pending).

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the members of the conference committee, appointed April 5, 1990, on House File 2554, a bill for an act relating to county tax and services provisions by appropriating funds for state assistance to counties for certain services to the chronically mentally ill, by modifying the mobile home tax reduction for the elderly and disabled, the property tax credit and rent reimbursement for the elderly and disabled, by increasing the amount of credit and reimbursement, creating a family farm tax credit, and providing a penalty, and effective and applicability dates, on the part of the House are: The Representative from Jackson, Mr. Tabor, Chair; the Representative from Cerro Gordo, Mr. Groninga; the Representative from Polk, Ms. Metcalf; the Representative from Scott, Mr. Schnekloth; the Representative from Lee, Mr. Wise.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 133, by committee on Appropriations, a concurrent resolution relating to the state board of regents' ten-year building program and providing for the financing of certain building and remodeling projects.

Read first time and placed on Appropriations Calendar.

APPENDIX

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Forty-seven sixth grade students from Garfield School, Clarinda, Iowa. Senator Hultman.

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which the conference committee report on House File 156 failed to be adopted by the Senate on April 5, 1990.

RICHARD RUNNING

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE CONCURRENT RESOLUTION 133, a concurrent resolution relating to the state board of regents' ten-year building program and providing for the financing of certain building and remodeling projects.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 20: Welsh, Boswell, Tieden, Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Pate, Peterson, Rensink, Riordan, Running, Tinsman and Varn. Nays, none. Absent or not voting, 1: Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: HOUSE FILE 2048, a bill for an act relating to the licensing of marital and family therapists and mental health counselors, by establishing the board of behavioral science examiners, prohibiting the practice of marital and family therapy or mental health counseling without a license, providing exemptions, redefining "mental health professional" for purposes of confidential communications, making penalties applicable, imposing penalties for sexual exploitation by a counselor or therapist, providing for a temporary waiver of certain licensing requirements, and providing other properly related matters.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5936.

Final Vote: Ayes, 8: Varn, Mann, Fuhrman, Gettings, Gronstal, Hagerla, Horn and Murphy. Nays, 4: Gentleman, Coleman, Taylor and Welsh. Absent or not voting, 3: Deluhery, Drake and Hester.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5920	H.F.	2268	Elaine Szymoniak
S—5921	H.F.	2268	Jean Lloyd-Jones
S—5922	H.F.	2268	Tom Mann, Jr.
S—5923	H.F.	2546	Emil Husak
S—5924	H.F.	2533	Jean Lloyd-Jones
S—5925	H.F.	2412	Kenneth Scott Emil Husak Berl Priebe Leonard Boswell Mike Connolly
S—5926	H.F.	2533	Julia Gentleman
S—5927	H.F.	2495	Richard Vande Hoef
S—5928	H.F.	366	John Jensen
S—5929	H.F.	2564	Charles Bruner
S—5930	S.F.	2277	Jim Lind
S—5931	S.F.	2431	Richard Drake Jim Riordan William Dieleman
S—5932	H.F.	2235	Beverly Hannon Julia Gentleman
S—5933	H.F.	2564	Richard Varn Elaine Szymoniak
S—5934	S.F.	2423	Richard Varn
S—5935	H.F.	366	John W. Jensen
S—5936	H.F.	2048	Judiciary
S—5937	H.F.	2564	Jim Lind
S—5938	H.F.	2495	Richard Vande Hoef
S—5939	S.F.	2423	Richard Varn
S—5940	S.F.	2153	Richard Vande Hoef
S—5941	S.F.	2429	Judiciary

ADJOURNMENT

On motion of Senator Lloyd-Jones, the Senate adjourned at 8:17 p.m., until 8:00 a.m., Friday, April 6, 1990.

JOURNAL OF THE SENATE

EIGHTY-NINTH CALENDAR DAY
SIXTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, April 6, 1990

The Senate met in regular session at 8:08 a.m., President pro tempore Mann presiding.

Prayer was offered by the Reverend Ian Hoover, pastor of the Missionary Alliance Church, Blairsburg, Iowa.

The Journal of Thursday, April 5, 1990, 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 5, 1990, passed the following bill in which the concurrence of the House was asked:

Senate File 2406, a bill for an act relating to the sales and use tax on carbon dioxide and providing a retroactive applicability date.

ALSO: That the House has on April 4, 1990, 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 2329, a bill for an act relating to motor vehicle registration fees by allowing semiannual installment payments of registration fees for certain commercial vehicles, and to the use and issuance of motor vehicle licenses including provisions authorizing the issuance of commercial driver's licenses, setting fees for issuance of motor vehicle licenses, providing penalties, and making penalties applicable.

ALSO: That the House has on April 4, 1990, passed the following bill in which the concurrence of the Senate is asked:

House File 2456, a bill for an act relating to the county agricultural extension education tax by increasing the maximum dollar amount of property tax revenue which may be raised.

This bill was read first time and assigned to the committee on **Ways and Means**.

ALSO: That the House has on April 5, 1990, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2403, a bill for an act relating to energy efficiency (S—5942).

ALSO: That the House has on April 5, 1990, refused to concur in the Senate amendment to the following bill in which the concurrence of the House was asked:

House File 2559, a bill for an act relating to the process by which a taxpayer appeals a decision of the local board of review to the district court and providing for the reinstatement of appeals dismissed and providing an effective date.

ALSO: That the House has on April 5, 1990, 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 2011, a bill for an act providing for a minimum number of toilets for women and men in public buildings and private buildings intended for use by the general public.

ALSO: That the House has on April 5, 1990, concurred in the Senate amendment to the House amendment and passed the following bill in which the concurrence of the House was asked:

APPOINTMENT OF CONFERENCE COMMITTEES

The Chair announced the following conference committee on **Senate File 2413** on the part of the Senate: Senators Gronstal, Chair; Varn, Doyle, Fuhman and Hagerla.

The Chair announced the following conference committee on **House File 2329** on the part of the Senate: Senators Gronstal, Chair; Lloyd-Jones, Kibbie, Drake and Gentleman.

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 AMENDMENT CONSIDERED

Senate File 2277

Senator Lind called up for consideration Senate File 2277, a bill for an act relating to tourist-oriented signs, amended by the House in House amendment S—5611 filed March 21, 1990.

Senator Lind offered amendment S—5930 filed by him on April 5, 1990, to House amendment S—5611.

Senator Priebe asked and received unanimous consent that action on amendment S—5930 to House amendment S—5611, House amendment S—5611, and **Senate File 2277** 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, 1990, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 514, a bill for an act providing a state sales and use tax exemption for certain facilities (S—5945).

Senate File 2324, a bill for an act repealing a requirement that area education agencies utilize federally funded health care programs for services provided to certain children requiring special education and providing effective dates (S—5943).

Senate File 2430, a bill for an act relating to higher education including the funding, administration, and authority for dormitory bonding of community colleges, coordination of higher education sectors, and studies relating to educational opportunities (S—5944).

HOUSE AMENDMENT CONSIDERED

Senate File 2430

Senator Varn called up for consideration Senate File 2430, a bill for an act relating to higher education including the funding, administration, and authority for dormitory bonding of community colleges, coordination of higher education sectors, and studies relating to educational opportunities, amended by the House, and moved that the Senate concur in House amendment S—5944 filed April 6, 1990.

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. 2430) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 1:

Gentleman

Absent or not voting, 2:

Murphy Sturgeon

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 2534

Senator Gronstal called up for consideration House File 2534, a bill for an act relating to sanitary disposal projects, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5914 to Senate amendment H-5745 filed April 5, 1990.

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 2423

Senator Varn called up for consideration Senate File 2423, 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, providing effective dates, and providing retroactive applicability, amended by the House in House amendment S—5881 filed April 4, 1990.

Senator Varn asked and received unanimous consent that action on amendment S—5934 filed by him on April 5, 1990, to pages 1, 3 through 6 and 9 through 12 of House amendment S—5881 be deferred.

Senator Varn offered amendment S—5939 filed by him on April 5, 1990, to pages 1, 3, 6 and 9 through 12 of House amendment S—5881.

Action on amendment S—5939 to House amendment S—5881, House amendment S—5881 and **Senate File 2423** was temporarily **deferred**.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that

Senate File 2430 and House File 2534 be immediately messaged to the House.

The Senate stood at ease until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session, President pro tempore Mann presiding.

QUORUM CALL

Senator Lloyd-Jones requested a non record roll call to determine that a quorum was present.

The vote revealed 39 present, 11 absent and a quorum present.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 5, 1990, **refused to concur** in the Senate amendment to the following bill in which the concurrence of the House was asked:

House File 2533, a bill for an act relating to the courts, establishing a family court, and providing effective dates.

INTRODUCTION OF BILL

Senate File 2432, by Hutchins and Hultman, a bill for an act relating to the drug testing of certain individuals as required pursuant to certain federal regulations.

Read first time and assigned to the committee on **Judiciary**.

BUSINESS PENDING

Senate File 2423

The Senate resumed consideration of Senate File 2423, 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, providing effective dates, and providing retroactive applicability, House amendment S—5881, amendment S—5934 and amendment S—5939 to House amendment S—5881, previously deferred.

Senator Varn moved the adoption of amendment S—5939 to House amendment S—5881, which motion prevailed by a voice vote.

With the adoption of amendment S—5939 to House amendment S—5881, the Chair ruled amendment S—5934 to House amendment S—5881, previously deferred, out of order.

Senator Varn moved that the Senate concur in the House amendment as amended, which motion prevailed by a voice vote.

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. 2423) the vote was:

Ayes, 38:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gettings	Hannon
Hedge	Horn	Husak	Hutchins
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Tinsman
Varn	Welsh		

Nays, 11:

Fuhrman	Gentleman	Goodwin	Hagerla
Hester	Hultman	Jensen	Rife
Taylor	Tieden	Vande Hoef	

Absent or not voting, 1:

Gronstal

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Lloyd-Jones asked and received unanimous consent that **Senate File 2423** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 514

Senator Husak called up for consideration Senate File 514, a bill for an act providing a state sales and use tax exemption for certain facilities, amended by the House, and moved that the Senate concur in House amendment S—5945 filed April 6, 1990.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Husak moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 514) the vote was:

Ayes, 47:

Boswell	Coleman	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Szymoniak	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Bruner	Sturgeon	Taylor
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kinley took the chair at 10:12 a.m.

BUSINESS PENDING

Senate File 2277

The Senate resumed consideration of Senate File 2277, a bill for an act relating to tourist-oriented signs, House amendment S—5611 and amendment S—5930 by Senator Lind to House amendment S—5611, previously deferred.

Senator Lind offered amendment S—5946 filed by Senator Priebe from the floor to amendment S—5930 to House amendment S—5611 and moved its adoption.

Amendment S—5946 was adopted by a voice vote.

Senator Lind moved the adoption of amendment S—5930 as amended to House amendment S—5611, which motion prevailed by a voice vote.

Senator Lind moved that the Senate concur in the House amendment as amended, which motion prevailed by a voice vote.

Senator Lind 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. 2277) the vote was:

Ayes, 48:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Hutchins Tinsman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF RESOLUTION (Appropriations Calendar)

Senate Concurrent Resolution 133

On motion of Senator Varn, Senate Concurrent Resolution 133, a concurrent resolution relating to the state board of regents' ten-year building program and providing for the financing of certain building and remodeling projects, was taken up for consideration.

President Zimmerman took the chair at 10:34 a.m.

Senator Varn moved the adoption of Senate Concurrent Resolution 133.

On the question "Shall the resolution be adopted?" (S.C.R. 133) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 29:

Boswell	Connolly	Corning	Deluhery
Dieleman	Doyle	Drake	Gettings
Goodwin	Gronstal	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Lind	Lloyd-Jones	Mann	Murphy
Nystrom	Pate	Rensink	Running
Szymoniak	Tieden	Tinsman	Varn
Welsh			

Nays, 20:

Coleman	Fraise	Fuhrman	Gentleman
Hagerla	Hannon	Hedge	Hester
Kinley	Miller	Palmer	Peterson
Priebe	Rife	Riordan	Scott
Soorholtz	Sturgeon	Taylor	Vande Hoef

Absent or not voting, 1:

Bruner

The resolution having received a constitutional majority was declared to have been adopted by the Senate.

IMMEDIATELY MESSAGED

Senator Lloyd-Jones asked and received unanimous consent that **Senate File 2277** and **Senate Concurrent Resolution 133** be **immediately messaged** to the House.

CONFIRMATION OF GOVERNOR'S APPOINTMENT (En Bloc Confirmation Calendar)

In accordance with Senate Rule 59, Senator Lloyd-Jones called up the following appointee on the En Bloc Confirmation Calendar:

Johnny M. Brown as a member of the Board of Corrections.

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	Coleman	Corning	Deluhery
Dieleman	Doyle	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn			

Nays, none.

Absent or not voting, 5:

Bruner
Welsh

Connolly

Drake

Hutchins

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

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, 1990, **refused to concur** in the Senate amendment to the following bill in which the concurrence of the House was asked:

House File 731, a bill for an act relating to constructive notice of rights conferred upon drainage districts by the filing of files and records with the county auditor.

UNFINISHED BUSINESS (Deferred March 30, 1990)

House File 2270

The Senate resumed consideration of House File 2270, a bill for an act relating to the department of human rights, deferred March 30, 1990.

Senator Gentleman withdrew amendment S—5688 filed by her on March 26, 1990, to pages 1 and 5 of the bill.

Senator Gentleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2270) the vote was:

Ayes, 44:

Boswell
Deluhery
Fraise
Goodwin
Hedge

Coleman
Dieleman
Fuhrman
Gronstal
Hester

Connolly
Doyle
Gentleman
Hagerla
Horn

Corning
Drake
Gettings
Hannon
Husak

Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn

Nays, none.

Absent or not voting, 6:

Bruner	Hultman	Hutchins	Priebe
Running	Welsh		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Gentleman asked and received unanimous consent that **Senate File 2371** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Lloyd-Jones asked and received unanimous consent that **House File 2270** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 2403

Senator Deluhery called up for consideration Senate File 2403, a bill for an act relating to energy efficiency, amended by the House in House amendment S—5942 filed April 6, 1990.

Senator Pate asked and received unanimous consent that action on House amendment S—5942 and **Senate File 2403** be **deferred**.

MOTION TO RECONSIDER ADOPTED

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 Senate File 514 passed the Senate on April 6, 1990.

On the question "Shall the motion to reconsider by adopted?" (S.F. 514) the vote was:

Ayes, 31:

Boswell	Coleman	Connolly	Deluhery
Dieleman	Doyle	Fraise	Gettings
Gronstal	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Kinley	Mann	Miller	Murphy
Palmer	Priebe	Rensink	Running
Scott	Soorholtz	Sturgeon	Taylor
Vande Hoef	Varn	Welsh	

Nays, 17:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hannon	Lind
Lloyd-Jones	Nystrom	Pate	Peterson
Rife	Riordan	Szymoniak	Tieden
Tinsman			

Absent or not voting, 2:

Bruner	Hultman
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The motion prevailed.

Senator Dieleman moved to reconsider the vote by which Senate File 514 went to its last reading, which motion prevailed by a voice vote.

Senate File 514

On motion of Senator Husak, Senate File 514, a bill for an act providing a state sales and use tax exemption for certain facilities, was taken up for reconsideration.

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 the Senate concurred in House amendment S—5945 to Senate File 514 on April 6, 1990.

The motion prevailed by a voice vote.

Senator Dieleman offered amendment S—5953 filed by him from the floor to House amendment S—5945.

Senator Husak asked and received unanimous consent that action on amendment S—5953 to House amendment S—5945, House amendment S—5945 and **Senate File 514** be **deferred**.

BUSINESS PENDING

Senate File 2403

The Senate resumed consideration of Senate File 2403, a bill for an act relating to energy efficiency, and House amendment S—5942, previously deferred.

Senator Deluhery moved that the Senate concur in the House amendment, which motion prevailed by a voice vote.

Senator Deluhery moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2403) the vote was:

Ayes, 35:

Boswell	Bruner	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Gronstal	Hannon
Hedge	Horn	Husak	Hutchins
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Palmer
Pate	Peterson	Riordan	Running
Sturgeon	Szymoniak	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 13:

Coleman	Fuhrman	Gentleman	Goodwin
Hagerla	Hester	Jensen	Nyström
Priebe	Rensink	Rife	Scott
Soorholtz			

Absent or not voting, 2:

Hultman	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 Lloyd-Jones asked and received unanimous consent that **Senate File 2403** be **immediately messaged** to the House.

BUSINESS PENDING

Senate File 514

The Senate resumed consideration of Senate File 514, a bill for an act providing a state sales and use tax exemption for certain facilities, House amendment S—5945 and amendment S—5953 to House amendment S—5945, previously deferred.

Senator Dieleman moved the adoption of amendment S—5953 to House amendment S—5945, which motion prevailed by a voice vote.

Senator Dieleman moved that the Senate concur in the House amendment as amended, which motion prevailed by a voice vote.

Senator Dieleman moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 514) the vote was:

Ayes, 43:

Boswell	Bruner	Connolly	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kibbie	Lind
Mann	Miller	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 2:

Lloyd-Jones	Peterson
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Absent or not voting, 5:

Coleman
Taylor

Hultman

Kinley

Nystrom

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Lloyd-Jones asked and received unanimous consent that **Senate File 514** be **immediately messaged** to the House.

RECESS

On motion of Senator Lloyd-Jones, the Senate recessed at 12:37 p.m., until 1:45 p.m.

APPENDIX**GOVERNOR'S ITEM VETO MESSAGES**

April 5, 1990

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 2328, a bill for an act relating to and making appropriations to regulatory bodies of state government, including the auditor of state, the campaign finance disclosure commission, the department of employment services, the office of the state public defender, the department of inspections and appeals, the department of commerce, and the racing and gaming commission, allocating certain standing appropriations subject to certain procedures and conditions, and affecting certain regulated entities, and providing an effective date.

Senate File 2328 is, therefore, approved on this date with the following exceptions which I hereby disapprove.

I am unable to approve the item designated as Section 4, in its entirety. I have approved language in this bill to require the Department of Employment Services to establish and provide staff for an informal mediation process for workers compensation cases. This provision, directing the establishment of pilot projects for the same purpose, does not authorize the Department to do anything that cannot be accomplished under the approved language.

I am unable to approve the item designated as Section 9, subsection 2, unnumbered and unlettered paragraph 2, in its entirety. This provision would allow funds from the indigent defense appropriation to be transferred to the Legal Services Corporation of Iowa. The indigent defense appropriation in this bill falls short of my recommendation by over \$500,000. Monies allocated to the Legal Service Corporation of Iowa would add to that shortfall, and increase the already certain need for supplemental funds in this area next year.

I am unable to approve the item designated as Section 19, unnumbered and unlettered paragraph 5, in its entirety. Because I have previously acted upon the corresponding legislation referred to in this section, the authorization provided in this provision is not necessary.

I am unable to approve the designated portions of Sections 21, 22 and 23, and the item designated as Section 30, in its entirety. These provisions would remove the State Racing and Gaming Commission from the Department of Inspections and Appeals, and establish the Commission as a separate state agency. The functions of the Racing and Gaming Commission have been satisfactorily performed as a

part of the Department of Inspections and Appeals, and I see no need to establish the Racing and Gaming Commission as a new state department.

For the above reasons, I hereby respectfully disapprove these items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in Senate File 2328 are hereby approved as of this date.

Sincerely,
TERRY E. BRANSTAD
Governor

April 5, 1990

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 2364, a bill for an act relating to and making appropriations to the department of agriculture and land stewardship, the Iowa state fair authority, the department of natural resources, and the state racing commission, and changing the distribution of certain fees, and providing an effective date.

Senate File 3464 is, therefore, approved on this date with the following exceptions which I hereby disapprove.

I am unable to approve the items designated as Section 1, subsection 5, paragraphs e and f, in their entirety. Paragraph e calls for a \$37,577 appropriation for the support of an assistant attorney general. This position should be funded from pesticide receipts, not general fund dollars. Paragraph f earmarks funding for a planner to review pesticide cases and this should also be funded by pesticide receipts.

I am unable to approve the item designated as Section 3, numbered paragraph 1, in its entirety. This item calls for a \$250,000 appropriation to be used to develop public/private partnerships to assist in the promotion, marketing, and selling of agricultural products. The Department of Economic development is charged with this very same duty and the Department of Agriculture and Land Stewardship should work with the Department of Economic Development to prevent duplication.

I am unable to approve the item designated as Section 4, in its entirety. This section would require the department of Agriculture and Land Stewardship to notify the chairpersons and ranking members of the Agriculture and Natural Resources Appropriations Subcommittee regarding fund transfers from dairy trade practices, the commercial feed fund, the fertilizer fund and the pesticide fund. This language is unnecessary, for Section 8.39 of the Code specifies the use of these funds.

I am unable to approve the item designated as Section 5, in its entirety. This section would allow the Department to spend increased revenues from potential fee increases in the fertilizer and pesticide funds for the administration and implementation of Chapters 200 and 206. These funds should be authorized through the appropriation process.

I am unable to approve the item designated as Section 8, subsection 8, paragraph b, in its entirety, which calls for a \$30,000 appropriation to be used to support the position of Environmental Specialist II for the development of preserves management plans. This task can be handled by the Department of Natural Resources within their existing budget.

I am unable to approve the item designated as Section 9, subsection 8, in its entirety. This item would require the Department to take all actions necessary to avoid using license receipts or other income for capitals and acquisitions unless the Code specifically designates the use. The Department would not be able to reduce personnel until all other actions necessitated by the expenditure reduction are exhausted. This could require the Department to turn back federal dollars for lack of a state match.

I am unable to approve the item designated as Section 12, in its entirety. This section appropriates \$50,000 to restore and repair a lowhead dam in Jones County. Several counties in the state have requested appropriations to pay for repairs of lowhead dams and the Resource Enhancement and Protection Act funds may be used for this purpose. Given the state's reduced revenues, I cannot approve this general fund expenditure.

I am unable to approve the item designated as Section 17, in its entirety. This section is ambiguous and is unnecessary, for the Department of Management currently notifies the chairpersons and ranking members of proposed transfer of funds.

I am unable to approve the item designated as Section 18, in its entirety. In lieu of divisional appropriations, this language was added to fiscal year 1990's appropriation bill. Senate File 2364 now includes divisional appropriations and this additional report is no longer necessary.

I am unable to approve the item designated as Section 22, in its entirety. This section eliminates Jones County from the list of four counties who were allowed to borrow ahead on their REAP allocations. Since I have vetoed Section 12 of this bill, there is no need for this section.

For the above reasons, I hereby respectfully disapprove these items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in Senate File 2364 are hereby approved as of this date.

Sincerely,
TERRY E. BRANSTAD
Governor

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 5, 1990, 6:38 p.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Pate, Peterson, Rensink, Riordan, Running, Tinsman and Varn.

Members Absent: Sturgeon (excused).

Committee Business: Approved LSB 8473 as a committee bill; deferred action on LSB 8472.

Recessed: 7:13 p.m.

Reconvened: April 5, 1990, 8:24 p.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Bruner, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Pate, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn.

Members Absent: Tieden, Ranking Member; Corning and Peterson (all excused).

Committee Business: Amended LSB 8472 and ordered redrafted for final approval as a committee bill.

Adjourned: 8:35 p.m.

JUDICIARY

Convened: April 5, 1990, 2:04 p.m.

Members Present: Varn, Chair; Mann, Vice Chair; Gentleman, Ranking Member; Coleman, Deluhery, Drake, Fuhrman, Gettings, Gronstal, Hagerla, Hester, Horn, Murphy, Taylor and Welsh.

Members Absent: none.

Committee Business: Recommended passage of House File 2048 as amended.

Recessed: 2:47 p.m.

Reconvened: April 5, 1990, 8:36 p.m.

Members Present: Varn, Chair; Mann, Vice Chair; Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Murphy, Taylor and Welsh.

Members Absent: Gentleman, Ranking Member; Coleman, Gettings and Horn (all excused).

Committee Business: Recommended passage of Senate File 2429 as amended.

Adjourned: 8:47 p.m.

COMMITTEE REPORT
(Filed April 5, 1990)

JUDICIARY

Final Bill Action: SENATE FILE 2429, a bill for an act relating to responsibilities for the receipt and disbursement of support payments.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5941 (filed 4-5-90).

Final Vote: Ayes, 11: Varn, Mann, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Murphy, Taylor and Welsh. Nays, none. Absent or not voting, 4: Gentleman, Coleman, Gettings and Horn.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 5th day of April, 1990:

Senate Files 332, 2100, 2163, 2244, 2326 and 2379.

JOHN F. DWYER
Secretary of the Senate

CONFERENCE COMMITTEE REPORT RECEIVED
(House File 2287)

A conference committee report signed by the following Senate and House members was filed April 6, 1990, on House File 2287, a bill for an act relating to a subsequent employer's unemployment benefit contribution rate upon the purchase or transference of a small business:

On the Part of the Senate:

WILLIAM D. PALMER, Chair
 LINN FUHRMAN
 TOM MANN, JR.
 JOHN PETERSON
 RICHARD VANDE HOEF

On the Part of the House:

C. ARTHUR OLLIE, Chair
 PATRICIA HARPER
 JIM LYKAM
 LEE J. PLASIER
 PHIL TYRRELL

EXPLANATION OF VOTE

MADAM PRESIDENT: Had I been present to vote on Senate File 2277 on April 6, 1990, I would have voted "aye".

MAGGIE TINSMAN

PETITIONS

The following petitions opposing the construction of a medical incinerator in or near Eldon, Iowa, were presented and placed on file by:

Senator Gettings from four hundred forty-eight residents of Wapello and Jefferson Counties.

Senator Hedge from four hundred forty-eight residents of Wapello, Jefferson and Van Buren Counties.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on April 5, 1990, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 368 — Relating to procedures for accepting offers from federal agencies for full or partial cession or retrocession of federal jurisdiction over lands in federal enclaves within the state.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Eighth grade students from Winterset Middle School, Winterset, Iowa. Senator Riordan.

Fifth grade students from Windsor Elementary School, Des Moines, Iowa, accompanied by Joe Daggett. Senator Szymoniak.

AMENDMENTS FILED

S—5942	S. F.	2403	House amendment
S—5943	S. F.	2324	House amendment
S—5944	S. F.	2430	House amendment
S—5945	S. F.	514	House amendment
S—5946	S. F.	2277	Berl Priebe
S—5947	H. F.	2048	Richard Varn
S—5948	H. F.	2564	Richjard Varn Elaine Szymoniak
S—5949	S. F.	2153	Jack Rife
S—5950	H. F.	2564	Jim Lind
S—5951	H. F.	736	Julia Gentleman
S—5952	H. F.	2564	Charles Bruner
S—5953	S. F.	514	William Dieleman
S—5954	H. F.	2564	Calvin Hultman
S—5955	S. F.	2153	Ray Taylor
S—5956	S. F.	2153	Paul Pate
S—5957	H. F.	2412	Paul Pate
S—5958	H. F.	2564	Joe Welsh

AFTERNOON SESSION

The Senate reconvened at 1:52 p.m., President pro tempore Mann 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 6, 1990, passed the following bills in which the concurrence of the House was asked:

Senate File 2115, a bill for an act relating to state income taxation by exempting certain bonds and notes issued by the agricultural development authority and providing a retroactive applicability date.

Senate File 2395, a bill for an act relating to the protection of trade secrets and providing remedies.

ALSO: That the House has on April 6, 1990, **insisted on** its amendment to **House File 2534**, a bill for an act relating to sanitary disposal projects, and that the members of the conference committee on the part of the House are: The Representative from Jasper, Mr. Jesse, Chair; the representative from Plymouth, Mr. Banks; the representative from Scott, Mr. Lykam; the representative from Muscatine, Mr. Peterson; the representative from Story, Mr. Rosenberg.

INTRODUCTION OF BILL

Senate File 2433, by committee on Appropriations, a bill for an act relating to the appropriations from and the reallocation of the moneys in the surplus account of the Iowa plan fund, to certain corporations appropriated moneys from the Iowa plan fund, and authorizing the creation of a disaster recovery program to provide low-interest and guaranteed loans to public and private entities for which an appropriation is made from the Iowa plan fund, and providing an effective date.

Read first time and **placed on the Appropriations Calendar.**

QUORUM CALL

Senator Lloyd-Jones requested a non record roll call to determine that a quorum was present.

The vote revealed 39 present, 11 absent and a quorum present.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **House File 2534** on the part of the Senate: Senators Deluhery, Chair; Priebe, Gronstal, Pate and Soorholtz.

UNFINISHED BUSINESS (Deferred March 15, 1990)

House File 2166

The Senate resumed consideration of House File 2166, a bill for an act adding marijuana to the list of secondary noxious weeds, and amendment S—5087 by the committee on Agriculture to strike everything after the enacting clause of the bill, deferred March 15, 1990.

Senator Vande Hoef offered amendment S—5526 filed by him on March 16, 1990, to amendment S—5087 and moved its adoption.

A non record roll call was requested.

The ayes were 14, nays 27.

Amendment S—5526 lost.

Senator Vande Hoef moved the adoption of amendment S—5087, which motion prevailed by a voice vote.

Senator Vande Hoef moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2166) the vote was:

Ayes, 48:

Boswell

Bruner

Coleman

Connolly

Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Hutchins Soorholtz

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred April 5, 1990)

House File 2564

The Senate resumed consideration of House File 2564, a bill for an act relating to making appropriations for substance abuse treatment, prevention, education, and enforcement programs, establishing an evaluation mechanism for substance abuse treatment programs, and providing civil penalties, amendment S—5879 by the committee on Appropriations to pages 1 through 6 and 8 through 23 of the bill and amendment S—5933 by Senators Varn and Szymoniak to pages 1 through 19 and 21 through 23 of the bill, deferred on April 5, 1990.

President Zimmerman took the chair at 2:21 p.m.

Senator Lind offered amendment S—5937 filed by him on April 5, 1990, to page 3 of amendment S—5933 and moved its adoption.

A non record roll call was requested.

The ayes were 14, nays 20.

Amendment S—5937 lost.

Senator Hultman asked and received unanimous consent that action on amendment S—5954 filed by him from the floor to pages 3 and 4 of amendment S—5933 be deferred.

Senator Hultman offered amendment S—5961 filed by Senators Hultman and Varn from the floor to pages 3 and 4 of amendment S—5933 and moved its adoption.

Amendment S—5961 was adopted by a voice vote.

With the adoption of amendment S—5961, the Chair ruled amendment S—5954 by Senator Hultman to amendment S—5933, previously deferred, out of order.

Senator Varn offered amendment S—5948 filed by Senators Varn and Szymoniak from the floor to pages 4, 5, 7, 8, 20, 21 and 22 of amendment S—5933 and moved its adoption.

Amendment S—5948 was adopted by a voice vote.

Senator Welsh offered amendment S—5958 filed by him from the floor to page 15 of amendment S—5933 and moved its adoption.

Amendment S—5958 was adopted by a voice vote.

Senator Varn moved the adoption of amendment S—5933 as amended, which motion prevailed by a voice vote.

Senator Lind offered amendment S—5950 filed by him from the floor to page 5 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 17, nays 22.

Amendment S—5950 lost.

With the adoption of amendment S—5933 as amended, the Chair ruled the following amendments out of order:

S—5879 by the committee on Appropriations, deferred April 5, 1990.

S—5880 filed by Senator Lind on April 4, 1990 to amendment S—5879.

S—5845 filed by Senator Bruner on April 2, 1990 to page 10 of the bill.

S—5863 filed by Senator Bruner on April 3, 1990 to pages 17 and 20 of the bill.

Senator Bruner withdrew amendment S—5952 filed by him from the floor to pages 19, 24 and the title page of the bill.

Senator Bruner offered amendment S—5963 filed by him from the floor to pages 19, 24 and the title page of the bill and moved its adoption.

Amendment S—5963 was adopted by a voice vote.

Senator Bruner offered amendment S—5929 filed by him on April 5, 1990, to page 20 of the bill and moved its adoption.

Amendment S—5929 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. 2564) the vote was:

Ayes, 50:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

WITHDRAWN

Senator Vande Hoef asked and received unanimous consent that **Senate File 2151** be withdrawn from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Lloyd-Jones asked and received unanimous consent that **House Files 2166** and **2564** be **immediately messaged** to the House.

SENATE INSISTS

House File 2533

Senator Mann called up for consideration House File 2533, a bill for an act relating to the courts, establishing a family court, and providing effective dates, amended by the Senate and moved that the Senate insist on its amendment.

The motion prevailed by a voice vote and the Senate **insisted** on its amendment.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **House File 2533** on the part of the Senate: Senators Mann, Chair; Horn, Murphy, Gentleman and Fuhrman.

SENATE INSISTS

House File 731

Senator Priebe called up for consideration House File 731, a bill for an act relating to constructive notice of rights conferred upon drainage districts by the filing of files and records with the county auditor, amended by the Senate and moved that the Senate insist on its amendment.

The motion prevailed by a voice vote and the Senate **insisted** on its amendment.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **House File 731** on the part of the Senate: Senators Priebe, Chair; Coleman, Kibbie, Hedge and Fuhrman.

HOUSE AMENDMENT CONSIDERED

Senate File 2324

Senator Murphy called up for consideration Senate File 2324, a bill for an act repealing a requirement that area education agencies utilize federally funded health care programs for services provided to certain children requiring special education and providing effective dates, amended by the House, and moved that the Senate concur in House amendment S—5943 filed April 6, 1990.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Murphy moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2324) the vote was:

Ayes, 46:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 1:

Gentleman

Absent or not voting, 3:

Hultman

Hutchins

Soorholtz

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 Lloyd-Jones asked and received unanimous consent that **House Files 2533, 731** and **Senate File 2324** be immediately messaged to the House.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Zimmerman presiding.

HOUSE 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, 1990, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 2230, a bill for an act relating to membership qualifications of the board of review (S—5960).

Senate File 2416, a bill for an act relating to transfer of the delinquent tax liens and the service of notice of expiration of the right of redemption from tax sales on certain persons with an interest in the real estate, and providing an effective date (S—5959).

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 134, by Running, a concurrent resolution relating to the continuance of the Department of Employment Services Review Interim Study Committee.

Read first time and assigned to the committee on **Rules and Administration**.

INTRODUCTION OF BILL

Senate File 2434, by Hutchins and Hultman, a bill for an act relating to bank holding companies, subsidiaries, and affiliates, providing an appropriation from the banking revolving fund to the banking division of the department of commerce, and providing a penalty and an effective date.

Read first time and assigned to the committee on **Appropriations**.

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.

UNFINISHED BUSINESS (Deferred April 5, 1990)

House File 2412

The Senate resumed consideration of House File 2412, a bill for an act providing for the enactment of municipal infractions relating to the environment and providing penalties, and amendment S—5774 by Senator Connolly to page 1 of the bill, amendment S—5897 by Senators Scott, et al., to amendment S—5774 and amendment S—5925 by Senators Scott, et al., to amendment S—5774, deferred on April 5, 1990.

Senator Pate asked and received unanimous consent that action on amendment S—5925 to amendment S—5774 continue to be deferred.

Senator Pate offered amendment S—5957 filed by him from the floor to amendment S—5774 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5957 to amendment S—5774 be adopted?" (H.F. 2412) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 21:

Coleman	Corning	Drake	Fuhrman
Gentleman	Goodwin	Hagerla	Hedge
Hester	Jensen	Lind	Nystrom
Pate	Priebe	Rensink	Rife
Soorholtz	Taylor	Tieden	Tinsman
Vande Hoef			

Nays, 21:

Boswell	Bruner	Connolly	Deluhery
Dieleman	Doyle	Fraise	Gettings
Hannon	Horn	Kibbie	Kinley
Lloyd-Jones	Mann	Miller	Palmer
Peterson	Riordan	Running	Scott
Szymoniak			

Absent or not voting, 8:

Gronstal	Hultman	Husak	Hutchins
Murphy	Sturgeon	Varn	Welsh

Amendment S—5957 lost.

Senator Scott moved the adoption of amendment S—5925 to amendment S—5774, which motion prevailed by a voice vote.

With the adoption of amendment S—5925 to amendment S—5774, the Chair ruled the following amendments out of order:

S—5897 by Senators Scott, et al., deferred on April 5, 1990.

S—5905 filed by Senators Scott, et al., on April 4, 1990.

Senator Connolly moved the adoption of amendment S—5774 as amended, which motion prevailed by a voice vote.

Senator Connolly moved that the bill be read the last time now and placed upon its passage, 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, 36:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Fraise	Gentleman	Gettings	Goodwin
Gronstal	Hannon	Hester	Horn
Hultman	Husak	Hutchins	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Nystrom	Peterson	Rife
Riordan	Running	Soorholtz	Sturgeon
Szymoniak	Taylor	Tinsman	Welsh

Nays, 11:

Drake	Fuhrman	Hagerla	Hedge
Jensen	Pate	Priebe	Rensink
Scott	Tieden	Vande Hoef	

Absent or not voting, 3:

Murphy	Palmer	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.

Senator Lloyd-Jones asked and received unanimous consent that **House File 2412** be **immediately messaged** to the House.

UNFINISHED BUSINESS

House File 2048

The Senate resumed consideration of House File 2048, a bill for an act relating to the licensing of marital and family therapists and mental health counselors, by establishing the board of behavioral science examiners, prohibiting the practice of marital and family therapy or mental health counseling without a license, providing exemptions, redefining "mental health professional" for purposes of confidential communications, making penalties applicable, imposing penalties for sexual exploitation by a counselor or therapist, providing for a temporary waiver of certain licensing requirements, and providing other properly related matters, deferred on March 16, 1990, referred to the committee on Judiciary on March 21, 1990, reported out with recommendation for amendment and passage, and returned to the Unfinished Business Calendar on April 5, 1990.

Senator Lloyd-Jones asked and received unanimous consent that action on **House File 2048** be **deferred**.

CONFERENCE COMMITTEE REPORT RECEIVED
(Senate File 149)

A conference committee report signed by the following Senate and House members was filed April 6, 1990, on Senate File 149, a bill for an act relating to the compulsory attendance and truancy laws and providing penalties:

On the Part of the Senate:

PATRICK DELUHERY, Chair
CHARLES BRUNER
JOY CORNING
WALLY HORN

On the Part of the House:

PATRICIA HARPER, Chair
JANET ADAMS
RAY LAGESCHULTE
DON SHOULTZ

CONFERENCE COMMITTEE REPORT ADOPTED

Senate File 149

Senator Deluhery called up the conference committee report on Senate File 149, a bill for an act relating to the compulsory attendance and truancy laws and providing penalties, filed April 6, 1990, 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 24.

The motion prevailed by a voice vote and the conference committee report and the recommendations and amendments contained therein was adopted.

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. 149) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 24:

Bruner	Connolly	Corning	Doyle
Gronstal	Hagerla	Hester	Horn
Hultman	Hutchins	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Palmer	Running	Sturgeon
Szymoniak	Tinsman	Varn	Welsh

Nays, 25:

Boswell	Coleman	Deluhery	Dieleman
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Hannon	Hedge
Husak	Jensen	Nystrom	Peterson
Priebe	Rensink	Rife	Riordan
Scott	Soorholtz	Taylor	Tieden
Vande Hoef			

Absent or not voting, 1:

Pate

The bill having not having received a constitutional majority was declared to have **failed to pass** the Senate.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the members of the conference committee, appointed April 6, 1990, on **House File 2533**, a bill for an act relating to the courts, establishing a family court, and providing effective dates, on the part of the House are: The Representative from Carroll, Mr. Peterson, Chair; the representative from Linn, Ms. Chapman; the representative from Appanoose, Mr. Jay; the representative from Sioux, Mr. Plasier; the representative from Woodbury, Mr. Shoning.

ALSO: That the House has on April 6, 1990, adopted the conference committee report and passed House File 2543, a bill for an act relating to the administration and benefits for certain public retirement systems, and providing effective dates and for the applicability of the Act.

President pro tempore Mann took the chair at 6:35 p.m.

President Zimmerman took the chair at 6:38 p.m.

CONFERENCE COMMITTEE REPORT RECEIVED
(House File 2543)

A conference committee report signed by the following Senate and House members was filed April 6, 1990, on House File 2543, a bill for an act relating to the administration and benefits for certain public retirement systems, and providing effective dates and for the applicability of the Act:

On the Part of the Senate:

JOHN KIBBIE, Chair
BILL HUTCHINS
WALLY HORN
JOHN NYSTROM
JACK RIFE

On the Part of the House:

EUGENE BLANSHAN, Chair
JOHN CONNORS
STEVEN HANSEN

CONFERENCE COMMITTEE REPORT ADOPTED

House File 2543

Senator Kibbie called up the conference committee report on House File 2543, a bill for an act relating to the administration and benefits for certain public retirement systems, and providing effective dates and for the applicability of the Act, filed April 6, 1990, 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 Kibbie moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2543) the vote was:

Ayes, 41:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gettings	Goodwin
Gronstal	Hannon	Hester	Horn

Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Murphy	Nystrom	Palmer
Peterson	Priebe	Rensink	Rife
Riordan	Running	Soorholtz	Sturgeon
Taylor	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 3:

Fuhrman	Szymoniak	Tieden
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Voting present, 3:

Hagerla	Hedge	Scott
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Absent or not voting, 3:

Gentleman	Mann	Pate
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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 2543** be **immediately messaged** to the House.

SPECIAL PRESENTATION TO SENATE PAGES

The Senate Pages were invited to the well of the Senate for a special presentation and were thanked by Senators Hutchins and Hultman and President Zimmerman for their service to the Senate.

Certificates of Excellence for serving with honor and distinction as a Senate Page during the 1990 Regular Session of the Seventy-third General Assembly and a Page group picture were presented to the following Pages:

Eric Annis, Linda Burbridge, Mindy Davis, Kathy Disterhaupt, Shannon Ehlers, Anita Gerholdt, Renee Klink, Jason Kobes, Ed Love, Molly McNeill, Natalie Paris, Craig Purscell, Eric Schulz, Julie Seeley, Chris Squier, Gayle Westra and Paula Winke.

The Senate rose and expressed its appreciation to the Pages.

CONFERENCE COMMITTEE REPORT RECEIVED
(Senate File 2306)

A conference committee report signed by the following Senate and House members was filed April 6, 1990, on Senate File 2306, a bill for an act relating to open enrollment, including the general intent, notification dates, exceptions to notification dates, board action on requests, counting of pupils for state foundation aid purposes, student expulsion or suspension, qualification for transportation, and participation of laboratory schools, and providing an effective date.

On the Part of the Senate:

LARRY MURPHY, Chair
C. JOSEPH COLEMAN
WALLY HORN

On the Part of the House:

C. ARTHUR OLLIE, Chair
JANET ADAMS
HORACE DAGGETT
PHILIP WISE

CONFERENCE COMMITTEE REPORT ADOPTED

Senate File 2306

Senator Murphy called up the conference committee report on Senate File 2306, a bill for an act relating to open enrollment, including the general intent, notification dates, exceptions to notification dates, board action on requests, counting of pupils for state foundation aid purposes, student expulsion or suspension, qualification for transportation, and participation of laboratory schools, and providing an effective date, filed on April 6, 1990, 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 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. 2306) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Hagerla	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Gentleman	Hannon	Priebe
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Lloyd-Jones asked and received unanimous consent that **Senate File 2306** be **immediately messaged** to the House.

UNFINISHED BUSINESS (Deferred March 12, 1990)

House File 2495

The Senate resumed consideration of House File 2495, a bill for an act relating to the establishment, maintenance, and operation of storm water drainage systems and the payment of rates or charges, substituted for Senate File 2351 and deferred on March 12, 1990.

Senator Vande Hoef offered amendment S—5917 filed by him on April 5, 1990, to pages 1, 2 and the title page of the bill.

Senator Vande Hoef offered amendment S—5938 filed by him on April 5, 1990, to amendment S—5917 and moved its adoption.

Amendment S—5938 was adopted by a voice vote.

With the adoption of amendment S—5938 to amendment S—5917, the Chair ruled amendment S—5927 filed by Senator Vande Hoef on April 5, 1990, to amendment S—5917, out of order.

Senator Mann raised the point of order that amendment S—5917 as amended was not germane to the bill.

The Chair ruled the point well taken and amendment S—5917 out of order.

Senator Husak offered amendment S—5451 filed by Senators Husak, et al., on March 12, 1990, to page 2 of the bill.

Senator Husak offered amendment S—5973 filed by Senators Husak, et al., from the floor to amendment S—5451 and moved its adoption.

Amendment S—5973 was adopted by a voice vote.

Senator Husak moved the adoption of amendment S—5451 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. 2495) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Connolly
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Rensink	Rife
Riordan	Running	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Goodwin

Priebe

Scott

The bill having 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 2495** be **immediately messaged** to the House.

WITHDRAWN

Senator Murphy asked and received unanimous consent that **Senate File 2351** 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.

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 28, 1990, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2049, a bill for an act relating to the establishment of standards for the collection, processing, storage, and distribution of human blood, plasma, and blood products, and to the licensing of blood collection and plasmapheresis centers, and providing a penalty (S—5982).

ALSO: That the House has on March 28, 1990, passed the following bill in which the concurrence of the House was asked:

Senate File 2048, a bill for an act to prohibit the discharge of firearms near a feedlot and subjecting violators to existing penalties.

QUORUM CALL

Senator Lloyd-Jones requested a non record roll call to determine that a quorum was present.

The vote revealed 39 present, 11 absent and a quorum present.

SENATE INSISTS

House File 2559

Senator Riordan called up for consideration House File 2559, a bill for an act relating to the process by which a taxpayer appeals a decision of the local board of review to the district court and providing for the reinstatement of appeals dismissed and providing an effective date, amended by the Senate, and moved that the Senate insist on its amendment.

The motion prevailed by a voice vote and the Senate **insisted** on its amendment.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **House File 2559** on the part of the Senate: Senators Riordan, Chair; Doyle, Fraise, Hester and Soorholtz.

Senator Lloyd-Jones asked and received unanimous consent that **House File 2559** 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 6, 1990, 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 514, a bill for an act providing a state sales and use tax exemption for certain facilities.

ALSO: That the House has, on April 6, 1990, adopted the conference committee report and passed House File 2287, a bill for an act relating to a subsequent employer's unemployment benefit contribution rate upon the purchase or transference of a small business.

ALSO: That the House has on April 6, 1990, 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 2277, a bill for an act relating to tourist-oriented signs.

ALSO: That the House has on April 6, 1990, passed the following bills in which the concurrence of the Senate is asked:

House File 2566, a bill for an act relating to the repeal of a local option sales and services tax.

This bill was read first time and **passed on file**.

House File 2567, a bill for an act relating to and making appropriations from the energy conservation trust.

This bill was read first time and **passed on file**.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Sturgeon 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 6, 1990, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2093, a bill for an act to reduce the markup percentage on state alcoholic liquor sales (S—5983).

ALSO: That the House has on April 6, 1990, passed the following bill in which the concurrence of the House was asked:

Senate File 2415, a bill for an act authorizing an additional tax levy and the creation of a reserve account by a benefited fire district.

INTRODUCTION OF RESOLUTION

Senate Resolution 121, by committee on Rules and Administration, a resolution to amend Senate Rule 36, to establish permanent subcommittees of the committee on rules and administration, Senate Rule 52, to establish the duties of the president of the senate, and Senate Rule 53, to establish the duties of the president pro tempore of the senate, all to become effective on the last day of the Seventy-third General Assembly.

Read first time and **placed on calendar**.

APPENDIX**REPORT OF COMMITTEE MEETING****APPROPRIATIONS**

Convened: April 6, 1990, 12:42 p.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Peterson, Rensink, Running and Tinsman.

Members Absent: Bruner, Corning, Pate, Riordan, Sturgeon and Varn (all excused).

Committee Business: Approved LSB 8472 as a committee bill.

Adjourned: 12:44 p.m.

COMMITTEE REPORTS**APPROPRIATIONS**

Final Bill Action: SENATE FILE 2433, a bill for an act relating to the appropriations from and the reallocation of the moneys in the surplus account of the Iowa plan fund, to certain corporations appropriated moneys from the Iowa plan fund, and authorizing the creation of a disaster recovery program to provide low-interest and guaranteed loans to public and private entities for which an appropriation is made from the Iowa plan fund, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Welsh, Tieden, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Peterson, Rensink and Tinsman. Nays, 2: Boswell and Running. Absent or not voting, 6: Bruner, Corning, Pate, Riordan, Sturgeon and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2434, a bill for an act relating to bank holding companies, subsidiaries, and affiliates, providing an appropriation from the banking revolving fund to the banking division of the department of commerce, and providing a penalty and an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5984.

Final Vote: Ayes, 20: Welsh, Boswell, Tieden, Bruner, Corning, Fraise, Gettings, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Pate, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn. Nays, none. Absent or not voting, 1: Goodwin.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2435, a bill for an act relating to human services and making appropriations to the department of human services and other properly related matters, providing for retroactive applicability of certain provisions, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 20: Welsh, Boswell, Tieden, Bruner, Corning, Fraise, Gettings, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Pate, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn. Nays, none. Absent or not voting, 1: Goodwin.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 121, a resolution to amend Senate Rule 36, to establish permanent subcommittees of the committee on rules and administration, Senate Rule 52, to establish the duties of the president of the senate, and Senate Rule 53, to establish the duties of the president pro tempore of the senate, all to become effective on the last day of the Seventy-third General Assembly.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 4: Hultman, Jensen, Kinley, and Lloyd-Jones. Nays, none. Absent or not voting, 2: Hutchins and Gettings.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Sixty students from Fulton School, Dubuque, Iowa, accompanied by Mrs. McTague. Senator Connolly.

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 149 failed to pass the Senate on April 6, 1990.

PATRICK DELUHERY

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 149 failed to pass the Senate on April 6, 1990.

WILLIAM W. DIELEMAN

INTRODUCTION OF BILL

Senate File 2435, by committee on Appropriations, a bill for an act relating to human services and making appropriations to the department of human services and other properly related matters, providing for retroactive applicability of certain provisions, and providing an effective date.

Read first time and placed on Appropriations Calendar.

AMENDMENTS FILED

S—5959	S.F.	2416	House amendment
S—5960	S.F.	2230	House amendment
S—5961	H.F.	2564	Calvin Hultman Richard Varn
S—5962	H.F.	2235	Beverly Hannon Julia Gentleman
S—5963	H.F.	2564	Charles Bruner
S—5964	S.F.	2153	Paul Pate
S—5965	S.F.	2433	Leonard Boswell
S—5966	H.F.	2268	Tom Mann, Jr.
S—5967	S.F.	2153	Paul Pate
S—5968	H.F.	2294	Michael Gronstal
S—5969	S.F.	2153	Paul Pate
S—5970	S.F.	2153	Paul Pate
S—5971	S.F.	2153	Paul Pate
S—5972	H.F.	29	Tom Mann, Jr.
S—5973	H.F.	2495	Emil Husak Elaine Szymoniak William Palmer

			George Kinley
			Larry Murphy
S—5974	H.F.	2048	William Palmer
S—5975	H.F.	2048	William Palmer
S—5976	H.F.	2048	Richard Varn
S—5977	H.F.	29	Richard J. Varn
			Calvin Hultman
S—5978	H.F.	2048	Tom Mann, Jr.
			James R. Riordan
S—5979	H.F.	29	Tom Mann, Jr.
S—5980	S.F.	2433	Leonard Boswell
S—5981	S.F.	2153	John Kibbie
			H. Kay Hedge
			Kenneth Scott
			Alvin Miller
			Richard Vande Hoef
S—5982	S.F.	2049	House amendment
S—5983	S.F.	2093	House amendment
S—5984	S.F.	2434	Appropriations

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 9:24 p.m., until 8:00 a.m., Saturday, April 7, 1990.