

State of Iowa

1991

JOURNAL OF THE SENATE

1991

**REGULAR SESSION
SEVENTY-FOURTH
GENERAL ASSEMBLY**

**Convened January 14, 1991
Adjourned May 12, 1991**

**Volume I
January 14 – May 3**

**JOE J. WELSH, President of the Senate
ROBERT C. ARNOULD, Speaker of the House**

**Published by the
STATE OF IOWA
Des Moines**

SEVENTY-FOURTH GENERAL ASSEMBLY

1991 Regular Session

OFFICERS OF THE SENATE

JOE J. WELSH, <i>President</i>	Dubuque
JEAN LLOYD-JONES, <i>President Pro Tempore</i>	Iowa City
BILL HUTCHINS, <i>Majority Floor Leader</i>	Audubon
WALLY E. HORN, <i>Assistant Majority Floor Leader</i>	Cedar Rapids
EMIL J. HUSAK, <i>Assistant Majority Floor Leader</i>	Toledo
LARRY MURPHY, <i>Assistant Majority Floor Leader</i>	Oelwein
RICHARD J. VARN, <i>Majority Whip</i>	Solon
JACK RIFE, <i>Minority Floor Leader</i>	Moscow
MARK HAGERLA, <i>Assistant Minority Floor Leader</i>	West Burlington
JOHN W. JENSEN, <i>Assistant Minority Floor Leader</i>	Plainfield
MAGGIE TINSMAN, <i>Assistant Minority Floor Leader</i>	Bettendorf
RICHARD VANDE HOEF, <i>Assistant Minority Floor Leader</i>	Harris
JOHN F. DWYER, <i>Secretary of the Senate</i>	Des Moines
CYNTHIA A. CLINGAN, <i>Assistant Secretary</i>	Des Moines
ANN VER HEUL, <i>Legal Counsel</i>	Des Moines
MARY ANN ABBOTT, <i>Senior Finance Officer</i>	Des Moines
CAROLE (C.J.) Kelly, <i>Senior Journal Editor</i>	Altoona
CARYLL WILBUR, <i>Chief Indexer</i>	Indianola
JOHN CACCIATORE, <i>Administrative Assistant to President of the Senate</i>	Des Moines
GREG NICHOLS, Sr. <i>Administrative Assistant to Majority Leader</i>	Des Moines
STEPHANIE LAUDNER, Sr. <i>Administrative Assistant to Minority Leader</i>	Des Moines

DENNIS HARBAUGH, <i>Sr. Majority Caucus Staff Director</i>	Des Moines
ROBERT J. HAUS, <i>Minority Caucus Staff Director</i>	Des Moines
RANDY BAUER, <i>Majority Caucus Research Analyst</i>	West Des Moines
STEPHEN CONWAY, <i>Majority Caucus Research Analyst</i>	Des Moines
WILLIAM B. HAIGH, <i>Majority Caucus Research Analyst</i>	Des Moines
THERESA L. KEHOE, <i>Majority Caucus Research Analyst</i>	Des Moines
DEBBIE O'LEARY, <i>Majority Caucus Research Analyst</i>	Des Moines
ROBYN MILLS, <i>Majority Caucus Research Analyst</i>	Des Moines
JAMES M. BOOSE, <i>Minority Caucus Research Analyst</i>	Des Moines
CAROLANN JENSEN, <i>Minority Caucus Research Analyst</i>	Ames
SUZANNE JOHNSON, <i>Minority Caucus Research Analyst</i>	Des Moines
ANN MOLIS, <i>Minority Caucus Research Analyst</i>	Des Moines
CURT STAMP, <i>Minority Caucus Research Analyst</i>	Des Moines
TERI SOUER, <i>Assistant Journal Editor</i>	Indianola
NANCY GIBSON, <i>Assistant Indexer</i>	Des Moines
LORI BRISTOL, <i>Executive Secretary to the Secretary of the Senate</i>	Cumming
ANNETTE M. NICHOLS, <i>Secretary to the Secretary of Senate</i>	Indianola
KATHLEEN CUROE, <i>Journal Recording Clerk</i>	Des Moines
LINDA MORROW, <i>Recording Clerk</i>	Indianola
MARY BUBAN, <i>Records and Supply Clerk</i>	Des Moines
LINDA LAURENZO, <i>Assistant to Legal Counsel/ Finance Officer</i>	Des Moines
YVONNE COOHEY, <i>Assistant to Legal Counsel</i>	Des Moines
KATHLYN K. HILLMAN, <i>Confidential Sec'y to Majority Leader</i>	Des Moines
MARY BUSTAD, <i>Majority Caucus Staff Secretary</i>	Woodward

MARCY JOLLY, <i>Executive Sec'y to Minority Leader</i>	Knoxville
GLEN BECK, <i>Bill Clerk</i>	Des Moines
MERLYN FROHLING, <i>Sergeant-at-arms</i>	Panora
LYNN E. BRANDT, <i>Assistant Sergeant-at-arms</i>	Mingo
WILLIAM L. KRIEG, <i>Assistant Sergeant-at-arms</i>	Des Moines
RAY J. PROSPERI, <i>Chief Doorkeeper</i>	Des Moines
SVEND A. CHRISTENSEN, <i>Doorkeeper</i>	Des Moines
CATHERINE L. DeHECK, <i>Doorkeeper</i>	Des Moines
GEORGE FINKENAUER, <i>Doorkeeper</i>	Ankeny
BERNADINE FOLLETT, <i>Doorkeeper</i>	Creston
DARYL NIMS, <i>Doorkeeper</i>	Des Moines
E.A. SAMUELSON, <i>Doorkeeper</i>	Des Moines
MARY L. LEONARD, <i>Switchboard Operator</i>	Davenport
FREDDA WRIGHT, <i>Switchboard Operator</i>	Ankeny
ELEANOR HESSLING, <i>Postmaster</i>	Altoona

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

v

ELECTIVE STATE OFFICERS

Official Address, Des Moines, Iowa

TERRY E. BRANSTAD, <i>Governor</i>	Lake Mills
JOY CORNING, <i>Lieutenant Governor</i>	Cedar Falls
ELAINE BAXTER, <i>Secretary of State</i>	Burlington
RICHARD D. JOHNSON, <i>Auditor of State</i>	Sheldahl
MICHAEL L. FITZGERALD, <i>Treasurer of State</i>	Des Moines
DALE COCHRAN, <i>Secretary of Agriculture</i>	Eagle Grove
BONNIE CAMPBELL, <i>Attorney General</i>	DES MOINES

JUSTICES OF THE IOWA SUPREME COURT

ARTHUR A. McGIVERIN, <i>Chief Justice</i>	Ottumwa
JAMES H. ANDREASEN, <i>Justice</i>	Algona
JAMES H. CARTER, <i>Justice</i>	Cedar Rapids
K. DAVID HARRIS, <i>Justice</i>	Jefferson
J.L. LARSON, <i>Justice</i>	Harlan
LOUIS A. LAVORATO, <i>Justice</i>	Des Moines
LINDA NEUMAN, <i>Justice</i>	Davenport
LOUIS SCHULTZ, <i>Justice</i>	Iowa City
BRUCE M. SNELL, JR., <i>Justice</i>	Ida Grove

IOWA COURT OF APPEALS JUDGES

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

MEMBERS OF THE SENATE
SEVENTY-FOURTH GENERAL ASSEMBLY
1991 REGULAR SESSION

ALLEN BORLAUG

Address Waucoma
Age 49
Occupation Farm Owner/Insurance Agent
Senatorial District 15—Chickasaw, Cerro Gordo, Floyd, Howard, Mitchell
Former Legislative Service none

LEONARD L. BOSWELL

Address Davis City
Age 57
Occupation Farmer/Small Businessman
Senatorial District 46—Decatur, Adair, Adams, Cass, Clarke, Ringgold, Taylor, Union
Former Legislative Service 71, 72, 72X, 72XX, 73

FLORENCE BUHR

Address Des Moines
Age 57
Senatorial District 43—Polk
Former Legislative Service 71, 72, 73

MIKE CONNOLLY

Address Dubuque
Age 45
Occupation Teacher/Legislator
Senatorial District 18—Dubuque
Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73

PAT DELUHERY

Address Davenport
Age 48
Occupation College Teacher
Senatorial District 21—Scott
Former Legislative Service 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73

WM. W. (BILL) DIELEMAN

Address Pella
Age 59
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

DONALD V. DOYLE

Address Sioux City
Age 65
Occupation Lawyer
Senatorial District 2—Woodbury, Ida, Monona
Former Legislative Service 57, 58, 61, 63, 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73

MEMBERS OF THE SENATE—74th GENERAL ASSEMBLY
1991 REGULAR SESSION—Continued

vii

RICHARD F. DRAKE

Address Muscatine
Age 63
Occupation General Farming
Senatorial District 28—Muscatine, Des Moines, Louisa, Washington
Former Legislative Service 63, 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73

EUGENE S. FRAISE

Address Fort Madison
Age 58
Occupation Farmer/Legislator
Senatorial District 31—Lee, Des Moines, Van Buren
Former Legislative Service 71 (2nd), 72, 72X, 72XX, 73

LINN FUHRMAN

Address Aurelia
Age 46
Occupation Farmer
Senatorial District 5—Buena Vista, Calhoun, Pocahontas, Sac, Webster
Former Legislative Service 72, 72X, 72XX, 73

DONALD E. GETTINGS

Address Ottumwa
Age 67
Occupation Retired—Deere & Co.
Senatorial District 33—Wapello, Appanoose, Davis
Former Legislative Service 67 (2nd), 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73

MICHAEL E. GRONSTAL

Address Council Bluffs
Age 40
Senatorial District 50—Pottawattamie
Former Legislative Service 70, 71, 72, 72X, 72XX, 73

MARK R. HAGERLA

Address West Burlington
Age 54
Occupation Grocer
Senatorial District 30—Des Moines, Henry
Former Legislative Service 73

BEVERLY A. HANNON

Address Anamosa
Age 58
Occupation Legislator
Senatorial District 22—Jones, Cedar, Linn
Former Legislative Service 71, 72, 72X, 72XX, 73

**MEMBERS OF THE SENATE—74th GENERAL ASSEMBLY
1991 REGULAR SESSION—Continued**

H. KAY HEDGE

Address Fremont
 Age 62
 Occupation Farmer
 Senatorial District 32—Mahaska, Jefferson, Keokuk, Wapello
 Former Legislative Service 73

JACK W. HESTER

Address Honey Creek
 Age 61
 Occupation Retired farmer/legislator
 Senatorial District 49—Pottawattamie, Cass, Harrison, Shelby
 Former Legislative Service 68, 69, 69X, 70, 71, 72, 72X, 72XX, 73

WALLY E. HORN

Address Cedar Rapids
 Age 57
 Occupation Teacher/Education
 Senatorial District 25—Linn
 Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 70, 71, 72, 72X, 72XX, 73

EMIL J. HUSAK

Address Toledo
 Age 60
 Occupation Farmer
 Senatorial District 38—Tama, Benton, Black Hawk, Marshall
 Former Legislative Service 64, 65, 66, 67, 67X, 68, 69, 69X, 70, 71, 72, 72X, 72XX, 73

BILL HUTCHINS

Address Audubon
 Age 59
 Occupation Small Businessman
 Senatorial District 48—Audubon, Carroll, Crawford, Shelby
 Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 70, 71, 72, 72X, 72XX, 73

JOHN W. JENSEN

Address Plainfield
 Age 64
 Occupation Farmer
 Senatorial District 11—Bremer, Black Hawk, Butler, Grundy
 Former Legislative Service 68, 69, 69X, 70, 71, 72, 72X, 72XX, 73

JAMES B. KERSTEN

Address Fort Dodge
 Age 30
 Occupation President-Professional Financial Advisors, Inc.
 Senatorial District 7—Webster, Hamilton
 Former Legislative Service none

JOHN P. KIBBIE

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

GEORGE R. KINLEY

Address Des Moines
Age 53
Occupation Owner—Kinley's Golf and Sports
Senatorial District 40—Polk
Former Legislative Service 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73

MARY E. KRAMER

Address West Des Moines
Age 55
Occupation Owner—V.P.—Hum. Res., Blue Cross/Blue Shield
Senatorial District 41—Polk
Former Legislative Service none

JIM LIND

Address Waterloo
Age 35
Occupation Service Station Owner/Operator
Senatorial District 13—Black Hawk
Former Legislature Service 71 (2nd), 72, 72X, 72XX, 73

JEAN LLOYD-JONES

Address Iowa City
Age 61
Occupation Legislator
Senatorial District 23—Johnson
Former Legislative Service 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73

DERRYL McLAREN

Address Farragut
Age 41
Occupation Farmer
Senatorial District 47—Fremont, Mills, Montgomery, Page, Pottawattamie
Former Legislative Service none

ALVIN V. MILLER

Address Ventura
Age 69
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

x MEMBERS OF THE SENATE—74th GENERAL ASSEMBLY
1991 REGULAR SESSION—Continued

LARRY MURPHY

Address Oelwein
Age 38
Occupation Sales/Adjunct College Instructor
Senatorial District 14—Fayette, Black Hawk, Buchanan, Chickasaw
Former Legislative Service 71, 72, 72X, 72XX, 73

JACK NYSTROM

Address Boone
Age 57
Occupation Consultant
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

WILLIAM D. PALMER

Address Des Moines
Age 55
Occupation Sales/Insurance
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

PAUL D. PATE

Address Marion
Age 32
Occupation President/CEO-PM Systems Corp.
Senatorial District 24—Linn, Buchanan, Delaware
Former Legislative Service 73

JOHN A. PETERSON

Address Albia
Age 56
Occupation Senator
Senatorial District 34—Monroe, Clark, Lucas, Warren, Wayne
Former Legislative Service 71 (2nd), 72, 72X, 72XX, 73

BERLE E. PRIEBE

Address Algona
Age 72
Occupation Farmer
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

WILMER RENSINK

Address Sioux Center
Age 57
Occupation Farmer
Senatorial District 6—Sioux, Plymouth, Woodbury
Former Legislative Service 70, 71, 72, 72X, 72XX, 73

JACK RIFE

Address Moscow
Age 47
Occupation Farmer
Senatorial District 29—Muscatine, Scott
Former Legislative Service 70, 71, 72, 72X, 72XX, 73

JAMES R. RIORDAN

Address Waukee
Age 41
Occupation Nursery/Garden Center Owner
Senatorial District 45—Dallas, Adair, Guthrie, Madison
Former Legislative Service 71 (2nd), 72, 72X, 72XX, 73

SHELDON RITTMER

Address DeWitt
Age 62
Occupation Farmer
Senatorial District 19—Clinton, Cedar
Former Legislative Service none

RALPH ROSENBERG

Address Ames
Age 41
Occupation Attorney
Senatorial District 37—Story
Former Legislative Service 69 (2nd), 70, 71, 72, 73

RICHARD V. RUNNING

Address Cedar Rapids
Age 44
Occupation Quality Control Trainer
Senatorial District 26—Linn
Former Legislative Service 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73

HARRY SLIFE

Address Cedar Falls
Age 67
Occupation Retired
Senatorial District 12—Black Hawk
Former Legislative Service none

JOHN SOORHOLTZ

Address Melbourne
Age 60
Occupation Farmer/Pork Producer
Senatorial District 36—Marshall, Jasper
Former Legislative Service 70 (2nd), 71, 72, 72X, 72XX, 73

MEMBERS OF THE SENATE—74th GENERAL ASSEMBLY
1991 REGULAR SESSION—Continued

AL STURGEON

Address Sioux City
Age 34
Occupation Legislator/Lawyer
Senatorial District 1—Woodbury
Former Legislative Service 69, 70, 71, 72, 72X, 72XX, 73

ELAINE SZYMONIAK

Address Des Moines
Age 70
Occupation Retired-Vocational Rehabilitation
Senatorial District 42—Polk
Former Legislative Service 73

RAY TAYLOR

Address Steamboat Rock
Age 67
Occupation Farm 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

DALE L. TIEDEN

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

MAGGIE TINSMAN

Address Bettendorf
Age 54
Occupation Legislator
Senatorial District 20—Scott
Former Legislative Service 73

RICHARD VANDE HOEF

Address Harris
Age 65
Occupation Farmer
Senatorial District 4—Osceola, Cherokee, Clay, Lyon, O'Brien, Sioux
Former Legislative Service 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73

RICHARD VARN

Address Solon
Age 32
Occupation Lawyer, Exec. Dir., Construction Assoc.
Senatorial District 54—Johnson, Iowa, Poweshiek
Former Legislative Service 70, 71, 72, 72X, 72XX, 73

MEMBERS OF THE SENATE—74th GENERAL ASSEMBLY
1991 REGULAR SESSION—Continued

JOE J. WELSH

AddressDubuque
Age35
OccupationBusinessman—Private Investigator
Senatorial District17—Dubuque, Jackson, Jones
Former Legislative Service68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73

JOURNAL OF THE SENATE

FIRST CALENDAR DAY
FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 14, 1991

Pursuant to chapter two (2), sections two point one (2.1) and two point three (2.3), Code of Iowa, the 1991 Regular Session of the Seventy-fourth General Assembly convened at 10:07 a.m., and the Senate was called to order by Lieutenant Governor Jo Ann Zimmerman.

Prayer was offered by the Reverend Dale Ellsworth, pastor of the First United Methodist Church, Algona, Iowa.

OPENING REMARKS BY THE LIEUTENANT GOVERNOR

It has been a very rich experience, serving first in the Iowa House of Representatives, then as Lieutenant Governor and President of the Senate.

Many times I felt the mantle of being "first"—the first nurse to serve in the legislature, the first woman to serve as Lieutenant Governor, and the last Lieutenant Governor to serve as President of the Senate. I have the privilege of swearing in the first senator who will serve as the President of the Senate.

All this has left me with extraordinary memories.

Each time I have entered this building, I have felt a special responsibility to the people of Iowa. It is here the three branches of government meet and interact to shape the future of the people of the State of Iowa. I will miss being here very much.

The end of a chapter is always the beginning of another chapter. I leave knowing some people in Iowa will have better health care, better education and a cleaner environment because I was here.

I thank all of you for making my chapter here a very good one.

REMARKS BY THE MAJORITY LEADER

Senator Hutchins addressed the Senate as follows:

Madam President and Senators:

I want to welcome you all to the Senate for 1991. It promises to be an interesting year for us all, "veterans" and "rookies" alike.

First, I want to take this opportunity to bid farewell to Lieutenant Governor Jo Ann Zimmerman. In a few moments when she hands the gavel over to the new President of the Senate her duties here will be complete. For four years we have worked together, and I want to state publicly my appreciation to her for the service she has given to our state and the help she has given me personally in that time. Thank you, Governor Zimmerman, and best wishes for the future.

Secondly, I want to welcome the new Senators and staff beginning their first session today. Between now and our adjournment in May, we will face many challenging issues and difficult decisions. Once all is said and done however, I think you will find that this Senate is made up of people with whom you will discover common concerns; and who treat one another with respect. I know you will find the experience very rewarding. I welcome you to it.

Third, I want to thank my democratic colleagues for selecting me to lead our majority caucus once again. Through good days and bad, I always remember and appreciate the confidence you have shown in me by giving me the honor of serving as your leader. Thank you very sincerely.

I also want to take the opportunity to give a special greeting to my new counterpart, Senator Rife. Jack. . . Senator Rife. . . where are you? Oh, there you are. Senator Rife, I look forward to working with you this year, that is assuming I can keep you standing still in here long enough to finish our conversations. Seriously, no one here knows any better than I do just what it is like to start your first session as caucus leader. Despite our inevitable conflicts, I anticipate we will find ways to work together to our mutual benefit whenever possible. Sincere congratulations on your selection as leader.

I don't intend this morning to give a "laundry list" of issue priorities for the session. What I do want to do is simply state an overall goal for the Seventy-fourth General Assembly. I think we should set a goal of making this decade—The 1990's—a decade of economic growth and independence for Iowa. It is with this overall goal in mind that I will be working on legislation with all of you the next two years. In spite of differences in means and approaches we may have, this is the overall goal that will best serve our state.

Of course, we have all been made aware of the serious budgetary challenges we face. I don't underestimate the task ahead for a minute. At the same time, I don't feel the situation is impossible. The majority party members of this Senate have made our top priority approval of a balanced and responsible budget. We must all do our best to find ways to meet the truly necessary state responsibilities while still living within our means. While we may not agree with the Governor on our internal budgetary priorities, we apparently do share the end goals of a balanced budget and no major tax increases. With these common goals as a starting point, I believe budgetary solutions can be found.

Earlier, I said that I felt 1991 would be an interesting year, not only for the rookies, but also for us veteran legislators. Let me explain why. The Senate by its very nature is an institution built on precedent and tradition. But this year, we will start some new traditions. Later this morning we will be installing a Senate President. The movement, through constitutional provisions, statutes, and rules, to allow this body to be self-governing has been a long time in the making, and today it finally begins.

Also, of course, we have the once-in-a-decade task of redistricting this year. To the best of my knowledge 1991 will be the first time in history that Iowa will see redistricting carried out by a majority party in the legislature under rules and procedures largely drafted by the opposition party ten years earlier. A lot has been, and will be, said about this admittedly difficult process, but the point is that the 1991 democratic majority intends to live with the basic statutory process that a Republican legislature and governor devised a decade ago. My goal is to pass a nonpartisan, Service Bureau-written plan, and I intend to support such a plan. I again ask the Governor to likewise support with his signature such a nonpartisan-drafted plan sent to him by this legislature. If he does, I believe the interests of fairness will be well served. There will undoubtedly be lots of political rhetoric and lively discussions on this, but it is a fair result that really matters in the end, and let's not lose sight of that along the way.

There is one other subject I want to address today, as we open our session at this uncertain time in the world. None of us know what the future holds in the Middle East, although the sense that we are on the brink of very serious happenings is with us all. I know you all join with me in the hope that a peaceful resolution can yet be found, and in support of our American soldiers regardless of the diplomatic outcome. As we all contemplate that very grave situation in which our men and women may face, and the strength they need to confront their situation, perhaps it will help us keep a disagreements we face here.

Finally, let me make a few "predictions", of which the commentators are so fond. I don't anticipate the shortest or the longest session ever; don't expect the easiest or hardest; nor the most or least partisan in history. The challenge for us all is to try to make it one of the most hardworking and productive, and thereby serve Iowans well.

Thank you very much.

REMARKS BY THE MINORITY LEADER

Senator Rife addressed the Senate as follows:

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

I would like to welcome you all to the convening of the Seventh-fourth Iowa General Assembly. I also want to welcome our newest members. To Senators Buhr and Rosenberg, you will find this chamber is somewhat different than the House where you first became legislators. We welcome your experience and dedication.

To Senators Borlaug, Kersten, Kramer, McLaren, Rittmer and Slife you bring a special thrill to me in anticipation of your vast experience and knowledge in so many areas. You will undoubtedly contribute much to the process.

To Senator Welsh—you are creating history today. You are also setting a precedence for other Presidents of the Senate who will follow you. The Lieutenant Governors of the past who has been remembered the longest are ones who used fairness and equality in presiding as they respected all Senators in a non-partisan way.

To Majority Leader Hutchins—I pledge a hard working minority caucus that is dedicated to solving the problems of state government. I know that together we will be able to help those Iowans who support us in our beliefs.

And now to the business at hand. First and foremost on everyone's mind is the state's budget deficit. We are looking at a \$40 million deficit for fiscal year 1991 and around \$200 million in 1992. It is going to take a lot of number crunching to get this matter resolved. This is not only a legislative matter, but a departmental one as well. Everyone from the Board of Regents to the Department of Public Safety is going to help us resolve this problem.

To help this deficit problem, the Republican caucus has set as one of its priorities as being expenditure limitation. Expenditure limitation is very simple. Statutory limits would be set to contain general fund expenditures to the level of revenue from the previous year. The result should be an ending balance equal to the amount of revenue growth.

Second, the children of Iowa are a precious resource. They need our help and guidance in their daily activities whether it be at a day care or in a schoolroom. Therefore, we are asking for child day care assistance and parental involvement related to education.

Within our child day care assistance package, we would encourage employers to either financially assist employees with child day care, or to establish a day care facility. Another alternative would be to offer tax credit incentives for employers to engage in one of these activities.

Our school-aged children are just as important as those in day care. Their learning skills are not only taught in the schools, but in the home as well. Parental involvement would encourage parents to play an active roll in their children's education through training. This would not only allow the parents to help children with their homework, but to become better parents overall.

The safety of our highways and those who occupy them is also a concern of this Republican caucus. With that in mind, we are asking for a 30-day hard suspension program for those people stopped and convicted on their first OWI offense. This would require the revocation of all driving privileges, without exception. I would also like to point out that if Iowa does enact this provision, the state would be eligible for an additional \$800,000 per year in federal funds.

And finally, reapportionment. This is a topic that is on many of your minds. It is going to be my commitment to work towards a reapportionment plan that will provide the state of Iowa with fair and just representation, and not one that will benefit a single party. This is a serious issue we will have to live with for 10 years down the road, and I want to let it be known that we are going to put forth our best foot to work as a team in looking for the best reapportionment plan.

With these issues in mind, I look forward to the Seventy-fourth Iowa General Assembly. The Republican caucus is going to be a player and a team in this legislative agenda. We know that we are in the minority, but we are a part of the legislative process. Working together will have to be done by both sides of the aisle, so that we can accomplish those things that will reflect on us as a hardworking and honest legislature and as a legislature that is doing its elective duty in representing the citizens of Iowa.

Thank you.

TEMPORARY SECRETARY

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

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

ADOPTION OF TEMPORARY RULES

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

The motion prevailed by a voice vote.

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 1990 session:

District 12—Joy Corning, resignation effective December 3, 1990.

COMMITTEE ON CREDENTIALS

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

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Szymoniak, Chair; Gronstal, Boswell, Hagerla and Borlaug.

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 persons named in the attached copies of the Certifications of the Secretary of State duly elected to and entitled to seats in the Senate of the Seventy-fourth General Assembly:

ELAINE SZYMONIAK, Chair
ALVIN V. MILLER
LEONARD L. BOSWELL
MARK R. HAGERLA
ALLEN BORLAUG

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 the State of Iowa, custodian of the files and records pertaining to elections in the state, do hereby certify that the State Canvassing Board has declared that at the General Election held on November 6, 1990, each of the following named persons was duly elected to the office of State Senator for the term of four years beginning on the second day of January, 1991:

DISTRICTS

First	Al Sturgeon
Third	Wilmer Rensink
Fifth	Linn Fuhrman
Seventh	Jim Kersten
Ninth	Ray Taylor
Eleventh	John W. Jensen
Thirteenth	Jim Lind

Fifteenth	Allen Borlaug
Seventeenth	Joe J. Welsh
Nineteenth	Sheldon Rittmer
Twenty-first	Pat Deluhery
Twenty-third	Jean Lloyd-Jones
Twenty-fifth	Wally E. Horn
Twenty-seventh	Richard J. Varn
Twenty-ninth	Jack Rife
Thirty-first	Eugene Fraise
Thirty-third	Don Gettings
Thirty-fifth	Bill Dieleman
Thirty-seventh	Ralph Rosenberg
Thirty-ninth	William D. Palmer
Forty-first	Mary E. Kramer
Forty-third	Florence Buhr
Forty-fifth	James R. Riordan
Forty-seventh	Derryl McLaren
Forty-ninth	Jack W. Hester

I FURTHER CERTIFY that the State Canvassing Board has declared that at the General Election held on November 8, 1988, each of the following named persons was duly elected to the office of State Senator for the term of four years beginning on the second day of January, 1989:

DISTRICTS

Second	Donald V. Doyle
Fourth	Richard Vande Hoef
Sixth	John P. Kibbie
Eighth	Berl E. Priebe
Tenth	Alvin V. Miller
Twelfth	*Joy Corning
Fourteenth	Larry Murphy
Sixteenth	Dale L. Tieden
Twentieth	Maggie Tinsman
Twenty-second	Beverly A. Hannon
Twenty-fourth	Paul D. Pate
Twenty-sixth	Richard V. Running
Twenty-eighth	Richard F. Drake
Thirtieth	Mark R. Hagerla
Thirty-second	H. Kay Hedge
Thirty-fourth	John A. Peterson
Thirty-sixth	John Soorholtz
Thirty-eighth	Emil J. Husak
Fortieth	George R. Kinley
Forty-second	Elaine Szymoniak
Forty-fourth	Jack Nystrom
Forty-sixth	Leonard L. Boswell
Forty-eighth	Bill Hutchins
Fiftieth	Michael E. Gronstal

I FURTHER CERTIFY that the State Canvassing Board has declared that at a Special Election held on September 26, 1989, Mike Connolly was elected to the office of State Senator for the Eighteenth District to fill a vacancy in a four-year term which began in January, 1989.

(SEAL)

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Secretary of State at the Capitol in Des Moines this 8th Day of January, 1991.

ELAINE BAXTER, Secretary of State

I hereby acknowledge receipt of the original copy of this document on January 8, 1991.

JOHN F. DWYER
Secretary of the Senate

*Senator Corning resigned her Senate District 12 seat on December 3, 1990.

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 December 18, 1990, Harry Slife was elected to fill a vacancy in the office of State Senator of the Twelfth District, for the balance of the term which began on January second, 1989.

(SEAL)

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Secretary of State at the Capitol in Des Moines this 9th Day of January, 1991.

ELAINE BAXTER, Secretary of State

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

ELECTION OF PRESIDENT

Senator Hutchins placed in nomination the name of Senator Joe J. Welsh of Dubuque County as a candidate for the office of President of the Senate for the Seventy-fourth General Assembly.

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

The Chair announced that Senator Welsh had been elected President of the Senate of the Seventy-fourth General Assembly.

President Zimmerman requested Senators Kibbie, Connolly and Murphy to escort Senator Welsh to the rostrum.

Senator Welsh appeared, took the oath of office, was congratulated and presented the gavel by President Zimmerman.

Senator Welsh addressed the Senate as follows:

Thank you Governor Jo Ann Zimmerman, Majority Leader Hutchins, Minority Leader Rife, Senators and honored guests:

I want to welcome you as we begin the Seventy-fourth General Assembly of Iowa. The General Assembly, especially the Senate, is steeped in tradition. It is an honor for each and every one of us to serve and represent our fellow Iowans in this chamber.

This is an historic time for the Iowa Senate. It is the beginning of a true separation of power between the executive and legislative branches of government. It is the first time in the state's history that the presiding officer will be one of its own members and I am honored to have this opportunity and will take my responsibilities as President of the Senate very seriously.

Through the years many different people have served capably as presiding officer and have helped to shape the office and establish its credibility. Individuals like Warren Garst, Robert Blue, Bob Fulton, Arthur Neu, Bob Anderson, Jo Ann Zimmerman, Governor Brandstad and the only person from Dubuque ever elected lieutenant governor, William H. Hamilton who served in the Sixth General Assembly in 1856-57 have established many precedence for this office.

I will continue to work to ensure that the General Assembly exercises its constitutional authority and responsibility in making public policy. This means, for example, working cooperatively with the Governor and executive branch agencies as much as possible, but also to request and demand if necessary, the

the respect and authority envisioned by the individuals who established our state constitution.

What can you expect from me as your presiding officer? I will give every effort to be fair, concise and consistent in each ruling before the chair. To be able to do this requires a good, basic understanding of the rules and issues. I have been working hard the last couple of months to understand these issues in depth. Nevertheless, I know that I am new to this job and have many things yet to learn. I intend to learn quickly. I will preside in the Senate tradition of bipartisanship.

I am proud of the actions we in the Iowa Legislature have taken in the past few years. The General Assembly's role in state government has grown and with it, we have tried to improve the quality of life for the people of Iowa.

We worked together during the tough times of the eighties to improve Iowa's economic climate, diversify the educational opportunities for our children, enhance our environment and protect our citizens from the evils of crime.

We have come through those difficult days and I believe the light of history will shine favorably on our work. We enter the decade of the nineties with hope, and, many new challenges ahead of us. I have confidence in the members of the Senate, our colleagues in the Iowa House and in Governor Terry Branstad that we will face our challenges with resolve, and working together, continue to make Iowa a great place to live, work and raise our children.

Albert Einstein once said, "In the middle of difficulty lies opportunity." With crises in the world around us, as far away as the Persian Gulf and as close to home as our state's budget, and the personal challenges and problems each of us face daily, we can find opportunity. Working constructively together, striving to really understand the issues and respecting the rules and opinions of each other, we can solve our problems and achieve success.

Specifically, for first time senators here today, I would like to give you a quote that was first given to Freshman United States Senator Harry Truman by Senator J. Hamilton Lewis. He stated "That the first six months you are here, you'll wonder how you got here, and after that you'll wonder how the rest of us got here."

My door is always open to every senator. I look forward to working with each and every one of you as we pursue our goals. Thank you.

ELECTION OF PRESIDENT PRO TEMPORE

Senator Hutchins placed in nomination the name of Senator Jean Lloyd-Jones of Johnson County as a candidate for the office of President pro tempore for the Senate for the Seventy-fourth General Assembly.

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

The Chair announced that Senator Lloyd-Jones had been elected President pro tempore of the Seventy-fourth General Assembly.

President Welsh requested Senators Varn, Fraise and Deluhery to escort Senator Lloyd-Jones to the rostrum.

Senator Lloyd-Jones appeared, took the oath of office, was congratulated and presented to the Senate by President Welsh.

Senator Lloyd-Jones addressed the Senate with the following remarks:

President Welsh, Lieutenant Governor Zimmerman, friends and colleagues:

I thank you for electing me to the position of President pro tempore of the Senate. There have been many distinguished senators elected to this position. My immediate predecessor was a senator from Des Moines, Senator Mann. He was a champion for civil rights and civil liberties. Going back a few years before that the position was held by Senator Minnette Doderer, now Representative Doderer from my own district, who was and still is a champion for womens' rights.

Each person who has held this position has brought his or her own strengths and interests to the job. My own interest is in the area of non-violent resolution of conflict. So I am very discouraged as I see the situation that has developed in the Middle East, because it represents once again the failure of diplomacy. We all pray for the time when our foreign policy can be a rational one that provides the same quality of justice and dignity for all of the world's people that we try to practice here at home.

It's been said, and I love this quote, "that Iowa has a better foreign policy than the United States."

I look forward to working with Senator Welsh and all of you for a productive session.

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 Priebe, Chair; Hannon, Kersten 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 Riordan, Chair; Rosenberg, Buhr, Kramer and McLaren.

ASSIGNMENT OF SEATS IN THE PRESS GALLERY

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

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

51. DES MOINES REGISTER, Jon Roos, Tom Fogarty
52. THE ASSOCIATED PRESS, Thomas Seery
53. WOI-TV, Allan Urlis
54. WHO-TV/WHO RADIO, Kevin Teale
- 55.
56. IOWA LEGISLATIVE NEWS SERVICE, Jo Von Stein
- 57.
58. CEDAR RAPIDS GAZETTE, John Kirsch
- 59.
60. IOWA NEWSPAPER ASSOCIATION, Harrison Weber
61. RADIO IOWA, O. Kay Henderson, Bob Rasmus
62. WATERLOO COURIER, Eric Woolson
- 63.
64. KCCI-TV, Sarah Jarvis, Todd Magel

GENERAL ASSIGNMENT

AFSCME PRIDE NEWS: Larry Scarpino
 THE ASSOCIATED PRESS: Tom Seery, John Gaps, Jeff Davis, David Speer,
 Jeff Davis, Charles Neibergall, Roger Burdette
 CEDAR RAPIDS GAZETTE: Rod Boshart
 THE DES MOINES REGISTER: Tom Fogarty, David Yepsen, Jonathan Roos,
 Victoria Benning
 IOWA LEGISLATIVE NEWS SERVICE: Kathi Marts-Foster, Jackie King
 IOWA NEWSPAPER ASSOCIATION: Drake journalism interns
 JEFFERSON BEE & HERALD: Skip Weber
 KASI/KCCQ RADIO: Rich Fellingham
 KIMT-TV: Dawn Abrahamson, Monty Allen, Joel LaRue, Vince DeGroot, Jim
 Grawe
 KRNT/Q-102 RADIO: Dale Woolery, Vern Beachy, Julie Johnston, Mick Trier
 KTIV-TV: John Grosvenor, Colette O'Mera, Bruce Scheid, Dave Boxum, Bette
 Hanson, Anne Woolson, Greg Keane, Ron Demers, Allyson Wood
 RADIO IOWA: Todd Kimm, Dennis Sutterer, Bob Rasmus, Mike Whitsell
 SIOUX CITY JOURNAL: David Dreeszen
 WHO-AM: Jodi Chapman, Bob Quinn, Sue Pritchard, Chuck Shockley, Jerry Reno
 WHO-TV: Tom Hauser, Sharon Holland, Mary Milz, Therese Thompson
 WOI-AM: Joyce Russell, Tim Stanley

APPOINTMENT OF PERMANENT OFFICERS
AND EMPLOYEES

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

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

Secretary of the Senate John F. Dwyer

Administrative

Executive Secretary to the Secretary Lori Bristol
 Senior Finance Officer Mary Ann Abbott
 Finance Officer I Linda Laurenzo
 Recording Clerk Linda Morrow
 Records and Supply Clerk Mary Buban
 Secretary to the Secretary Annette Nichols

Indexing

Chief Indexer Caryl Wilbur
 Indexing Assistant Nancy Gibson

Journal

Senior Journal Editor	C.J. Kelly
Assistant Journal Editor	Teri Souer
Recording Clerk	Kathleen Curoe

Legal Counsel

Assistant Secretary of the Senate	Cynthia A. Clingan
Assistant to the Legal Counsel	Yvonne Coohy

President of the Senate's Office

Administrative Assistant to Leader I	John Cacciatore
--	-----------------

Majority Caucus

Senior Administrative Assistant to Leader	Greg Nichols
Confidential Secretary to Leader	Kathy Hillman
Senior Caucus Staff Director	Dennis Harbaugh
Research Analyst II	Randy Bauer
Research Analyst III	Steve Conway
Research Analyst III	William Haigh
Research Analyst III	Theresa Kehoe
Research Analyst III	Debbie O'Leary
Research Analyst I	Robyn Mills
Caucus Secretary	Mary Bustad

Minority Caucus

Administrative Assistant to Leader I	Stephanie Laudner
Caucus Staff Director	Robert Haus
Senior Research Analyst	James Boose
Research Analyst II	Carolann Jensen
Research Analyst III	Suzanne Johnson
Research Analyst I	Ann Molis
Research Analyst I	Curt Stamp
Executive Secretary to Leader	Marcy Jolly

Sergeant-at-arms

Sergeant-at-arms	Merlyn Frohling
Assistant Sergeant-at-arms	Lynn Brandt
Assistant Sergeant-at-arms	William Krieg
Chief Doorkeeper	Ray J. Prosperi
Doorkeeper	Svend A. Christensen
Doorkeeper	Catherine L. DeHeck
Doorkeeper	George Finkenauer
Doorkeeper	Bernadine Follett
Doorkeeper	Daryl Nims

Doorkeeper E.A. Samuelson

Services

Bill Clerk Glen Beck
 Switchboard Operator Fredda Wright
 Switchboard Operator Mary Leonard
 Postmaster Eleanor Hesseling

BILL HUTCHINS, Chair

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

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

APPOINTMENT OF SENATE SECRETARIES

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

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

ANDERSON, JOYCE R. James Kersten
 BAUMGARTNER, CHRIS. Harry G. Slife
 BOUCHER, CANDY A. James Riordan
 BURKE, BERNIE Beverly Hannon
 CALLAS, MARY Donald Gettings
 COVERDALE, JEANNE Joe Welsh
 DAVIS, JAN Maggie Tinsman
 DAVIS, VICKI Jack Rife
 DOYLE, JAN Donald V. Doyle
 ELMITT, ALYCE Jim Lind
 FEINTECH, DEBRA Florence Buhr
 FRAISE, FAYE Eugene Fraise
 FRANCIS, KAREN A. DeKOCK Berl E. Pribe
 FULLER, DEBRA Pat Deluhery
 GALLAGHER, SALLY William Palmer
 GASS, MARY ANN Elaine Szymoniak
 GEOKE, BRIAN Lynn Fuhrman
 GORSH, GLENDA Jack Nystrom
 HANOVER, JO ANN Michael Gronstal

HEDGE, ALLEEN	H. Kay Hedge
HILLMAN, KATHY	Bill Hutchins
HUSAK, DOROTHY M.	Emil Husak
HUYSER, BRENDA	William Dieleman
JENSEN, MYRTLE	John Jensen
JONES, GARY	Jean Lloyd-Jones
KIBBIE, KAY	John F. Kibbie
KIMM, TODD	Richard J. Varn
KING, PAT.	Mark R. Hagerla
KRIEG, JON	Al Sturgeon
LESTER, LYNN	John Peterson
LOZIER, KAYE	Mary E. Kramer
McVEIGH, LESLIE	Allen Borlaug
MILLER, FRANCES	Alvin Miller
O'CONNELL, M. ANNE	Richard Running
OLESON, BRENT	Paul Pate
PEER, MARY ANN	Leonard Boswell
PETERSON, CAROLE	George Kinley
RENSINK, MARILYN	Wilmer Rensink
RYDELL, GERRY L.	Ray Taylor
SAF, DORIS FLO	Dale Tieden
SAMUELSON, BEVERLY A.	John Soorholtz
SCHROEDEL, HAZEL E.	Sheldon Rittmer
SCHROEDER, SCOTT	Larry Murphy
SIMON, JULIE THERESE	Wally Horn
SOENER, BETTY M.	Richard Drake
VANDE HOEF, HARRIET	Richard Vande Hoef
WASKER, ELIZABETH ANN	Jack W. Hester
WESSEL-KROESCHELL, BETH	Ralph Rosenberg
WEST, JO ANN	Mike Connolly
WISE, BETTY B.	Derryl McLaren

BILL HUTCHINS, Chair

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

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

APPOINTMENT OF PAGES

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

MR. PRESIDENT: Your committee on Rules and Administration begs leave to submit the names of the following personnel as Pages for the Senate for the 1991 Session of the Seventy-fourth General Assembly:

Jennifer Carey, Westgate
Jennifer Dawson, Milo
Kathy Foresman, Audubon
Michele Goodwin, Ames
Molly Kressin, Clear Lake
Gary McWeeny, Gowrie
Susan Mikkelsen, Atlantic
Matthew Most, Iowa City
Angela Mumm, Cedar Falls
Kate Reichardt, Bettendorf
Frank Sackett, Okoboji
Robin Shipler, Britt
Jami Snyder, President of the Senate's Page, Sergeant Bluff
Michelle Turner, Secretary of the Senate's Page, Norwalk
Jennifer Whitmire, Conrad
Dianna Winegarden, Marathon
JaDee Young, Emmetsburg

BILL HUTCHINS, Chair

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

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

REPORT OF COMMITTEE TO NOTIFY THE HOUSE

Senator Riordan 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.

COMMITTEE ON MILEAGE

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

The motion prevailed by a voice vote and the Chair announced

the appointment of Senators Horn, Chair; Husak, Jensen and Rittmer.

COMMITTEE ON CHAPLAINS

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

SELECTION OF SEATS

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

Senator Hutchins moved that the holdover and reelected Senators be granted the privilege of selecting new seats in order of seniority from unassigned seats; that any Senator having a handicap be allowed to select from the unassigned seats; that the former members of the House of Representatives be granted the privilege of selecting their seats from the unassigned seats, and that newly elected Senators select their seats from the unassigned seats, the order of selection based on their names being drawn by lot by the Secretary of the Senate; and that first, the Majority Floor Leader and the Minority Floor Leader be permitted to select their seats; and that the Majority Leader be allowed to select seats for Senators Miller, Running and Doyle.

The motion prevailed by a voice vote.

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

<u>NAME</u>	<u>SEAT NO.</u>
Borlaug of Chickasaw	18
Boswell of Decatur	22
Buhr of Polk	1
Connolly of Dubuque	2
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

Gettings of Wapello	5
Gronstal of Pottawattamie	9
Hagerla of Des Moines	14
Hannon of Jones	31
Hedge of Mahaska	32
Hester of Pottawattamie	46
Horn of Linn	45
Husak of Tama	7
Hutchins of Audubon	49
Jensen of Bremer	44
Kersten of Webster	4
Kibbie of Palo Alto	35
Kinley of Polk	43
Kramer of Polk	12
Lind of Black Hawk	10
Lloyd-Jones of Johnson	23
McLaren of Fremont	6
Miller of Cerro Gordo	39
Murphy of Fayette	29
Nystrom of Boone	38
Palmer of Polk	41
Pate of Linn	28
Peterson of Monroe	13
Priebe of Kossuth	37
Rensink of Sioux	30
Rife of Muscatine	8
Riordan of Dallas	33
Rittmer of Clinton	24
Rosenberg of Story	17
Running of Linn	19
Slife of Black Hawk	16
Soorholtz of Marshall	36
Sturgeon of Woodbury	20
Szymoniak of Polk	25
Taylor of Hardin	50
Tieden of Clayton	48
Tinsman of Scott	26
Vande Hoef of Osceola	42
Varn of Johnson	27
Welsh of Dubuque	3

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on January 14, 1991, passed the following concurrent resolutions in which the concurrence of the Senate is asked:

House Concurrent Resolution 1, a concurrent resolution providing that a joint convention of the two houses be held on Monday, January 14, 1991 at 1:30 p.m., to canvass the votes for Governor and Lieutenant Governor and that a joint convention be held on January 15, 1991 at 10:00 a.m. for the purpose of hearing the Governor's condition of the state message.

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

House Concurrent Resolution 2, a concurrent resolution providing that a joint convention of the two houses of the 1991 session of the Seventy-fourth General Assembly be held on Wednesday, January 16, 1991, at 10:00 a.m., and that Chief Justice McGiverin be invited to present his message of the condition of the judicial department at this convention.

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

House Concurrent Resolution 3, a resolution relating to appointment of a joint inaugural committee.

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

REPORT OF COMMITTEE TO NOTIFY THE GOVERNOR

Senator Priébe 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.

ADOPTION OF RESOLUTIONS

Senator Hutchins asked and received unanimous consent to take up for immediate consideration House Concurrent Resolutions 1 and 3.

House Concurrent Resolution 1

On motion of Senator Hutchins, House Concurrent Resolution 1, a resolution providing that a joint convention of the two houses of the 1991 session of the Seventy-fourth General Assembly be held on Monday, January 14, 1991, at 1:30 p.m., and that at this

joint convention the votes for Governor and Lieutenant Governor be canvassed and the results announced and recorded as provided by law, was taken up for consideration.

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

House Concurrent Resolution 3

On motion of Senator Hutchins, House Concurrent Resolution 3, a resolution relating to appointment of a joint inaugural committee, was taken up for consideration.

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

The Chair announced the appointment of Senators Priebe, Lloyd-Jones, Dieleman, Pate, Rensink and Slife.

TELLERS OF JOINT CONVENTION

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

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

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 1, by Szymoniak, Buhr, Gronstal, Hannon, Horn, Hutchins, Lind, Lloyd-Jones, Murphy, Rife, Rosenberg, Tinsman and Varn, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the equality of rights of men and women under the law.

Read first time and assigned to the committee on State Government.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Miller and Doyle for the day and Senator Running for the week on request of Senator Hutchins.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:53 a.m., until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:40 p.m., President Welsh presiding.

COMMITTEE FROM THE HOUSE

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

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

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

JOINT CONVENTION

In accordance with law and concurrent resolution duly adopted, the joint convention was called to order at 1:52 p.m., President Welsh presiding.

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

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

President Welsh announced that the time had arrived for the canvass of votes for the offices of Governor and Lieutenant Governor at the General Election held on November 6, 1990, and

announced as teller, on the part of the Senate, Senator Husak, and assistant tellers, Senators Horn and Tinsman; and as teller, on the part of the House, Representative Rod Halvorson, and assistant tellers Nielsen and Gipp.

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

The returns were opened in the presence of the joint convention and the tellers then proceeded to canvass the vote for Governor and Lieutenant Governor of the State of Iowa, cast at the General Election held on November 6, 1990.

Representative McKinney moved that the joint convention recess until 10:00 a.m. on Tuesday, January 15, 1991.

The motion prevailed by a voice vote and the joint convention was recessed at 2:15 p.m.

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

RECESS

On motion of Senator Horn, the Senate recessed at 2:22 p.m., until 3:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 3:40 p.m., President Welsh presiding.

INTRODUCTION OF RESOLUTIONS

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

Read first time and placed on calendar.

Senate Concurrent Resolution 1, by committee on Rules and Administration, a concurrent resolution relating to the compensation of chaplains, officers and employees of the seventy-fourth general assembly.

Read first time and placed on calendar.

Senate Concurrent Resolution 2, by committee on Rules and Administration, a resolution relating to joint rules of the senate and house for the seventy-fourth general assembly.

Read first time and placed on calendar.

INTRODUCTION OF BILLS

Senate File 1, by Tinsman, Rife and Deluhery, 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 sales and services tax, 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 and passed on file.

Senate File 2, by Szymoniak, a bill for an act relating to sexual exploitation by a counselor or therapist and providing penalties.

Read first time and passed on file.

Senate File 3, by Taylor, a bill for an act providing that the costs of advertising cigarettes are not deductible business expenses for corporations under the state corporate income tax and providing an effective date and an applicability provision.

Read first time and passed on file.

Senate File 4, by Riordan, a bill for an act relating to consideration of voluntary and involuntary annexation petitions which concern the same territory or city.

Read first time and passed on file.

Senate File 5, by Miller and Vande Hoef, a bill for an act relating to the sale of information received from public documents recorded or kept by county offices and providing a penalty.

Read first time and passed on file.

Senate File 6, by Dieleman, a bill for an act relating to permissible use of moneys appropriated by the county boards of supervisors for the benefit of honorably discharged, indigent veterans of wars.

Read first time and passed on file.

Senate File 7, by Fuhrman, Hagerla and Hester, 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.

Read first time and passed on file.

Senate File 8, by Fuhrman and Hagerla, a bill for an act relating to chemical tests of motor vehicle operators involved in collisions resulting in death or in injury requiring transportation to a medical facility.

Read first time and passed on file.

Senate File 9, by Lind, a bill for an act relating to the confidentiality of information obtained by a newsgatherer, and providing certain exceptions.

Read first time and passed on file.

Senate File 10, by Tinsman, a bill for an act relating to the establishment and licensure of elder family homes.

Read first time and passed on file.

Senate File 11, by Rosenberg, a bill for an act relating to the notification of victims or their closest relatives of the sentence received by an offender, and victims' access to restitution or reparation payments.

Read first time and passed on file.

Senate File 12, by Kersten, a bill for an act expanding the membership of county resource enhancement committees.

Read first time and passed on file.

Senate File 13, by Rosenberg, a bill for an act relating to certain court fees and costs.

Read first time and passed on file.

Senate File 14, by Lind, a bill for an act relating to designated numbers on drivers license applications.

Read first time and passed on file.

Senate File 15, by Gronstal, a bill for an act prohibiting automated telephone solicitations and providing penalties.

Read first time and passed on file.

Senate File 16, by Priebe, a bill for an act requiring the county assessor to include on the assessment rolls the previous year's valuation and the difference between the previous year's valuation and the current valuation and providing an effective date.

Read first time and passed on file.

Senate File 17, by Priebe, a bill for an act relating to the content of notices for changes of property valuation.

Read first time and passed on file.

Senate File 18, by Priebe, a bill for an act establishing criminal penalties for certain acts of persons infected with the human immunodeficiency virus.

Read first time and passed on file.

Senate File 19, by Priebe, a bill for an act relating to collegiate motor vehicle registration plates.

Read first time and passed on file.

Senate File 20, by Riordan, a bill for an act relating to medical necessity exemptions from tinted windshield light transmittancy standards.

Read first time and passed on file.

Senate File 21, by Rife, a bill for an act relating to providing limited benefit health coverage policies, plans, or contracts, for the purpose of assuring access to medical treatment for basic health needs.

Read first time and passed on file.

Senate File 22, by Vande Hoef, a bill for an act relating to inspection fees imposed on the sale of commercial feeds and on the sale of commercial fertilizers and soil conditioners.

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.

COMMITTEE REPORTS

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 1, a resolution relating to permanent rules of the senate for the seventy-fourth general assembly.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 9: Hutchins, Welsh, Rife, Gettings, Husak, Jensen, Kinley, Lloyd-Jones and Soorholtz. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 1, a resolution relating to the compensation of chaplains, officers and employees of the seventy-fourth general assembly.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 8: Hutchins, Welsh, Rife, Gettings, Husak, Jensen, Lloyd-Jones and Soorholtz. Nays, none. Absent or not voting, 1: Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 2, a resolution relating to joint rules of the senate and house for the seventy-fourth general assembly.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 8: Hutchins, Welsh, Rife, Gettings, Husak, Jensen, Lloyd-Jones and Soorholtz. Nays, none. Absent or not voting, 1: Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ADOPTION OF RESOLUTIONS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Resolution 1 and Senate Concurrent Resolutions 1 and 2.

Senate Concurrent Resolution 1

On motion of Senator Hutchins, Senate Concurrent Resolution 1, concurrent resolution relating to the compensation of chaplains, officers and employees of the seventy-fourth general assembly, was taken up for consideration.

Senator Hutchins offered amendment S—3001 filed by Senators Hutchins and Rife from the floor to pages 1, 5, 11-13 and 16-18 of the resolution and moved its adoption.

Amendment S—3001 was adopted by a voice vote.

Senator Hutchins moved the adoption of Senate Concurrent Resolution 1 as amended.

A non record roll call was requested.

The ayes were 43, nays, none.

The resolution as amended was adopted.

Senate Resolution 1

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

Senator Gronstal withdrew amendment S—3003 filed by him from the floor to page 28 of the resolution.

Senator Rife moved the adoption of Senate Resolution 1.

A non record roll call was requested.

The ayes were 44, nays none.

The resolution was adopted.

IMMEDIATELY MESSAGED

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

ADOPTION OF RESOLUTION (Regular Calendar)

Senate Concurrent Resolution 2

On motion of Senator Hutchins, Senate Concurrent Resolution 2, a resolution relating to joint rules of the senate and house for the seventy-fourth general assembly, was taken up for consideration.

Senator Hutchins offered amendment S—3002 filed by the committee on Rules and Administration from the floor to page 7 of the resolution and moved its adoption.

Amendment S—3002 was adopted by a voice vote.

Senator Hutchins moved the adoption of Senate Concurrent Resolution 2 as amended.

A non record roll call was requested.

The ayes were 42, nays none.

The resolution as amended was adopted.

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

INTRODUCTION OF BILL

Senate File 23, by Szymoniak, a bill for an act relating to the teaching of American sign language in accredited schools.

Read first time and passed on file.

APPENDIX

STANDING COMMITTEES APPOINTED

The Majority and Minority Leaders announced the following appointments to the standing committees of the Senate for the 1991 Regular Session:

AGRICULTURE—15 Members

Priebe, Chair	Doyle	Husak	Riordan
Peterson*	Fraise	McLaren	Rittmer
Soorholtz**	Hedge	Miller	Vande Hoef
Boswell	Hester	Palmer	

APPROPRIATIONS—21 Members

Boswell, Chair	Gronstal	McLaren	Running
Welsh*	Hagerla	Pate	Szymoniak
Tieden**	Husak	Peterson	Tinsman
Buhr	Kersten	Rensink	Varn
Connolly	Lind	Riordan	
Gettings	Lloyd-Jones		

BUSINESS AND LABOR RELATIONS—10

Running, Chair	Buhr	Peterson	Slife
Sturgeon*	Kinley	Rensink	Taylor
Fuhrman**	Palmer		

COMMERCE—15

Deluhery, Chair	Gettings	Lind	Sturgeon
Kinley*	Gronstal	Nystrom	Tieden
Slife**	Jensen	Palmer	Varn
Doyle	Kersten	Priebe	

EDUCATION—15

Connolly, Chair	Dieleman	Murphy	Tieden
Horn*	Kibbie	Rensink	Tinsman
Taylor**	Kramer	Running	Varn
Deluhery	Lind	Szymoniak	

*Vice Chair

**Ranking Member

ENVIRONMENT AND ENERGY UTILITIES—12

Rosenberg, Chair	Borlaug	Hannon	Miller
Gronstal*	Deluhery	Hedge	Soorholtz
Jensen**	Fraise	Kersten	Varn

HUMAN RESOURCES—12

Hannon, Chair	Horn	Riordan	Szymoniak
Buhr*	Kramer	Rittmer	Taylor
Hagerla**	Murphy	Sturgeon	Tinsman

JUDICIARY—15

Sturgeon, Chair	Deluhery	Hester	Peterson
Rosenberg*	Drake	Horn	Slife
Fuhrman**	Gronstal	Murphy	Varn
Connolly	Hagerla	Pate	

LOCAL GOVERNMENT—10

Miller, Chair	Borlaug	Fraise	Jensen
Szymoniak*	Boswell	Hannon	Vande Hoef
Rittmer**	Buhr		

NATURAL RESOURCES—12

Palmer, Chair	Dieleman	Priebe	Rosenberg
Kibbie*	Hagerla	Rensink	Sturgeon
Hester**	Hedge	Riordan	Tieden

RULES AND ADMINISTRATION—9

Hutchins, Chair	Gettings	Jensen	Lloyd-Jones
Welsh*	Husak	Kinley	Soorholtz
Rife**			

SMALL BUSINESS AND ECONOMIC DEVELOPMENT—12

Riordan, Chair	Boswell	Miller	Rittmer
Hannon*	Kibbie	Pate	Running
Borlaug**	Kramer	Peterson	Vande Hoef

*Vice Chair

**Ranking Member

STATE GOVERNMENT—19

Kibbie, Chair	Doyle	Lind	Running
Lloyd-Jones*	Drake	McLaren	Soorholtz
Nystrom**	Gronstal	Murphy	Vande Hoef
Buhr	Horn	Priebe	Welsh
Dieleman	Kramer	Rife	

TRANSPORTATION—12

Fraise, Chair	Dieleman	Kersten	Nystrom
Connolly*	Gettings	Kinley	Pate
Drake**	Jensen	Lloyd-Jones	Welsh

WAYS AND MEANS—15

Dieleman, Chair	Deluhery	Hester	Rosenberg
Husak*	Drake	McLaren	Szymoniak
Hedge**	Fraise	Murphy	Taylor
Connolly	Fuhrman	Palmer	

SENATE APPROPRIATIONS SUBCOMMITTEES

ADMINISTRATION

Peterson, Chair	Pate**	Welsh
Dieleman*	Slife	

AGRICULTURE/NATURAL RESOURCES

Husak, Chair	McLaren**	Kibbie
Priebe*	Hester	

CLAIMS

Kinley, Chair	Soorholtz**	Drake
Doyle*	Boswell	

ECONOMIC DEVELOPMENT

Riordan, Chair	Kramer**	Lloyd-Jones
Boswell*	Borlaug	

*Vice Chair

**Ranking Member

EDUCATION

Varn, Chair	Lind**	Nystrom
Horn*	Murphy	

HEALTH AND HUMAN RIGHTS

Buhr, Chair	Tinsman**	Rittmer
Miller*	Hannon	

HUMAN SERVICES

Szymoniak, Chair	Hagerla**	Sturgeon
Deluhery*	Fuhrman	

JUSTICE SYSTEM

Gronstal, Chair	Vande Hoef**	Taylor
Fraise*	Rosenberg	

REGULATION

Running, Chair	Rensink**	Kinley
Palmer*	Hedge	

TRANSPORTATION AND SAFETY

Gettings, Chair	Kersten**	Jensen
Doyle*	Connolly	

APPOINTMENTS TO SENATE ETHICS COMMITTEE

Appointed by Senator Hutchins, Majority Leader

Lloyd-Jones, Chair	Gettings*	Husak
--------------------	-----------	-------

Appointed by Senator Rife, Minority Leader

Drake**	Hedge	
---------	-------	--

*Vice Chair

**Ranking Member

SENATORS AND THEIR RESPECTIVE COMMITTEES

Borlaug, Allen	Environment and Energy Utilities Local Government Small Business and Economic Development, Ranking Member Economic Development Appropriations Subcommittee
Boswell, Leonard L.	Agriculture Appropriations, Chair Local Government Small Business and Economic Development Claims Appropriations Subcommittee Economic Development Appropriations Subcommittee, Vice Chair
Buhr, Florence	Appropriations Business and Labor Relations Human Resources, Vice Chair Local Government State Government Health and Human Rights Appropriations Subcommittee, Chair
Connolly, Michael W.	Appropriations Education, Chair Judiciary Transportation, Vice Chair Ways and Means Transportation and Safety Appropriations Subcommittee
Deluhery, Patrick J.	Commerce, Chair Education Environment and Energy Utilities Judiciary Ways and Means Human Services Appropriations Subcommittee, Vice Chair
Dieleman, William W.	Education Natural Resources State Government Transportation Ways and Means, Chair Administration Appropriations Subcommittee, Vice Chair

Doyle, Donald V.	Agriculture Commerce State Government Claims Appropriations Subcommittee, Vice Chair Transportation and Safety Appropriations Subcommittee, Vice Chair
Drake, Richard F.	Ethics, Ranking Member Judiciary State Government Transportation, Ranking Member Ways and Means Claims Appropriations Subcommittee
Fraise, Eugene S.	Agriculture Environment and Energy Utilities Local Government Transportation, Chair Ways and Means Justice System Appropriations Subcommittee, Vice Chair
Fuhrman, Linn	Business and Labor Relations, Ranking Member Judiciary, Ranking Member Ways and Means Human Services Appropriations Subcommittee
Gettings, Don E.	Appropriations Commerce Ethics, Vice Chair Rules and Administration Transportation Transportation and Safety Appropriations Subcommittee, Chair
Gronstal, Michael E.	Appropriations Commerce Environment and Energy Utilities, Vice Chair Judiciary State Government Justice System Appropriations Subcommittee, Chair
Hagerla, Mark R.	Appropriations Human Resources, Ranking Member Judiciary

	Natural Resources Human Services Appropriations Subcommittee, Ranking Member
Hannon, Beverly A.	Environment and Energy Utilities Human Resources, Chair Local Government Small Business and Economic Development, Vice Chair Health and Human Rights Appropriations Subcommittee
Hedge, H. Kay	Agriculture Environment and Energy Utilities Ethics Natural Resources Ways and Means, Ranking Member Regulation Appropriations Subcommittee
Hester, Jack W.	Agriculture Judiciary Natural Resources, Ranking Member Ways and Means Agriculture/Natural Resources Appropriations Subcommittee
Horn, Wally E.	Education, Vice Chair Human Resources Judiciary State Government Education Appropriations Subcommittee, Vice Chair
Husak, Emil J.	Agriculture Appropriations Ethics Rules and Administration Ways and Means, Vice Chair Agriculture/Natural Resources Appropriations Subcommittee, Chair
Hutchins, Bill	Rules and Administration, Chair

Jensen, John W.	Commerce, Ranking Member Environment and Energy Utilities, Ranking Member Local Government Rules and Administration Transportation Transportation and Safety Appropriations Subcommittee
Kersten, James B.	Appropriations Commerce Environment and Energy Utilities Transportation Transportation and Safety Appropriations Subcommittee, Ranking Member
Kibbie, John P.	Education Natural Resources, Vice Chair Small Business and Economic Development State Government, Chair Agriculture/Natural Resources Appropriations Subcommittee
Kinley, George R.	Business and Labor Relations Commerce, Vice Chair Rules and Administration, Transportation Claims Appropriations Subcommittee, Chair Regulation Appropriations Subcommittee
Kramer, Mary E.	Education Human Resources Small Business and Economic Development State Government Economic Development Appropriations Subcommittee, Ranking Member
Lind, Jim.	Appropriations Commerce Education State Government Education Appropriations Subcommittee, Ranking Member
Lloyd-Jones, Jean	Appropriations Ethics, Chair Rules and Administration State Government, Vice Chair Transportation Economic Development Appropriations Subcommittee

McLaren, Derryl	Agriculture Appropriations State Government Ways and Means Agriculture/Natural Resources Appropriations Subcommittee, Ranking Member
Miller, Alvin V.	Agriculture Environment and Energy Utilities Local Government, Chair Small Business and Economic Development Health and Human Rights Appropriations Subcommittee, Vice Chair
Murphy, Larry	Education Human Resources Judiciary State Government Ways and Means Education Appropriations Subcommittee
Nystrom, Jack	Commerce State Government, Ranking Member Transportation Education Appropriations Subcommittee
Palmer, William D.	Agriculture Business and Labor Relations Commerce Natural Resources, Chair Ways and Means Regulation Appropriations Subcommittee, Vice Chair
Pate, Paul D.	Appropriations Judiciary Small Business and Economic Development Transportation Administration Appropriations Subcommittee, Ranking Member
Peterson, John A.	Agriculture, Vice Chair Appropriations Business and Labor Relations Judiciary Small Business and Economic Development Administration Appropriations Subcommittee, Chair

Priebe, Berl E.	Agriculture, Chair Commerce Natural Resources State Government Agriculture/Natural Resources Appropriations Subcommittee, Vice Chair
Rensink, Wilmer	Appropriations Business and Labor Relations Education Natural Resources Regulation Appropriations Subcommittee, Ranking Member
Rife, Jack	Rules and Administration, Ranking Member State Government
Riordan, James R.	Agriculture Appropriations Human Resources Natural Resources Small Business and Economic Development, Chair Economic Development Appropriations Subcommittee, Chair
Rittmer, Sheldon	Agriculture Human Resources Local Government, Ranking Member Small Business and Economic Development Health and Human Rights Appropriations Subcommittee
Rosenberg, Ralph	Environment and Energy Utilities, Chair Judiciary, Vice Chair Natural Resources Ways and Means Justice System Appropriations Subcommittee
Running, Richard V.	Appropriations Business and Labor Relations, Chair Education Small Business and Economic Development State Government Regulation Appropriations Subcommittee, Chair
Slife, Harry.	Business and Labor Relations Commerce, Ranking Member Judiciary Administration Appropriations Subcommittee

Soorholtz, John E.	Agriculture, Ranking Member Environment and Energy Utilities Rules and Administration State Government Claims Appropriations Subcommittee, Ranking Member
Sturgeon, Al	Business and Labor Relations, Vice Chair Commerce Human Resources Judiciary, Chair Natural Resources Human Services Appropriations Subcommittee
Szymoniak, Elaine	Appropriations Education Human Resources Local Government, Vice Chair Ways and Means Human Services Appropriations Subcommittee, Chair
Taylor, Ray	Business and Labor Relations Education, Ranking Member Human Resources Ways and Means Justice System Appropriations Subcommittee
Tieden, Dale L.	Appropriations, Ranking Member Commerce Education Natural Resources
Tinsman, Maggie	Appropriations Education Human Resources Health and Human Rights Appropriations Subcommittee, Ranking Member
Vande Hoef, Richard	Agriculture Local Government Small Business and Economic Development State Government Justice System Appropriations Subcommittee, Ranking Member

Varn, Richard J.

Appropriations
 Commerce
 Education
 Environment and Energy Utilities
 Judiciary
 Education Appropriations Subcommittee, Chair

Welsh, Joe J.

Appropriations, Vice Chair
 Rules and Administration, Vice Chair
 State Government
 Transportation
 Administration Appropriations Subcommittee

IN THE SUPREME COURT OF IOWA

APPOINTMENT OF MEMBERS OF THE ETHICS COMMITTEE IN THE
 SENATE OF THE 74th IOWA GENERAL ASSEMBLY BY THE CHIEF
 JUSTICE OF THE SUPREME COURT OF IOWA

TO THE SENATE OF THE 74th IOWA GENERAL ASSEMBLY:

Pursuant to Iowa Code section 68B.10, Lucas J. DeKoster of Hull, is reappointed and Becky S. Knutson of Des Moines, is hereby appointed to the Ethics Committee in the Senate for a term commencing December 31, 1990.

Dated this 4th day of January, 1991.

THE SUPREME COURT OF IOWA
 Arthur A. McGiverin, Chief Justice

The original and a true copy of this order have been filed with the Secretary of the Senate of the Iowa General Assembly on this 7th day of January, 1991.

JOHN F. DWYER
 Secretary of the Senate

STUDY BILL RECEIVED

SSB 1 State Government

Proposing an amendment to the Constitution of the State of Iowa relating to the provision for equality of rights and the provision's relationship to abortion and abortion funding.

REPORT OF THE COMMITTEE ON MILEAGE

MR. PRESIDENT: Pursuant to Sec. 2.10, Code 1989, the following mileage has been determined to be the mileage entitled to the members of the Senate for the Seventy-fourth General Assembly:

<u>NAME</u>	<u>ROUND TRIP MILES</u>
Borlaug, Allen	370
Boswell, Leonard L.	160
Buhr, Florence	none
Connolly, Michael W.	410
Deluhery, Patrick J.	338
Dieleman, William W.	102
Doyle, Donald V.	426
Drake, Richard F.	306
Fraise, Eugene S.	369
Fuhrman, Linn	360
Gettings, Don E.	190
Gronstal, Michael E.	270
Hagerla, Mark R.	360
Hannon, Beverly A.	310
Hedge, H. Kay	152
Hester, Jack W.	250
Horn, Wally E.	250
Husak, Emil J.	150
Hutchins, Bill	170
Jensen, John W.	290
Kersten, James B.	180
Kibbie, John P.	344
Kinley, George R.	16
Kramer, Mary E.	16
Lind, Jim	220
Lloyd-Jones, Jean	224
McLaren, Derryl	300
Miller, Alvin V.	230
Murphy, Larry	300
Nystrom, Jack	100
Palmer, William D.	24
Pate, Paul D.	278
Peterson, John A.	128
Priebe, Berl E.	280
Rensink, Wilmer	460
Rife, Jack	298
Riordan, James R.	28
Rittmer, Sheldon	388
Rosenberg, Ralph	70
Running, Richard V.	260
Slife, Harry G.	220
Soorholtz, John E.	72

Sturgeon, Al	420
Szymoniak, Elaine	none
Taylor, Ray	172
Tieden, Dale L.	370
Tinsman, Maggie	360
Vande Hoef, Richard	440
Varn, Richard J.	244
Welsh, Joe J.	400

Respectfully submitted,

WALLY E. HORN, Chair
 EMIL J. HUSAK
 JOHN W. JENSEN
 SHELDON RITTMER

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

MR. PRESIDENT: Pursuant to Senate Concurrent Resolution 3, your committee on rules and administration submits the following report of increases, reclassifications, and new employees.

Secretary of the Senate	John F. Dwyer	Annual	\$49,150.40 effective 6/22/90
Finance Officer I	Linda Laurenzo	24-1 to 24-2	effective 6/22/90
Executive Sec. to Secretary	Lori Bristol	23-4 to 23-5	effective 6/22/90
Journal Editor	Julie A. Elder	24-2 to 24-3	effective 6/22/90
Asst. Journal Editor	Teri Souer	21-1	effective 7/13/90
Recording Clerk	Kathleen Curoe	20-1 to 20-2	effective 6/22/90
Chief Indexer	Caryll Wilbur	24-5 to 24-6	effective 6/22/90
Indexing Assistant	Nancy Gibson	18-4 to 18-5	effective 6/22/90
Senior Caucus Staff Director	Dennis Harbaugh	36-3 to 36-4	effective 6-22-90
Administrative Assistant to Leader I	Stephanie Laudner	27-1	effective 9/10/90
Senior Research Analyst	Jim Boose	33-2 to 35-1	effective 6/22/90
Legislative Research Analyst III	Debbie O'Leary	33-2 to 33-3	effective 6/22/90
Legislative Research Analyst III	Bill Haigh	33-1 to 33-2	effective 11/23/90
Legislative Research Analyst II to III	Steve Conway	30-2 to 33-1	effective 9/14/90
Legislative Research Analyst II to III	Theresa Kehoe	30-2 to 33-1	effective 11/09/90
Legislative Research Analyst II to III	Suzanne Johnson	30-2 to 33-1	effective 8/17/90
Legislative Research Analyst I to II	Randy Bauer	27-3 to 30-1	effective 6/22/90
Legislative Research Analyst I	Ann Molis	27-1	effective 9/14/90
Legislative Research Analyst I	Robyn Mills	27-1	effective 10/08/90
Confidential Sec. to Leader	Kathy Hillman	26-5	effective 6/22/90
Caucus Secretary	Mary Bustad	21-6	effective 6/22/90

BILL HUTCHINS, Chair

ALSO:

MR. PRESIDENT: Pursuant to Senate Concurrent Resolution 3, your committee on rules and administration submits the following report of a new employee:

Administrative Assistant
to Leader I

John Caccitori

27-1

effective 1/10/91

BILL HUTCHINS, Chair

COMMUNICATION FROM THE SECRETARY OF STATE

To the Honorable, The Secretary of the Senate
Seventy-Fourth General Assembly

I, Elaine Baxter, Secretary of the State of the State of Iowa, do hereby certify that the following named newspapers were designated to publish House Joint Resolutions #5 and #12, Acts of the Seventy-third General Assembly. In accordance with Chapter Six, code of Iowa, 1989, affidavits showing proof of those publications are on file in this Department and are recorded as follows:

<u>Congressional Districts</u>	<u>Newspapers</u>	<u>1990 Dates Published</u>
First	Burlington Hawkeye, Burlington Quad City Times, Davenport	8/13 — 9/10 — 10/08 8/13 — 9/10 — 10/08
Second	Cedar Rapids Gazette, Cedar Rapids Dubuque Telegraph Herald, Dubuque	8/14 — 9/11 — 10/09 8/15 — 9/12 — 10/10
Third	Decorah Public Opinion, Decorah Waterloo Courier, Waterloo	8/14 — 9/11 — 10/09 8/13 — 9/10 — 10/08
Fourth	Ames Daily Tribune, Ames Des Moines Register, Des Moines	8/14 — 9/11 — 10/09 8/15 — 9/11 — 10/10
Fifth	Council Bluffs Nonpariel, Council Bluffs Osceola Sentinel—Tribune Osceola	8/15 — 9/12 — 10/10 8/16 — 9/13 — 10/11
Sixth	Globe Gazette, Mason City Sioux City Journal Sioux City	8/13 — 9/10 — 10/08 8/16 — 9/13 — 10/11

(SEAL)

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Secretary of State at the Capitol in Des Moines this 9th Day of January, 1991.

ELAINE BAXTER, Secretary of State

I hereby acknowledge that I received the original copy of this document on the ninth day of January, 1991.

JOHN F. DWYER
Secretary of the Senate

CERTIFICATES OF RECOGNITION

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

Tom Stricker, Bettendorf—Achieving the rank of Eagle Scout. Senator Tinsman (4-9-90).

Edwin and Lucile Freese, Scotch Grove—In celebration of their 50th wedding anniversary. Senator Hannon (4-23-90).

Mr. Lee Allen, Wyoming—In celebration of his 100th birthday. Senator Hannon (5-23-90).

Kenneth and Vida Graver, Lisbon—In celebration of their 65th wedding anniversary. Senator Hannon (6-2-90).

Alvin and Mildred Mohr, Wyoming—In celebration of their 50th wedding anniversary on January 21, 1990. Senator Hannon (6-3-90).

John and Ruth Rogers, Monticello—In celebration of their 50th wedding anniversary. Senator Hannon (6-4-90).

LaMar and Mary Foster, West Branch—In celebration of their 70th wedding anniversary. Senator Hannon (6-10-90).

Allen and Marie Hronik, Oxford Junction—In celebration of their 50th wedding anniversary. Senator Hannon (6-17-90).

Glenn and Verna Bendon, Olin—In celebration of their 50th wedding anniversary. Senator Hannon (6-19-90).

Delbert and Blanche Brickley, Anamosa—In celebration of their 69th wedding anniversary. Senator Hannon (6-22-90).

Jay and Dottie Sudenga, George—In celebration of their 50th wedding anniversary. Senator Vande Hoef (6-23-90).

Inez M. Condit, Anamosa—In celebration of her 100th birthday. Senator Hannon (6-26-90).

Loyd and Frances Nebergall, Tipton—In celebration of their 65th wedding anniversary. Senator Hannon (7-18-90).

Tyson Long, Davenport—For attaining the rank of Eagle Scout. Senator Rife (8-7-90).

Paul and Blanche Whear, Monticello—In celebration of their 70th wedding anniversary. Senator Hannon (10-18-90).

Coach Mark Kauk and the Unity Christian Knights—For winning the Girls' Class 1A Cross Country Title. Senator Rensink (11-3-90).

Southern Cal Mustangs, Lohrville and Lake City—For winning the 1990 Class 1A football championship. Senator Fuhrman (11-16-90).

Coach Wayne Westenberg and the Unity Christian Knights—For winning the Girls' Class 1A State Volleyball Championship. Senator Rensink (11-17-90).

Coach Tom Van Den Bosch and the Hull-Western Christian Indians—For placing second in the Girls' Class 2A State Volleyball Tournament. Senator Rensink (11-17-90).

Brian Burnight, Hawarden—For achieving the rank of Eagle Scout. Senator Rensink (11-18-90).

Parkersburg Crusaders, Parkersburg—For placing second in the Class 1A Boys' State Football Championship. Senator Jensen (11-30-90).

Wapsie Valley Warriors, Fairbank—For placing second in the Class 2A Boys' State Football Championship. Senator Jensen (11-30-90).

Waverly-Shell Rock Go-Hawks, Waverly—For placing first in the Class 3A Boys' State Football Championship. Senator Jensen (11-30-90).

Timothy T. Shinbori, LeClaire—For attaining the coveted rank of Eagle Scout. Senator Tinsman (1-5-91).

ANNOUNCEMENT OF STATUTORY APPOINTMENTS BY
THE SENATE MAJORITY LEADER
AND THE MINORITY LEADER

(All appointments effective 7-1-90)

June 29, 1990

IOWA BOUNDARY COMMISSION

(Iowa Code 2.91)

Mike Gronstal and Jack Hester

Terms expire 6-30-94

AGRICULTURAL ENERGY MANAGEMENT ADVISORY COUNCIL

(Iowa Code 467E.1)

Jim Riordan and H. Kay Hedge, nonvoting members

Terms expire 6-30-92

IOWA ECONOMIC DEVELOPMENT BOARD

(Iowa Code 15.103)

Bill Hutchins and Jack Nystrom

exofficio nonvoting members

Terms expire 6-30-92

HEALTH DATA COMMISSION

(Iowa Code 145)

Jack Rife, nonvoting member

Term expires 6-30-91

COMMISSION ON STATUS OF WOMEN

(Iowa Code 601K.52)

Paul Pate, exofficio nonvoting member

Term expires 6-30-94

ENERGY ASSISTANCE PILOT PROJECT ADVISORY BOARD

(1988 Session, HF 683)

Mike Gronstal and Jack Rife, nonvoting members

Terms expire 9-30-90

IOWA CRIMINAL AND JUVENILE JUSTICE ADVISORY COUNCIL

(1990 Session, HF 2468)

Larry Murphy and Mark Hagerla, exofficial members

Terms expires 6-30-94

JUVENILE JUSTICE PLANNING GROUP

(1990 Session HF 2517)

Emil Husak and Ray Taylor

Terms expire 12-1-91

ENTREPRENEURSHIP TASK FORCE
(1990 Session, HF 2482)
John Peterson and Paul Pate
Terms expire 12-31-91

STATUTORY CITIZEN APPOINTMENTS

August 2, 1990

COMMISSION ON COMPENSATION FOR STATE ELECTED OFFICIALS
(Iowa Code 2.A)

Julie Stone
1575 NW 107th St.
Clive, IA 50322
(To fill an unexpired term ending 6-30-91)

Michael Tramontina
6393 N.E. Rising Sun Drive
Des Moines, IA 50317
(To fill a term expiring 6-30-94)

SUBCOMMITTEE ASSIGNMENTS

SJR 1

STATE GOVERNMENT: Gronstal, Chair; Buhr and Drake

SSB 1

STATE GOVERNMENT: Dieleman, Chair; Kibbie and Nystrom

PETITION

The following petition was presented and placed on file by:

Senator Hutchins from 93 residents of Iowa favoring the repeal of the existing tax on computers.

BILLS ASSIGNED TO COMMITTEE

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

- S. F. 1 Local Government
- S. F. 2 Judiciary

S.F.	3	Ways and Means
S.F.	4	Local Government
S.F.	5	Local Government
S.F.	6	Local Government
S.F.	7	Judiciary
S.F.	8	Judiciary
S.F.	9	Judiciary
S.F.	10	State Government
S.F.	11	Judiciary
S.F.	12	Natural Resources
S.F.	13	Judiciary
S.F.	14	Transportation
S.F.	15	Commerce
S.F.	16	Local Government
S.F.	17	Local Government
S.F.	18	Judiciary
S.F.	19	Transportation

AMENDMENTS FILED

S-3001	S. C. R.	1	Bill Hutchins Jack Rife
S-3002	S. C. R.	2	Rules & Administration
S-3003	S. R.	1	Michael Gronstal

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:25 p.m., until 9:00 a.m., Tuesday, January 15, 1991.

JOURNAL OF THE SENATE

SECOND CALENDAR DAY
SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 15, 1991

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

Prayer was offered by the Reverend Patricia Ryan, Chaplain of Ramsey House, Des Moines, Iowa.

The Journal of Monday, January 14, 1991, was approved.

INTRODUCTION OF BILLS

Senate File 24, by Boswell, Husak, Deluhery and Gettings, a bill for an act relating to extending loan maturity dates for petroleum underground storage tanks.

Read first time and passed on file.

Senate File 25, by Hedge, 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 packages within the state.

Read first time and passed on file.

Senate File 26, by Lind, a bill for an act relating to the appointment of city boards, commissions, committees, or other multimember appointive bodies.

Read first time and passed on file.

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

The Senate resumed session, President Welsh 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 1, duly adopted, the Senate proceeded to the House under the direction of the Secretary of the Senate and Sergeant-at-arms.

JOINT CONVENTION

The joint convention reconvened at 9:48 a.m., President Welsh presiding.

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

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

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

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Boswell, Kibbie and Lind, on the part of the Senate, and Representatives Baker, Wissing and Krebsbach, on the part of the House.

The following guests were escorted into the House chamber:

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

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

Mrs. Chris Branstad; Mrs. Branstad's parents, Mr. and Mrs. Dick Johnson and Governor Branstad's father and his wife, Edward and Enolia Branstad, were escorted into the House chamber.

The committee waited upon Governor Branstad who delivered the following Condition of the State address:

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

Today as I come before you prepared to report on the condition of our state, we stand in the shadow of war in the Middle East.

Our thoughts cannot help but be colored by concerns for our loved ones who have answered our nation's call to protect and preserve the freedoms that we enjoy in this state and in this nation. These are the men and women of Iowa who are 7,000 miles from home serving in the wind and sands of Saudi Arabia, the men and women of Operation Desert Shield.

Today is D Day, deadline day in the Middle East and the dark storm clouds of conflict are rumbling and the winds of war are picking up.

Our hopes, our thoughts, our prayers today are for peace. We want our men and women to come back home to their families, come back safely to Iowa out of the mad reach of the Dictator, Saddam Hussein.

Throughout our state's history, Iowans have not shirked their duty to their country. In World War II, Iowa soldiers of the 34th Red Bull Division were the first American combat unit to see action in North Africa. At great sacrifice of human life, they helped prod Rommel, the Desert Fox and his Animal Panzers out of the sands of North Africa. Iowans helped rid the world of another mad Dictator, Adolf Hitler.

Almost daily we have witnessed the anguished looks of Iowa families as their loved ones are called to prepare for war. I visited some of these Iowa troops at Fort McCoy, Wisconsin in late November. We can all take pride in their commitment to their task. The Fort McCoy mobilization commander said, and I quote: ". . . No one has arrived at Fort McCoy in any better condition than the Iowa units."

Indeed, the Iowa National Guard ranks among the finest in the nation. It reflects Iowa values — high standards of performance; dedication to principle; service to state and nation.

With the hope of a world free from aggression and violence comes the pain of lives lost. We are not exempt in Iowa. We share the grief of Nancy Clark and Lori Shuckers. Our hearts and prayers are with these women and their families as they cope with the loss of their loved one.

We all pray that there will be no more Iowa lives lost in the Middle East. Let us join in a moment of silence for all Iowans who are so gallantly serving their country in Operation Desert Shield.

1990 was indeed a tale of two seasons. It began with a flourish of optimism and joy on the international front as the walls of communism and oppression in Eastern Europe came tumbling down.

A year ago, I came before you and together we celebrated the parting of the Iron Curtain and the crumbling of the Berlin Wall. The prospects for peace and prosperity seemed brighter than ever. But as the year ended, our hopes became clouded by aggression in the Middle East, economic hardship in Eastern Europe and hunger in the Soviet Union.

1990 began with prospects for prosperity never higher as new markets waited to be conquered and newly freed resources stood ready for investment at home. 1990 ended with foreign markets shrinking from the lack of timely American credits and a national deficit plan that gave us higher taxes, a bigger deficit and more mandates.

Iowa was not immune to these national and international events. Our families are being separated by the crisis in the Middle East. Our farmers are hurt by low grain prices. Each of us is paying more in federal taxes and many of our businesses and our workers feel the pinch of a slowing national economy.

But 1990 also taught us that we have begun to take control of our own destiny. For in 1991, unlike the downturn of the 1980's, Iowa is at the top of the economic heap.

Look at what is happening in other parts of the country. Both coasts are reeling in recession. Home prices there have dropped as much as 25 percent. The business failure rate in New England last year increased 192 percent. States like California are facing deficits twice the size of our entire state budget.

The Massachusetts Miracle has become the Massachusetts Mess. California Dreamin' has become the California Nightmare. In fact, in many respects Iowa stands out as an oasis of opportunity in the land of bankrupt S & L's, overpriced houses and highly leveraged lifestyles.

Pardon me if I gloat a bit, but in 1991 Iowa and all Iowans should stand tall. I know there will be those who will constantly want to remind us of our problems in the 1980's. I am not going to try to put any varnish on the census results. The figures are a grim reminder of the terrible times we went through. They are the final confirmation of the severity of the farm crisis . . . of how long and how hard Iowans were hurt in the early and mid 1980's.

That was a time none of us will ever forget, a time that tested Iowans, but it was also a time when we resolved as a people to turn this state around.

We have learned the lessons of lack of diversity and too much debt. We put together a strategic plan. We focused our energies and our resources on Iowa's strengths in education and agriculture. We made these the cornerstone of a full court press on economic development. We turned our lessons of the 1980's into positive opportunities for Iowa in the 1990's and it is working.

There is no question our plan and priorities in economic development and education have helped diversify Iowa's economy. The strategy has not only contributed to strong growth each year since 1986, but it has also made us more resilient and less vulnerable to economic downturns.

By mid-1990, the Department of Employment Services reported that more than 342,000 new jobs have been created in Iowa over the past seven years. The state ranked 8th in the nation in job growth last year in contrast to the early part of the 1980's when we were near the bottom of the 50 states.

We had the lowest mortgage default rate in the continental United States. Norwest's annual economic survey, released last November cites diversification as the basis for Iowa's continuing strong economy. Norwest economist Larry Wipf said, and I quote, "Iowa took advantage of the weak 1980's and diversified. All the signs are as strong in Iowa as anywhere."

Land values continue to rise. Iowa State University just recently reported a 6.6 percent increase for 1990 which totals a 46 percent increase over the past four years. We are especially pleased to see that we have moved away from the wild fluctuations in land values that we experienced over the past two decades, to a moderate and steady growth pattern.

Our focus on agriculture, which includes adding value to our commodities and locating and developing new markets, is paying handsome dividends. Iowa now provides 85 million bushels of corn for ethanol production each year.

Total Iowa exports have almost doubled in the last two years, to nearly \$3 billion in 1990. We are marketing Iowa quality beef and pork in Japan and our exports to that country alone doubled last year. In fact, renewed growth in Iowa's livestock industry helped insulate our economy from the national downturn in 1990.

We had record levels of employment in 1990. Our birthrate was up nearly 4 percent in the first 11 months of the year and school enrollment increased for the second year in a row after two decades of declining enrollment.

Thank goodness Iowans are coming back. This summer I met Jim and Pat Brown. Jim is originally from Maquoketa. He operated a company in Illinois and the family lived in a suburb of Chicago. Three years ago, Jim and Pat packed up their family and their company and moved to Iowa. They came home to Iowa because they wanted a quality education and good environment for their children.

With each passing year, I meet more individuals and visit more companies looking for a life and location free from gangs and crime, traffic jams and pollution, soaring prices and falling infrastructure. We have what these people are crying out for here in Iowa.

To be successful in this decade:

A state must have hard working people. We have them in Iowa.

A state must have well educated people. We have them in Iowa.

A state must have a reasonable cost of living. We have that in Iowa.

A state must have a healthy environment. We have that in Iowa.

A state must be a safe place to live. We have that in Iowa.

Let us all resolved here today to make the 1990's a time of homecoming in Iowa so that when the census figures come out 10 years from now, we will be known as the growth state of the 1990's.

We are a state with an attractive quality of life and it is clear that Iowa is now stronger and more resilient than other parts of the country. The future holds great promise for Iowa if we are prepared to realize it.

In my Inaugural Address later this week, I will spell out a plan to keep us on track for growth. Today, I would like to visit with this General Assembly about how we can mind our own store — state government and the budget.

Over the past few months, we have all read and heard about the state's finances. Compared with some other states, Iowa is in good shape. At least 25 states have bigger budget problems than those facing us this session. But we do have a budgeting problem and we must take care of it. Iowans expect no less of us.

What is the problem? In a nutshell, we are spending too much money. Iowans are taxed plenty. We simply must spend less.

Over the past few years, we have accomplished much together. We have set this state on a course of progressive prosperity. We can be proud of what we have accomplished. But we have also spent too much money and committed to services and programs we do not have the money to pay for. That simply has to stop.

We will not go the way of the federal government and deficit spend and raise taxes. That so-called budget deal of last October is a disaster. It means the federal government will spend more, tax more and still have a bigger deficit. We are not going to make that mistake here in Iowa. We must level with Iowans. We must tell them we cannot afford to do everything. We must spend less of their money.

Next week I will present you with the details of our budget. It is a tough, priority-driven budget. It will call on you to cut or eliminate some programs and to reform our budget process. It will reduce administrative costs of government and cut our payroll. It will eliminate excessive spending and make government more efficient. It will not raise major taxes.

Let me spell out for you the principles we must all subscribe to if we are to get our fiscal house in order. I used them to put this budget together and I hope you will join me in endorsing them.

1. Be fiscally responsible.

We have to stop spending more than we take in. It is as simple as that.

Over the last three years, despite my item vetoes, we have appropriated \$138.2 million more than we have raised in revenues. That has to stop. If a family did that, they would be on the street. If a business did that, it would be broke. This budget will turn that around and start building a balance for FY '93.

2. Do not tax Iowans excessively.

I rejected raising major taxes in this budget and so should you. Our basic revenue growth is strong. We must live on that growth or else the extra taxes needed to support spending habits will kill our underlying growth.

Recent studies have shown that Iowa is about in the middle of the pack when it comes to overall tax burden and that is where we should be. We have taken important action to improve our tax and business climate. It is paying off in new jobs. If we let taxes get out of hand, we will drive jobs and opportunity from Iowa.

3. Set priorities.

We are in this position because we like to be liked — by everyone. If we are to truly serve our constituents, we must set priorities. The alternative is to forfeit our competitive advantages and reduce government in Iowa to mediocrity. I reject that notion.

4. Reform the budget process.

If our growing economy generates revenues beyond what we now expect, let us not spend it away. Let us put it away into a savings account that we all commit not to touch for new programs.

Let us stop setting up account after account outside the general fund. Let us combine them all into one fund so we can set priorities and truly see how much we are taking in and how much we are spending.

Instead of subcommittees considering recommendations for new programs, we should spend the next five years systematically reviewing every program supported by tax dollars to determine which should be enhanced, reduced or eliminated. Iowa taxpayers deserve a thorough review of the entire budget.

These should be our watchwords as we develop this budget. It will mean tough decisions. It will mean the elimination of some programs and it will mean tight spending controls. It will also mean that Iowans will have a balanced budget with no major tax hike and it will mean that state government will assist, not hinder, the economic growth and development of Iowa. It will mean that our education system is second to none and that we will help Iowans in need become more self-sufficient.

We can accomplish these goals. We reorganized government in 1986 and became a model for other states. We can do it again. We can restructure and reform the state budget if we set our minds to it. But we cannot do it alone. We must work together to get the job done. My staff and I pledge to work with you in our common effort to set this government within its means.

I know many of us have political and even philosophical differences. I know our priorities do not always match; But we are all Iowans and Iowans expect us to work together. Bipartisan cooperation is especially critical this year as we face reapportionment of our legislative and congressional districts. Let us pledge to one another to look for fields of consensus, not bunkers of confrontation; to seek common ground, not combat; to find agreement, not a war of words.

I know a number of you are new to this General Assembly and to your leadership positions. I recall vividly my first days in this General Assembly as a freshman legislator some 18 years ago. I was filled with nervous excitement, a sense of idealism and, as some of you can remember, a fair dose of fire and brimstone. But I quickly learned a lesson I have never forgotten. Iowans want their government to work. They want legislators to work with each other, whether they are a Democrat or Republican, conservative or liberal, to get the job done. They want legislators to work with the Governor and, yes, the Governor to work with legislators. That is a lesson we should all take to heart as we go about our work this year.

Today, we gather while our nation and the world braces for war. Our thoughts and prayers are for peace. Yet we cannot let the drumbeat of war distract us from our task here in this General Assembly, from making the condition of our state even better.

Iowa's condition is good. But, it can get better and better. Why? Because Iowa is uncommonly positioned as a state for the 90's; as a state that can compete in the global economy, a state with hard working, intelligent people and a state with a quality of life that more and more people are looking for.

As world and national events swirl about us, let us not lose sight of our task here at home, in our state, in our communities and in our families, to make Iowa, our home, a shining star of growth and development in the heart of the Heartland.

Thank you and God bless you.

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

On motion of Representative McKinney, the joint convention recessed at 10:34 a.m., until 8:45 a.m., Friday, January 18, 1991, at Veterans Memorial Auditorium.

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

RECESS

On motion of Senator Husak, the Senate recessed at 10:43 a.m., until 4:00 p.m.

APPENDIX

RESOLUTION ASSIGNED TO COMMITTEE

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

H.C.R. 2 Rules & Administration

COMMITTEE REPORT

RULES AND ADMINISTRATION

Final Bill Action: HOUSE CONCURRENT RESOLUTION 2, a concurrent resolution providing for a joint convention, on Wednesday, January 16, 1991, at 10:00 a.m., and that Chief Justice McGiverin be invited to present his condition of the judicial department message.

Recommendation: DO PASS.

Final Vote: Ayes, 5: Welsh, Rife, Gettings, Husak and Jensen. Nays, none. Absent or not voting, 4: Hutchins, Kinley, Lloyd-Jones and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMUNICATIONS RECEIVED

The following communications were received and placed on file in the office of the Secretary of the Senate during the 1990 legislative interim:

DEPARTMENT OF REVENUE AND FINANCE

Comprehensive Annual Financial Report (CAFR) pursuant to Section 421.31(5), Code of Iowa.

DEPARTMENT OF CORRECTIONS

Iowa Community Based Corrections Comprehensive Education Plan Final Report.

DEPARTMENT OF REVENUE AND FINANCE

The Department's 1988 Individual Income Tax Annual Statistical Report.

DEPARTMENT OF TRANSPORTATION

Updated Iowa Transportation Policy for Fiscal Year 1991, pursuant to Section 307.10(1), Code of Iowa.

IOWA CITIZENS' AIDE/OMBUDSMAN

Annual Report of the Office of Citizens' Aide/Ombudsman (CA/O) for calendar year 1989.

OFFICE OF AUDITOR OF STATE

Auditor's Report on Internal Accounting Control, June 30, 1989.

SAVINGS AND LOAN DIVISION
IOWA DEPARTMENT OF COMMERCE

The State of Iowa's 94th Annual Report of the condition of Savings and Loan Associations.

INSURANCE DIVISION
IOWA DEPARTMENT OF COMMERCE

Semi-annual report regarding the state of insurance issues, pursuant to Section 505.13(2), Code of Iowa.

AUDITOR OF STATE

The first single audit of the State of Iowa covering the fiscal year ended June 30, 1989, in accordance with generally accepted auditing standards, the Single Audit Act of 1984, and OMB Circular A-128, Audits of State and Local Governments.

IOWA DEPARTMENT OF NATURAL RESOURCES

Iowa's Solid Waste Stream: Characterization and Management Strategy.

IOWA DEPARTMENT OF TRANSPORTATION

1990 Iowa Primary Road Sufficiency Log, pursuant to Chapter 307A.2(12), Code of Iowa.

INSURANCE DIVISION
IOWA DEPARTMENT OF COMMERCE

A Study of the health care and other risk pools that school districts are using and analyze them for their actuarial soundness and for the potential liability of the school district. This study is required by Sec. 132, 1989 Session.

IOWA DEPARTMENT OF HUMAN SERVICES

Final Social Services Block Grant Pre-Expenditure Report.

IOWA DEPARTMENT OF TRANSPORTATION

Fiscal year 1991 Iowa Railway Finance Authority Policy, pursuant to Section 307B. 8, subsection 2, Code of Iowa, 1989.

DEPARTMENT OF EDUCATION

Requested Study on Student Fees - Summary Report.

IOWA COMMISSION ON THE STATUS OF BLACKS

Annual Report of the Iowa Commission on the Status of Blacks for the Fiscal Year ending June 30, 1990.

LEGISLATIVE FISCAL BUREAU

1990 Session Fiscal Report. A comprehensive summary of fiscal information and legislation passed by the 1990 Session of the 73rd General Assembly.

LOTTERY DIVISION**IOWA DEPARTMENT OF REVENUE AND FINANCE**

Independent Auditor's Report - Financial Statements and Supplemental Information.

DEPARTMENT OF NATURAL RESOURCES

The 1990 REAP Congress report, pursuant to Section 455A.17(3), Code of Iowa.

IOWA COMMISSION OF PERSONS WITH DISABILITIES

Annual Report of the Commissioners of the Iowa Commission of Persons with Disabilities.

DEPARTMENT OF MANAGEMENT

Contract Compliance Report for 1989, pursuant to Section 19B.7, Code of Iowa.

DEPARTMENT OF ECONOMIC DEVELOPMENT

A report on project status of the amorphous semiconductor project at Iowa State University, pursuant to H.F. 2567, 1990 Iowa Acts, Section 1, paragraph 4.

DEPARTMENT OF ECONOMIC DEVELOPMENT

Iowa Product Development Report on activities and investments for fiscal year 1990.

DEPARTMENT OF PUBLIC HEALTH

Annual Report, 1990, pursuant to Section 135.11(18), Code of Iowa.

DEPARTMENT OF EDUCATION

A report of the Iowa Local Early Childhood Advisory Committee, pursuant to S.F. 223.

DEPARTMENT OF NATURAL RESOURCES

A report on Water Quality in Iowa during 1988 and 1989, pursuant to Section 305(b) of the Clean Water Act.

DEPARTMENT OF PERSONNEL

Preliminary report on the feasibility of the Iowa Public Employees Retirement System initiating an optional, supplemental defined contribution retirement plan, pursuant to Section 92, H.F. 2543 of the 1990 session of the General Assembly.

GOVERNOR'S ALLIANCE ON SUBSTANCE ABUSE

Annual Report, pursuant to Section 80E.1(2)(b)(c), Code of Iowa, postponed until December 31, 1990.

WALLACE TECHNOLOGY TRANSFER FOUNDATION

Annual Report, pursuant to Chapter 28.155, Section 15, Code of Iowa.

SPANISH SPEAKING PEOPLES COMMISSION

Annual Report for fiscal years ending June 30, 1987 and June 30, 1988, pursuant to Chapter 601K.11, Code of Iowa.

DEPARTMENT OF JUSTICE

A report on the operation of the Iowa Prosecutor Intern Program during fiscal year 1990, pursuant to Section 13.2(12), Code of Iowa.

LEGISLATIVE FISCAL BUREAU

Factbook & Factsheet 1990.

LEGISLATIVE FISCAL BUREAU

FY 1990 Legislative Intent Language Final Report.

REPORT OF COMMITTEE MEETING

TRANSPORTATION

Convened: January 14, 1990, 2:30 p.m.

Members Present: Fraise, Chair; Connolly, Vice Chair; Drake, Ranking Member; Dieleman, Gettings, Jensen, Kersten, Lloyd-Jones, Pate and Welsh.

Members Absent: Kinley and Nystrom.

Committee Business: Organizational meeting.

Adjourned: 2:55 p.m.

STUDY BILLS RECEIVED

SSB 2 Commerce

Regulating the commercial production, processing, and distribution of water products, and providing penalties.

SSB 3 Transportation

Relating to appurtenances of vehicles of excessive size and weight.

SSB 4 Transportation

Extending traffic enforcement authority to selected parcels of privately owned property.

SSB 5 State Government

Relating to the duties of the department of revenue and finance.

SSB 6 State Government

Relating to the purchase of works of fine art for state buildings.

SSB 7 Natural Resources

Relating to the use of fireworks in state parks and preserves and subjecting violators to a penalty.

SSB 8 State Government

Relating to certain administrative functions of the department of personnel.

SSB 9 State Government

Establishing an alternative fuel office.

SUBCOMMITTEE ASSIGNMENTS

Senate File 10

STATE GOVERNMENT: Doyle, Chair; Soorholtz and Vande Hoef

Senate File 15

COMMERCE: Gettings, Chair; Gronstal and Kersten

SSB 5

STATE GOVERNMENT: Horn, Chair; McLaren and Murphy

SSB 6

STATE GOVERNMENT: Lloyd-Jones, Chair; Rife and Welsh

SSB 8

STATE GOVERNMENT: Gronstal, Chair; Dieleman and Kramer

SSB 9

STATE GOVERNMENT: Priebe, Chair; Murphy and Vande Hoef

AFTERNOON SESSION

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

ADOPTION OF RESOLUTION

(Regular Calendar)

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

House Concurrent Resolution 2

On motion of Senator Gettings, House Concurrent Resolution 2, a resolution providing that a joint convention of the two houses of the 1991 session of the Seventy-fourth General Assembly be held on Wednesday, January 16, 1991, at 10:00 a.m. and that Chief Justice McGiverin be invited to present his message of the condition of the judicial department, with report of committee recommending passage, was taken up for consideration.

Senator Gettings moved the adoption of House Concurrent Resolution 2, which motion prevailed by a voice vote.

INTRODUCTION OF BILLS

Senate File 27, by Hagerla, a bill for an act relating to notice of filing of petitions seeking to establish guardianships and conservatorships.

Read first time and passed on file.

Senate File 28, by Kibbie, a bill for an act exempting seasonal premises from the uniform residential landlord and tenant Act, and providing an effective date.

Read first time and passed on file.

Senate File 29, by Rosenberg, a bill for an act relating to juvenile justice expenses.

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

Senate File 30, by Rosenberg, a bill for an act relating to the care and treatment of minors by a licensed substance abuse treatment facility, physician, or hospital.

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

Senate File 31, by Rosenberg, a bill for an act providing for the detention of juveniles where probable cause exists to believe that the child has committed a delinquent act involving possession with intent to deliver crack cocaine.

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

Senate File 32, by Taylor, a bill for an act relating to prohibited practices involving labor union membership and providing a remedy.

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

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	20	Transportation
S. F.	21	Commerce
S. F.	22	Agriculture
S. F.	23	Education
S. F.	24	Natural Resources
S. F.	25	Natural Resources
S. F.	26	Local Government
S. F.	27	Judiciary
S. F.	28	Commerce
S. F.	29	Judiciary
S. F.	30	Human Resources
S. F.	31	Judiciary
S. F.	32	Business & Labor Relations

COMMITTEE REPORTS

STATE GOVERNMENT

Final Bill Action: SENATE JOINT RESOLUTION 1, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the equality of rights of men and women under the law.

Recommendation: DO PASS.

Final Vote: Ayes. 16: Kibbie, Lloyd-Jones, Nystrom, Buhr, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Rife, Soorholtz and Welsh. Nays, 2: Dieleman and Vande Hoef. Absent or not voting, 1: Running.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE JOINT RESOLUTION 2 (SSB 1), a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the provision for equality of rights and the provision's relationship to abortion and abortion funding.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 10: Kibbie, Nystrom, Dieleman, Doyle, Drake, Lind, Murphy, Priebe, Vande Hoef and Welsh. Nays, 8: Lloyd-Jones, Buhr, Gronstal, Horn, Kramer, McLaren, Rife and Soorholtz. Absent or not voting, 1: Running.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILL

Senate Joint Resolution 2, by the committee on State Government, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the provision for equality of rights and the provision's relationship to abortion and abortion funding.

Read first time under Rule 28 and placed on calendar.

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:12 p.m., until 9:00 a.m., Wednesday, January 16, 1990.

JOURNAL OF THE SENATE

THIRD CALENDAR DAY THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 16, 1991

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

Prayer was offered by Father James Laurenzo, pastor of the Holy Trinity Church, Des Moines, Iowa.

The Journal of Tuesday, January 15, 1990, was approved.

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

The Senate resumed session, President pro tempore Lloyd-Jones 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 2, duly adopted, the Senate proceeded to the House under the direction of the Secretary of the Senate and the Sergeant-at-arms.

JOINT CONVENTION

In accordance with law and House Concurrent Resolution 2, duly adopted, the joint convention was called to order at 9:51 a.m., President pro tempore Lloyd-Jones presiding.

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

President pro tempore Lloyd-Jones declared a quorum present and the joint convention duly organized.

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

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Szymoniak and Hedge, on the part of the Senate, and Representatives Black and Hanson of Black Hawk, on the part of the House.

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

The motion prevailed by a voice vote and the Chair appointed as such committee Senators Gronstal, Varn and Rensink, on the part of the Senate, and Representatives Jay, Peterson and Hurley, on the part of the House.

The following guests were escorted into the House chamber:

Jo Ann Zimmerman, Lieutenant Governor; Elaine Baxter, Secretary of State; Dale Cochran, Secretary of Agriculture; Bonnie Campbell, Attorney General; Mrs. Joan McGiverin, Paul McGiverin, Theresa McGiverin, Justices of the Supreme Court, the Chief Judge and Judges of the Court of Appeals, Chief Judges of the eight Iowa Judicial Districts, and Lieutenant Governor-elect Joy Corning.

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

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

President pro tempore Lloyd-Jones then presented Chief Justice McGivern who delivered the following Condition of the Iowa Judiciary Message:

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

I warmly thank the legislature for its invitation to report on the state of the Iowa judiciary. An annual report is an effective tool for promoting understanding about the judicial branch and improving the communication and cooperation between the legislature and the judiciary.

Our nation faces uncertain times abroad and at home with the situation in the Persian Gulf and with the recession. Though uncertainties such as these may change the course of the future at any time, we must proceed with a plan for the challenges that lie ahead.

The goal of the judicial branch is to adjudicate controversies in a fair and equitable manner and at the same time manage the system with the least possible cost and delay. We always have to be open to change to provide better service to the people of Iowa. I will review with you what the courts are doing to carry out their important responsibilities and what measures are necessary to improve our court system.

For several years, the judicial department has taken steps to insure equality in the Iowa court system. We have acted to have gender-balanced committees and boards; to implement gender-neutral language in all judicial writings; and to educate judges on gender-bias issues. We recognize that more needs to be done.

While most of us believe that overt discrimination has been eradicated, it may still exist in subtle forms of bias which demean or affect the equal treatment of participants in the court system. To insure that the courts operate fairly, we must raise our consciousness and sensitivity to these concerns. To accomplish this, the Supreme Court has established a special task force to study equality in the court. This task force is composed of legislators, judges, lawyers and other citizens.

We thank the legislative council for approving the funds necessary to operate the task force. This self-evaluation should help us to preserve the human dignity of everyone involved in the courts and, in turn, we should continue to gain the confidence, respect, and trust of the public.

I am proud to report that, after two years of study and substantial public comment, in compliance with your mandate, the Iowa Supreme Court has adopted new child support guidelines. The guidelines became effective December 31, 1990.

Among other improvements, the guidelines now recognize the need for a minimum level of support in cases in which parents have little or no income. The rates have been increased for most income levels. An average support award should increase about 10%.

Iowa families will benefit from uniform child support guidelines. They should facilitate the setting of support orders and create uniformity. The new guidelines show that we are serious about the welfare of Iowa's children.

Another improvement in child support enforcement is the new computerized child support system, which we are now testing. Several years ago, the legislature mandated that child support receipt and disbursement be returned from the Department of Human Services to the courts. The system now being tested links the clerks' offices with the state court administrator's office, which is linked to DHS. DHS will continue to be responsible for IV-D cases—cases in which the state is enforcing the support order. We have worked closely with DHS in an effort to implement a system which will meet federal approval.

Great progress has been made in updating and improving the administration of justice in Iowa. Improvements such as state funding of the court system, which was done during the last decade, significantly increased our ability to administer justice in Iowa. Prior to this reorganization, Iowa's judicial department was fragmented and the quality of service offered to citizens varied greatly from county to county.

With court reorganization, as you know, the state assumed funding for court support staff and certain expenses related to the operation of the courts. These employees and expenses were phased into the judicial department over a five-year period:

— In 1983, the state assumed the responsibility for jury fees and mileage;

— Court reporters became state employees in 1984 and the state took over the costs of witness fees and mileage;

— Court attendants, juvenile court officers and juvenile court referees became state employees in 1985;

— In 1986, the clerks of the district court and their staff, probate referees, hospitalization referees, and incidental judicial expenses were added to the system; and

— In 1987 the state assumed their responsibility for the costs of indigent defense.

Today, as a result of this reorganization we have a uniform finance and personnel system and resources are distributed on a more careful and equitable basis. Furthermore, the change has lifted a heavy tax burden from the shoulders of property owners.

Court reorganization has provided us with a strong base with which to administer the judicial department. Yet, additional resources are needed so that we can keep up with demands.

For years, the number of cases filed in Iowa courts has steadily increased. Since 1979, the number of civil filings has risen slightly—only 3%. However, during the same period criminal filings have jumped over 97% and juvenile filings increased by 55%.

These increases are disturbing. Our projections of case filings through this decade predict that the number of criminal and juvenile cases will continue to climb. We predict that civil cases will level off, or maybe even decrease, but not enough to offset the dramatic growth in criminal cases. Specifically, we project that criminal filings will grow approximately another 19% by the end of the century.

It is critical that the court system be provided more resources to handle the increased number of cases and to assure that the entire system continues to operate smoothly. With this in mind, I want to mention some of the steps which we must take to prepare the courts for the demands of the future.

The trial court process begins with the filing of documents in the office of the clerk of district court. It is the clerk's responsibility to maintain the files of each case. In addition, the clerk has many other statutory duties such as processing child support payments, keeping vital statistics, and collecting fees, costs, surcharges and fines.

These offices are vital to our operation. Yet many of the clerk of court offices are understaffed. The state assumed the offices and staffing levels the counties had provided. Several years ago, the legislature approved funds for approximately 15 positions. More staff is needed to handle increased demands as the case loads and responsibilities, including child support, grow. This year we recommend adding approximately 29 more positions to be allocated to 18 counties. We need these positions to maintain our services to the public and fulfill the mandates you have given us.

Record storage and retrieval is another problem in many district courts. Currently, the trial courts do not have uniform procedures or equipment for proper records management. Many court records are stored in substandard facilities and some courthouses have run out of space.

The judicial department has developed a plan to begin a statewide program to organize district court records. This project would include guidelines for active filing systems and retention and disposition of records, for uniform court forms for use with the Iowa court information system (our court computer project), and for uniform micrographics procedures and systems. If adequately funded, the entire project will take approximately 4 to 6 years to complete.

Several districts have requested authorization to create a district associate judgeship in lieu of three magistrate positions, as authorized by statute. Because district associate judges have greater jurisdiction than magistrates, they can handle more kinds of cases and, therefore, are more cost effective. The filings in the affected counties have increased, particularly the number of cases which are within the jurisdiction of district associate judges.

As the workload increases, we depend more and more on support staff for the smooth operation of the courts. This year we are recommending more case coordinators and court attendants to assist the trial courts with case processing. There is an obvious advantage when judges assign certain administrative work to support staff—freeing judges to do what only judges can do.

We continue to be concerned with the growing number of cases involving children, such as delinquency, child in need of assistance, substance abuse, and termination of parental rights cases. As I mentioned earlier, juvenile cases have increased significantly since 1979. We also project that they will continue to increase through the decade.

To handle the steady increase of juvenile cases, we recommend more juvenile court officers and juvenile court staff. This request is consistent with the findings of the family court study panel which was established by the Supreme Court according to your mandate last session.

We also recommend expansion of the successful court-appointed special advocate program into another judicial district. A court-appointed special advocate, or casa, is a volunteer who acts as a guardian ad litem for a child who is the subject of a child in need of assistance case. These additions should assist with the careful and thorough oversight which juvenile cases receive from the court.

Earlier, I mentioned the growth of filings at the trial court level. The growth is just as staggering at the Appellate Court level. Since 1977, after the Court of Appeals was established, the number of cases filed at the Appellate Court level has increased more than 58%—civil filings have soared more than 77% while the number of criminal cases has climbed over 26%. We also predict that filings will continue to rise.

We can no longer keep reasonably current with this caseload. We have used different methods for handling the increase. Recently, the Supreme Court commenced a special "fast-track" for selected cases. For years, the Supreme Court and the Court of Appeals have been sitting in three-member panels, doing without oral argument by litigants in many cases, and writing more summary opinions. We are also assisted by senior judges.

This burden has particularly affected the work of the six-member Court of Appeals. Despite an unusually heavy caseload, the Court of Appeals has a large backlog of cases. During 1990, the Court of Appeals disposed of 645 cases; 238 cases are pending.

The increase in the number of appeals, without additional judicial resources, threatens the Appellate Court's ability to dispose of cases in a timely manner. Therefore, we recommend that the number of judges of the Court of Appeals be increased from six to nine.

To meet the challenges of the 21st Century, we must also keep up with technology. Technology can promote the highest quality of justice by reducing costs, delays and inconvenience while improving accessibility and providing information. It should increase productivity and improve our responsiveness to the public's request for services.

For the next fiscal year, we plan to continue with the implementation of the Iowa Court Information System—otherwise known as ICIS. When the system is completed, there will be a computer in every District Clerk of Court Office in

Iowa. These computers will be linked to the computer in the appropriate District Court Administrator's Office. In addition, the district computers will be linked to a computer facility in the State Court Administrator's Office in Des Moines.

We began implementing this statewide computer project approximately three years ago and, currently, the system is in place in 28 counties and the State Capitol.

This year's recommendation includes funds to maintain what we have already put in place and to complete development of several software programs necessary for the operation of the system as planned.

Our total budget request for fiscal year 1992 is \$78.5 million. This is an increase of less than 7%. The department is sensitive to the state's financial condition and we try very hard to manage the resources provided to us in a fair and efficient manner. Because most of our budget is for personnel, the opportunity for savings is limited.

The quality of our court system depends on the quality of our judges and staff. We recommend adequate compensation for all employees, including judges, and we support the recommendations of the Judicial Compensation Commission.

Currently, our budget is less than 2½% of the total state budget. The impact on state finances is sharply reduced by non-earmarked, court-generated revenues. In the last fiscal year, the state collected more than \$37 million from court costs, surcharges, fees, and fines.

I also want to note that currently over \$13 million in fines, penalties, court costs and surcharges are not collected. Completion of our computer project would allow us to monitor cases more effectively, provide immediate detailed information concerning unpaid fines and costs, and thus help the state increase collections and revenues.

I have mentioned just a few of the resources which we believe are necessary to maintain the quality of services provided by our courts.

To assist the Legislature with its appropriation process, this year we implemented several measures at your suggestion. The Supreme Court held the Judicial Department budget hearings a month early and invited legislators and legislative staff. We also invited representatives of the Executive Branch. Finally, we submitted our budget to you a month earlier than usual and included more detailed budget information.

We are pleased to have done these things because we are convinced that the more you know about our budget process, the more you will respect our stewardship of the public funds.

In previous addresses to you, I traced the history of the information of our court system, starting in 1838 when Iowa became a territory. We now have passed our 150th anniversary.

In 1991 the national focus is on the 200th anniversary of the ratifying of the Bill of Rights to our United States Constitution. Similar individual rights are embodied in our Iowa Constitution of 1857.

Iowans especially treasure our precious freedoms and the rights given us as citizens. Our very state motto is "Our Liberties We Prize And Our Rights We Will Maintain". Our liberties and rights are guaranteed to us through the court system.

With your help, the Iowa court system will continue to strive for excellence in giving the people of Iowa the protection and service they deserve.

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

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

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

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

INTRODUCTION OF BILLS

Senate File 33, by committee on Agriculture, a bill for an act amending the pesticide Act of Iowa, by providing requirements for pesticide dealers, providing registration requirements, and providing for fees.

Read first time and placed on calendar.

Senate File 34, by committee on Agriculture, a bill for an act relating to the sale, offer for sale, or distribution of purple loosestrife.

Read first time and placed on calendar.

RECESS

On motion of Senator Horn, the Senate recessed at 10:43 a.m., until 4:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: January 15, 1991, 1:30 p.m.

Members Present: Priebe, Chair; Peterson, Vice Chair; Boswell, Doyle, Fraise, Hedge, Hester, Husak, McLaren, Miller, Palmer, Riordan, Rittmer and Vande Hoef.

Members Absent: Soorholtz, Ranking Member.

Committee Business: Assigned bills to subcommittees and approved LSBs 1542 and 1641 as committee bills.

Adjourned: 2:00 p.m.

EDUCATION

Convened: January 15, 1991, 1:35 p.m.

Members Present: Connolly, Chair; Taylor, Ranking Member; Deluhery, Kibbie, Kramer, Lind, Murphy, Rensink, Szymoniak, Tieden, Tinsman and Varn.

Members Absent: Horn, Vice Chair; Dieleman and Running (all excused).

Committee Business: Organizational meeting; assigned subcommittee of Murphy, Chair; Varn, Connolly, Taylor and Tinsman for AEA Funding Formula Bill.

Adjourned: 1:55 p.m.

HUMAN RESOURCES

Convened: January 14, 1991, 2:21 p.m.

Members Present: Hannon, Chair; Buhr, Vice Chair; Hagerla, Ranking Member; Horn, Kramer, Murphy, Riordan, Rittmer, Szymoniak and Tinsman.

Members Absent: Sturgeon and Taylor (both excused).

Committee Business: Organizational meeting.

Adjourned: 2:35 p.m.

LOCAL GOVERNMENT

Convened: January 15, 1991, 2:23 p.m.

Members Present: Miller, Chair; Szymoniak, Vice Chair; Rittmer, Ranking Member; Borlaug, Boswell, Buhr, Fraise, Hannon, Jensen and Vande Hoef.

Members Absent: none.

Committee Business: Organizational meeting.

Adjourned: 2:46 p.m.

NATURAL RESOURCES

Convened: January 15, 1991, 2:25 p.m.

Members Present: Palmer, Chair; Kibbie, Vice Chair; Hester, Ranking Member; Dieleman, Hagerla, Hedge, Priebe and Tieden.

Members Absent: Rensink, Riordan, Rosenberg (excused) and Sturgeon (excused).

Committee Business: Organizational meeting and assigned a bill to a subcommittee.

Adjourned: 2:35 p.m.

RULES AND ADMINISTRATION

Convened: January 14, 1991, 9:25 a.m.

Members Present: Hutchins, Chair; Welsh, Vice Chair; Rife, Ranking Member; Gettings, Husak, Jensen, Kinley, Lloyd-Jones and Soorholtz.

Members Absent: none.

Committee Business: Approved proposed joint pay resolution and proposed Senate rules resolution.

Recessed: 10:00 a.m.

Reconvened: January 14, 1991, 12:10 p.m.

Members Present: Hutchins, Chair; Welsh, Vice Chair; Rife, Ranking Member; Gettings, Husak, Jensen, Kinley, Lloyd-Jones and Soorholtz.

Members Absent: none.

Committee Business: Approved proposed joint rules resolution; approved hiring of Administrative Assistant to President of the Senate; approved policy for access to the Senate chamber and rules of Senate decorum; adopted educational assistance report; adopted Democratic Research Staff personnel report.

Adjourned: 12:50 p.m.

RULES AND ADMINISTRATION

Convened: January 15, 1991, 9:20 a.m.

Members Present: Welsh, Vice Chair; Rife, Ranking Member; Gettings, Husak and Jensen.

Members Absent: Hutchins, Chair; Kinley, Lloyd-Jones and Soorholtz.

Committee Business: Recommended passage of House Concurrent Resolution 2.

Adjourned: 9:25 a.m.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 33, a bill for an act amending the pesticide Act of Iowa, by providing requirements for pesticide dealers, providing registration requirements, and providing for fees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Priebe, Peterson, Boswell, Doyle, Fraise, Hedge, Hester, Husak, McLaren, Miller, Palmer, Riordan, Rittmer 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 34, a bill for an act relating to the sale, offer for sale, or distribution of purple loosestrife.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Priebe, Peterson, Boswell, Doyle, Fraise, Hedge, Hester, Husak, McLaren, Miller, Palmer, Riordan, Rittmer and Vande Hoef. Nays, none. Absent or not voting, 1: Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS

Senate File 3

WAYS AND MEANS: Murphy, Chair; Connolly and Taylor

Senate File 7

JUDICIARY: Horn, Chair; Connolly and Pate

Senate File 8

JUDICIARY: Rosenberg, Chair; Fuhrman and Murphy

Senate File 9

JUDICIARY: Sturgeon, Chair; Hagerla and Varn

Senate File 11

JUDICIARY: Rosenberg, Chair; Deluhery and Hester

Senate File 13

JUDICIARY: Rosenberg, Chair; Peterson and Taylor

Senate File 18

JUDICIARY: Murphy, Chair; Connolly and Taylor

Senate File 21

COMMERCE: Gronstal, Chair; Doyle, Jensen, Palmer and Slife

Senate File 28

COMMERCE: Gettings, Chair; Tieden and Varn

SSB 2

COMMERCE: Gettings, Chair; Priebe and Slife

SSB 10

WAYS AND MEANS: Szymoniak, Chair; Fuhrman and Rosenberg

SSB 11

WAYS AND MEANS: Husak, Chair; Drake and Fraise

SSB 12

COMMERCE: Varn, Chair; Kinley and Nystrom

LSB 1020

AGRICULTURE: Soorholtz, Chair; Hedge and Priebe

LSB 1155

AGRICULTURE: Priebe, Chair; Hester and Husak

LSB 1379

AGRICULTURE: Vande Hoef, Chair; Boswell and Palmer

LSB 1381

AGRICULTURE: Riordan, Chair; Peterson and Vande Hoef

LSB 1542

AGRICULTURE: Peterson, Chair; Palmer and Priebe

LSB 1641

AGRICULTURE: Doyle, Chair; Husak and Soorholtz

STUDY BILLS RECEIVED**SSB 10 Ways and Means**

Relating to the updating of the references to the federal Internal Revenue Code, adopting revisions in the research activities credit and the earned income credit, and providing applicability and effective dates.

SSB 11 Ways and Means

Relating to the exemption from the state sales, services, and use taxes of services performed in connection with the initial installation of a new modular, mobile, or manufactured home.

SSB 12 Commerce

Relating to the installation of smoke detectors in multiple-unit residential buildings and single-family dwellings and making penalties applicable.

SSB 13 Small Business/Economic Development

To establish an Iowa crafts commission and an Iowa crafts program.

SSB 14 Local Government

Relating to transfer of title by affidavit of the surviving spouse.

SSB 15 Local Government

Relating to requiring county recorders to submit monthly reports of trade name statements or certificates of change filed during the preceding month.

SSB 16 Local Government

Relating to notification of property owners of an urban renewal plan.

SSB 17 Appropriations

Relating to the department of natural resources, by providing for the use of unexpended moneys in the fish and game protection fund, and providing an effective date.

SSB 18 Human Resources

Relating to the uniform controlled substances Act.

SSB 19 Human Resources

Relating to the practice of dentistry, assessing a fee, and providing a civil penalty.

SSB 20 Human Resources

Relating to the income eligibility level for the payment of indigent obstetrical and newborn care costs.

AFTERNOON SESSION

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

INTRODUCTION OF BILLS

Senate File 35, by Priebe, a bill for an act relating to the disposal of deer killed along secondary roads.

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

Senate File 36, by Hagerla, a bill for an act relating to insurance practices involving estimates for the cost of repairs or services upon a motor vehicle and making certain practices deceptive acts.

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

Senate File 37, by Dieleman, a bill for an act expanding the authority of peace officers and providing for coverage under workers' compensation.

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.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up Senate Joint Resolutions 1 and 2.

Senate Joint Resolutions 1 and 2

On motion of Senator Gronstal, Senate Joint Resolution 1, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the equality of rights of men and women under the law, with report of committee recommending passage, was taken up for consideration.

Senator Dieleman offered amendment S—3004 filed by him from the floor to page 1 of the resolution and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3004 be adopted?" (S.J.R. 1) the vote was:

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

Ayes, 18:

Borlaug	Dieleman	Doyle	Gettings
Hagerla	Hedge	Husak	Jensen
Kibbie	Kinley	Nystrom	Peterson
Priebe	Rensink	Taylor	Tieden
Vande Hoef	Welsh		

Nays, 30:

Boswell	Buhr	Connolly	Deluhery
Drake	Fraise	Fuhrman	Gronstal
Hannon	Hester	Horn	Hutchins
Kersten	Kramer	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Palmer
Pate	Rife	Riordan	Rittmer
Rosenberg	Slife	Soorholtz	Szymoniak
Tinsman	Varn		

Absent or not voting, 2:

Running Sturgeon

Amendment S—3004 lost.

Senator Gronstal 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.

Senate Joint Resolution 1, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the equality of rights of men and women under the law.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. The following amendment to the Constitution of the State of Iowa is proposed.

Section 1 of Article I of the Constitution of the State of Iowa, is amended to read as follows:

RIGHTS OF PERSONS. SECTION 1. All men and women are, by nature, free and equal, and have certain inalienable rights -- among which are those of enjoying and defending life and liberty, acquiring, possessing and protecting property, and pursuing and obtaining safety and happiness. Neither the State nor any of its political subdivisions shall, on the basis of gender, deny or restrict the equality of rights under the law.

Sec. 2. The foregoing proposed amendment, having been adopted and agreed to by the Seventy-third General Assembly, 1989 Session, thereafter duly published, and now adopted and agreed to by the Seventy-fourth General Assembly in this joint resolution, shall be submitted to the people of the State of Iowa at the general election in November of the year nineteen hundred ninety-two in the manner required by the Constitution of the State of Iowa and the laws of the State of Iowa.

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

Yeas, 43:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Kersten	Kibbie
Kinley	Kramer	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Slife	Soorholtz	Szymoniak
Tinsman	Varn	Welsh	

Nays, 5:

Borlaug	Jensen	Taylor	Tieden
Vande Hoef			

Absent or not voting, 2:

Running Sturgeon

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 1** be immediately messaged to the House.

Senate Joint Resolution 2

On motion of Senator Dieleman, Senate Joint Resolution 2, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the provision for equality of rights and the provision's relationship to abortion and abortion funding, was taken up for consideration.

President pro tempore Lloyd-Jones took the chair at 4:55 p.m.

President Welsh took the chair at 4:57 p.m.

Senator Dieleman 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.

Senate Joint Resolution 2, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the provision for equality of rights and the provision's relationship to abortion and abortion funding.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. The following amendment to the Constitution of the State of Iowa is proposed.

Section 1 of Article I of the Constitution of the State of Iowa, is amended by adding the following new paragraph at the end thereof:

This section shall not be construed to grant, secure, deny, or restrict any rights relating to abortion or the funding of abortion.

Sec. 2. The foregoing proposed amendment to the Constitution of the State of Iowa is hereby referred to the General Assembly to be chosen at the next general election for members of the General Assembly, and the Secretary of State is directed to cause the same to be published for three consecutive months before the date of that election as provided by law.

On the question "Shall the resolution be adopted?" (S.J.R. 2) the vote was:

Yeas, 29:

Borlaug	Connolly	Deluhery	Dieleman
Doyle	Fraise	Gettings	Hagerla
Hedge	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rittmer	Slife
Taylor	Tieden	Vande Hoef	Varn
Welsh			

Nays, 19:

Boswell	Buhr	Drake	Fuhrman
Gronstal	Hannon	Hester	Horn
Kersten	Kramer	Lloyd-Jones	McLaren
Miller	Rife	Riordan	Rosenberg
Soorholtz	Szymoniak	Tinsman	

Absent or not voting, 2:

Running	Sturgeon
---------	----------

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

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

APPENDIX**BILLS ASSIGNED TO COMMITTEE**

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

S. F.	35	Natural Resources
S. F.	36	Commerce
S. F.	37	Local Government

AMENDMENT FILED

S-3004 S. J. R. 1 William W. Dieleman

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:07 p.m., until 9:00 a.m., Thursday, January 17, 1991.

JOURNAL OF THE SENATE

FOURTH CALENDAR DAY
FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 17, 1991

The Senate met in regular session at 9:01 a.m., President Welsh presiding.

Prayer was offered by the Reverend John Gorter, pastor of the Calvary Christian Reformed Church, Pella, Iowa.

The Journal of Wednesday, January 16, 1991, was approved.

INTRODUCTION OF BILL

Senate File 38, by Welsh, a bill for an act to establish a supercomputer commission responsible for the planning, development, and implementation of a statewide supercomputer network system.

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

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 34** be referred from the Regular Calendar to committee on **Agriculture**.

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

The Senate resumed session, President pro tempore Lloyd-Jones presiding.

INTRODUCTION OF BILLS

Senate File 39, by Priebe, a bill for an act requiring the notification of a borrower by a lender at the time the contract or evidence of indebtedness is sold by the lender.

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

Senate File 40, by Lloyd-Jones, a bill for an act requiring the state department of transportation to conduct a light rail study.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 10:45 a.m., until 3:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 3:07 p.m., President Welsh presiding.

HOUSE MESSAGE RECEIVED

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

Mr. President: I am directed to inform your honorable body that the House has on January 17, 1991, adopted the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 1, a concurrent resolution relating to the compensation of chaplains, officers and employees of the seventy-fourth general assembly.

INTRODUCTION OF BILLS

Senate File 41, by Boswell, a bill for an act relating to petroleum underground storage tanks and remedial account benefits, cost recovery enforcement, and loan maturity dates.

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

Senate File 42, by Riordan, a bill for an act relating to the authority of physician assistants to prescribe and supply prescription drugs and controlled substances.

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

Senate File 43, by Lind, a bill for an act relating to access to and the use of dependent adult abuse information.

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

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: January 16, 1991, 3:10 p.m.

Members Present: Boswell, Chair; Welsh, Vice Chair; Tieden, Ranking Member; Buhr, Connolly, Gettings, Gronstal, Hagerla, Husak, Kersten, Lind, Lloyd-Jones, McLaren, Pate, Peterson, Rensink, Riordan, Szymoniak, Tinsman and Varn.

Members Absent: Running (excused).

Committee Business: Organizational meeting and assigned SSB 17 to a subcommittee.

Adjourned: 3:15 p.m.

COMMERCE

Convened: January 16, 1991, 1:30 p.m.

Members Present: Deluhery, Chair; Kinley, Vice Chair; Slife, Ranking Member; Doyle, Gettings, Gronstal, Jensen, Kersten, Lind, Nystrom, Palmer, Priebe, Tieden and Varn.

Members Absent: Sturgeon.

Committee Business: Appointed Gronstal, Chair; Doyle, Palmer, Slife and Jensen as a subcommittee on insurance matters; assigned bills to subcommittees.

Adjourned: 1:40 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: January 16, 1991, 1:31 p.m.

Members Present: Riordan, Chair; Hannon, Vice Chair; Borlaug, Ranking Member; Boswell, Kibbie, Kramer, Miller, Pate, Peterson, Rittmer and Vande Hoef.

Members Absent: Running (excused).

Committee Business: Organizational meeting; assigned SSB 13 to a subcommittee.

Adjourned: 1:50 p.m.

STATE GOVERNMENT

Convened: January 14, 1991, 3:00 p.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Buhr, Dieleman, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Vande Hoef and Welsh.

Members Absent: Doyle (excused), Priebe, Rife, Running (excused) and Soorholtz.

Committee Business: Organizational meeting; assigned bills to subcommittees.

Adjourned: 3:15 p.m.

STATE GOVERNMENT

Convened: January 15, 1991, 3:00 p.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Rife, Vande Hoef and Welsh.

Members Absent: Running (excused).

Committee Business: Assigned bills to subcommittees; recommended passage of Senate Joint Resolution 1; approved SSB 1 as a committee resolution.

Adjourned: 3:45 p.m.

WAYS AND MEANS

Convened: January 16, 1991, 2:20 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hedge, Ranking Member; Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Murphy, Rosenberg and Taylor.

Members Absent: Palmer and Szymoniak (excused).

Adjourned: 2:40 p.m.

SUBCOMMITTEE ASSIGNMENTS**Senate File 14**

TRANSPORTATION: Drake, Chair; Connolly and Welsh

Senate File 19

TRANSPORTATION: Connolly, Chair; Lloyd-Jones and Nystrom

Senate File 20

TRANSPORTATION: Gettings, Chair; Kinley and Pate

Senate File 22

AGRICULTURE: Vande Hoef, Chair; Boswell and Rittmer

Senate File 32

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

SSB 3

TRANSPORTATION: Lloyd-Jones, Chair; Kersten and Kinley

SSB 4

TRANSPORTATION: Dieleman, Chair; Gettings and Jensen

SSB 18

HUMAN RESOURCES: Szymoniak, Chair; Horn and Tinsman

SSB 19

HUMAN RESOURCES: Murphy, Chair; Kramer and Sturgeon

SSB 20

HUMAN RESOURCES: Buhr, Chair; Hannon and Rittmer

SSB 21

AGRICULTURE: Riordan, Chair; Doyle and McLaren

SSB 22

AGRICULTURE: Peterson, Chair; Rittmer and Vande Hoef

BILL REASSIGNED TO COMMITTEE

President Welsh announced the reassignment of the following bill to committee:

S. F. 24 Environment & Energy Utilities

BILLS ASSIGNED TO COMMITTEE

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

S. F. 38 State Government
 S. F. 39 Commerce
 S. F. 40 Transportation
 S. F. 41 Environment & Energy Utilities
 S. F. 42 Human Resources
 S. F. 43 Human Resources
 S. F. 44 Appropriations

STUDY BILLS RECEIVED

SSB 21 Agriculture

Relating to the certification of commercial applicators of pesticides.

SSB 22 Agriculture

Requiring reporting of county aid by societies organized to administer local fairs.

SSB 23 Agriculture

Relating to polystyrene packaging products used in this state, and imposing an excise tax.

SSB 24 Human Resources

Regulating the practice of surrogate parenting and providing a penalty.

SSB 25 State Government

Relating to the Iowa national guard by increasing the minimum salary for active state service and by authorizing the granting of easements by the state armory board.

SSB 26 State Government

Relating to the qualifications for licensure of an accounting practitioner.

INTRODUCTION OF BILL

Senate File 44, by Rosenberg and Vande Hoef, a bill for an act requiring the department of corrections to reimburse counties for the cost of temporarily confining OWI violators pending the availability of space in a residential treatment facility or the medical classification facility.

Read first time under Rule 28 and **passed on file.**

CERTIFICATE OF RECOGNITION

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

Precious Fike, Tipton — In recognition and celebration of her 103rd birthday on December 15, 1990. Senator Hannon.

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 3:09 p.m., until 8:45 a.m., Friday, January 18, 1991.

JOURNAL OF THE SENATE

FIFTH CALENDAR DAY
FIFTH SESSION DAY

Gaskell Room
Veterans Memorial Auditorium
Des Moines, Iowa, Friday, January 18, 1991

The Senate met in regular session at 8:45 a.m., President Welsh presiding.

Prayer was offered by the Honorable Joe J. Welsh, President of the Senate.

COMMITTEE FROM THE HOUSE

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

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

JOINT CONVENTION

The joint convention reconvened at 8:47 a.m., President Welsh presiding.

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

President Welsh declared a quorum present.

REPORT OF CANVASS OF VOTE

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

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

Your tellers, appointed by the President of the Senate and the Speaker of the House of Representatives to canvass the vote cast for candidates for Governor and Lieutenant Governor at the election held November 6, 1990, begs leave to make the following report of the total vote cast for Governor:

Terry E. Brandstad	591,852
Donald D. Avenson	379,372
Nan Bailey	4,263
Scattering	996

And the total vote cast for Lieutenant Governor at the election, held November 6, 1990:

Joy Corning	591,852
Jo Ann Zimmerman	379,372
Sandra M. Nelson	4,263
Scattering	839

All of which is most respectfully submitted.

EMIL J. HUSAK
Teller of the Senate
WALLY E. HORN
Assistant Teller
MARGARET N. TINSMAN
Assistant Teller
JOSEPH O'HERN
Secretary of the Joint Convention

RODNEY N. HALVORSON
Teller of the House
JOYCE J. NIELSEN
Assistant Teller
CHARLES R. GIPP
Assistant Teller

Senator Husak moved the adoption of the report.

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

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

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

CERTIFICATE OF ELECTION
STATE OF IOWA
GENERAL ASSEMBLY

GREETINGS:

This is to certify that upon a canvass in Joint Convention of the two Houses of the Seventy-fourth General Assembly of the State of Iowa, of all votes cast at the general election held November 6, 1990, for the office of Governor of the State of Iowa, it appeared that Terry E. Branstad received the highest number of all votes cast for any candidate at said election for said office and was thereupon declared duly elected to said office for the term of four years and until a successor is duly elected and qualified.

Signed in the presence of the Joint Convention this eighteenth day of January, A.D., 1991.

ROBERT C. ARNOULD
Speaker of the House
EMIL J. HUSAK
Teller of the Senate
RODNEY N. HALVORSON
Teller of the House

JOSEPH O'HERN
Clerk of the House and
Secretary of the Joint Convention
JOE J. WELSH
Presiding Officer
of the Joint Convention

CERTIFICATE OF ELECTION
STATE OF IOWA
GENERAL ASSEMBLY

GREETINGS:

This is to certify that upon a canvass in Joint Convention of the two Houses of the Seventy-fourth General Assembly of the State of Iowa, of all votes cast at the general election held November 6, 1990, for the office of Lieutenant Governor of the State of Iowa, it appeared that Joy Corning received the highest number of all votes cast for any candidate at said election for said office and was thereupon declared duly elected to said office for the term of four years and until a successor is duly elected and qualified.

Signed in the presence of the Joint Convention this eighteenth day of January, A.D., 1991.

ROBERT C. ARNOULD
Speaker of the House
EMIL J. HUSAK
Teller of the Senate
RODNEY N. HALVORSON
Teller of the House

JOSEPH O'HERN
Clerk of the House and
Secretary of the Joint Convention
JOE J. WELSH
Presiding Officer
of the Joint Convention

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

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

The motion prevailed by a voice vote and President Welsh announced the appointment of Senators Horn, Riordan and Kersten, on the part of the Senate, and Representatives Chapman, Halvorson of Webster and Hahn, on the part of the House.

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

The joint convention resumed session, President Welsh presiding.

REPORT OF COMMITTEE

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

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

Respectfully submitted,

WALLY E. HORN
JAMES R. RIORDAN
JAMES B. KERSTEN
Senate

KAY CHAPMAN
RODNEY N. HALVORSON
JIM HAHN
House

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

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

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

Musical accompaniment was provided by the Mt. Pleasant Band and the Drake University Choir and Chamber Orchestra.

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

Members of the 1991 Iowa Inaugural Committee were escorted to their seats.

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

The legislative inaugural committee consisting of Senators Priebe, Lloyd-Jones, Dieleman, Pate, Hagera and Slife, on the part of the Senate; and Representatives Carpenter, Connors, De Groot, Mertz, Petersen of Muscatine and Poncy, on the part of the House, were escorted to the front of the rostrum.

Lieutenant Governor-elect Joy Corning was escorted to the rostrum.

Governor Terry E. Branstad was escorted to the rostrum.

The colors were advanced by the Drake University, Drake Reserve Officer Training Corps.

The National Anthem was sung by Jonathan Retzlaff from Drake University.

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

The oath of office was administered to Lieutenant Governor-elect Joy Corning by Chief Justice Arthur A. McGiverin of the Supreme Court of Iowa, assisted by Carol Hallquist and Claudia Peyton, daughters of the Lieutenant Governor-elect.

"The Song of Iowa" and "Lift Every Voice and Sing" were sung by the Children's Choir of Greater Des Moines.

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

President Welsh presented Governor Terry E. Branstad, who delivered the following inaugural address:

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

First, I want to congratulate our newly inaugurated Lieutenant Governor, the first Lieutenant Governor to be part of the Executive Branch of government. I've enjoyed working with Joy Corning already for several weeks and I'm looking forward to the next 4 years. Joy, thank you very much.

Let me begin this, my third term as your Governor, by saying thank you. Thank you to my family and friends who have given me support when I needed it most. Thank you to the workers, the leaders, the dreamers of Iowa who are my inspiration. Yes, thank you even to those who have disagreed with me on occasion over the past eight years. From time to time, I learned something from you.

Most of all, thank you to the people of Iowa who have entrusted me with the responsibility to be your Governor. With your help and God's, it is a responsibility I accept. My excitement and enthusiasm about this state are stronger than ever.

I am still full of gratitude and wonderment for a system of government that will allow a poor farm boy from North Iowa to grow up to become your governor. It is that enduring gratitude, it is that undying wonderment, that makes me wake up every day proud to be an Iowan, honored to be your Governor.

Iowa, our home, is such a special place; nestled in the Heartland of America; cradled by two of the world's mightiest rivers; covered by the richest soil on this planet; populated by good, caring, peace-loving people.

As the drumbeat of war in the Middle East continues, we can thank God that our home is here in Iowa. But let us never forget our sons and daughters out in the desert sands, serving our country, preserving our freedoms. The men and women of Operation Desert Storm deserve our support and our prayers during these troubled hours. Let us show them we appreciate them with a round of applause.

Eight years ago, almost to this very day, I took my first oath of office as your Governor. I vividly recall that gray, cold January day as the wind howled through this cavernous auditorium. I have often thought how that howling, brutal January wind was a portent of things to come, of the devastating farm crisis of the 1980's.

On that first Inaugural Day, I promised you that I would make jobs and economic development my top priority and I did. We fought against the ravages of the farm crisis and planted seeds for future growth. We improved our state's ability to compete for new jobs and growth. We energized community after community in the race for jobs and our efforts are now bearing fruit.

Today, there are more Iowans working than at any previous time in our state's history. Today, Iowa's rate of small business growth is better than 48 other states. Today, Iowa has one of the top ten economic development programs in the country.

Four years ago, I stood before you on another cold and gray January day and talked about one subject, education. I promised to make Iowa a national leader in education, to focus on results and to give every Iowa child the opportunity to be all they can be.

Today, Iowa's young people rank number one on college entrance exams. Today, Iowa's high school graduation rate is increasing, with almost 9 out of every 10 Iowa students getting their diploma. Today, Iowans' basic skills test scores are at an all time high.

On this 18th of January in the year 1991, I stand before you on a much warmer January day to tell you Iowa is poised for growth. My goal is to make the decade of the 1990's Iowa's growth decade — a time when our population grows, not shrinks; a time when our children come back home, not move away; a time when Iowa achieves its bright future.

How do we get there? My old football coach always preached about concentrating on the fundamentals. Blocking, tackling and team work were the key to winning. It is no different when it comes to economic success. We must concentrate on our fundamentals and build on our strengths.

The economic fundamentals are with us. Interest rates are coming down, the dollar's value is low and the price of cattle is high. Those are good signs for Iowa's economy. But there are other fundamentals, fundamentals that we can control, fundamentals that also bode well for Iowa's future.

Iowa's high rate of literacy and extraordinary education system; our work ethic and high productivity; our competitive business climate and strength in agriculture, and low crime rate all add up to a state with the fundamentals for success in the 1990's.

Our challenge in Iowa is to use our strengths and build a prosperous future. We can be architects of change.

Jon Margolis of the Chicago Tribune in a column about Iowa, wrote last fall: "Iowa is a superior culture, producing men and women of grit and intelligence."

He could well be describing George Bucheit of Calmar. George owned an egg processing business. Like Iowa's economy, the business took a severe downturn and by the mid-80's, George lost the business. Those were trying times for the Bucheit family, but, at age 57, George went back to school at Northeast Iowa Technical Institute to learn a new occupation. Today, he is back in business, running a successful heating and cooling company in Winneshiek County.

Like George Bucheit, many Iowans have overcome adversity. They are infusing a new vigor and vitality into communities all across this state and we are creating a state that can compete with the best of them.

Our vision for Iowa embraces our uniqueness, as a state and as a people. We are a state uniquely positioned for the future.

The future is world class education, and Iowa will be there. The future is a global economy, and Iowa will be there. The future is a healthy environment, and Iowa will be there. The future is solid family values, and Iowa will be there. The future is a safe place to live, and Iowa will be there. In Iowa, the future is ours, if we work every day to make this state better.

The nation's best education system is not good enough. We must do even better. We must provide a world class education for our children. We can do so by continuing our commitment of four years ago to reward performance in schools. We should also fulfill our commitment to raise teacher salaries to the national average and boost the minimum salary to help attract the best and the brightest to the teaching profession. At the same time, we must expect more from our teachers.

A fiber optic educational network linking all schools in Iowa can help build a world class education system. We should give schools the option of performance based accreditation and we should provide a world class schools recognition program.

In higher education, we have made great strides toward our goals. Our universities and colleges are stronger than ever. We need to maintain that strength and build on it. We must use it to drive our economic growth.

Over the next four years we must more fully integrate our strength in education into our economic development strategy. No building block of economic growth is more important than people — well-educated, hard working people. Our education system is producing these people. Now we must also use that system to help us make sure there are good jobs waiting for those graduates here in Iowa.

To do that, we will establish a technology magnet program. Its goal: Attract at least one new technology-based company into our research parks each year. Its method: Focus on key areas of strength at our research universities with a targeted marketing and financial assistance program. Its result: Well-paying jobs for Iowans in growth industries.

Let me tell you how it can work. The University of Iowa is an acknowledged leader in biocatalysis and bioprocessing research. What does it mean in common terms? It means you can make new products with the use of enzymes instead of petroleum. The result may be new drugs to combat heart attacks and cancer, and ways to treat arthritis. In fact, some of the work of the so-called "Biocat" team can drastically reduce the cost of producing ethanol, making it more competitive with oil.

We have similar capabilities in medical diagnostics and therapeutic systems at the University of Iowa and materials research and agricultural biotechnology at ISU.

We need to identify companies that are interested in marketing those products and convince them to locate here in Iowa. To meet our goals will require extraordinary effort and cooperation by state government and the research and business communities. I think it can be done and I will not rest until it is.

Our economic growth plan must also include:

Creating a job bank to help former Iowans find good jobs here at home.

Maintaining our competitive business climate and the marketing program that is putting Iowa on the map.

Empowering local communities through an economic development voucher program.

Streamlining our economic development programs to make them easier for communities, businesses and workers to use.

In these times of great international unrest, we should not forget our place in the world community. In the years ahead, Iowa's market for goods and services will be the world. We have already opened markets abroad for Iowa commodities. Today more Iowa companies are selling products overseas than ever before. International trends favor Iowa and the possibilities for our state in the global market place are vast. Iowa's unique capabilities in agricultural technology and food processing can help us open markets in Eastern Europe, Southeast Asia and Latin America.

Last month we announced "Our Common Ground", a program to provide immediate food assistance to the Soviet Union and longer term help in agriculture and food processing. Iowans have already contributed almost \$100,000 to provide food for the elderly, orphans and others in need in the Soviet Union. We can forge mutually beneficial relationships between Iowa and the Soviets for long term trade. To foster this development, we are proposing such initiatives as projects to encourage business investment, joint ventures and farmer exchanges.

Our international initiatives can be strengthened if we bring all the key Iowa groups with ties to foreign nations together under one umbrella. The Iowa Peace Institute and the Iowa Sister State Committee have agreed to come together with the International Division of the Department of Economic Development in a unified effort to ensure Iowa's place in the global economy.

No one is more sensitive to the impact of international market swings than Iowa farmers. Our farmers face great challenges today due to changes in federal farm policy and the breakdown of the Gatt negotiations.

Here at home, we can strengthen Iowa agriculture by investing in agricultural research and by providing incentives for construction of new livestock facilities. If we can increase Iowa's share of livestock production by 1 percent over the next four years, we can create 20,000 new jobs.

Today, the air hangs heavy with the gravity of war. Our thoughts cannot help but return to the spectre of death and great destruction. We are both fearful and hopeful; worried and wondering; perplexed and prayerful. But through these heavy mists of war emerges a clearer vision of Iowa and what it means to all of us.

I cannot remember a time when the serenity and stability of our life here in Iowa stood out in such sharp contrast. I cannot remember a time when we could so clearly see the importance of family and community. I cannot remember a time when we could feel so strongly the joy of living in harmony with the land.

This is Iowa, a special place, our home. Let us be proud of it; let us tell the world about it; let us help it grow.

One thing I have learned in this job is that much of success is a matter of attitude. If you think you can win, often times you do. That is the attitude we need to infuse in Iowans all across this land.

The naysayers are wrong. Iowa is not chained to its past. We can and we will grow. Because we have the will, the stability, the education, the communities, the family life that the rest of the world is looking for.

The second thing I have learned in this job is to set goals. I know some people thought I was crazy when, during the depths of the farm crisis, I set a goal of creating 180,000 new jobs. We not only did it, but we exceeded it.

Today, my goal is to set this state on a course for growth — growth in people and in family income. We must break a century-long pattern of outmigration. We can, and will, do it.

For my part, I will work every day to make the state grow. I will leave no stone unturned in my search for ways to get the job done. I cannot do it alone. You have helped me reach our goals over the past eight years and I need your help again. We need Iowans in every community, from all walks of life, of every race, creed and national origin to join this mission of growth, join a community economic development group, help recruit a new business to your town, tell others about the quality of life in Iowa.

Together we will succeed. Together we will set this state on a course of continued growth. Together our vision of growth will build a bright future in Iowa for our children and our children's children.

Thank you and God bless you.

The benediction was offered by the Reverend Cathy Young of Waterloo, Iowa.

Representative McKinney moved that the joint convention be dissolved.

The motion prevailed by voice vote and the joint convention was dissolved at 10:45 a.m.

The Senate resumed regular session, President Welsh presiding.

APPENDIX

REPORT OF THE COMMITTEE ON
RULES AND ADMINISTRATION

MADAM PRESIDENT: Pursuant to Senate Concurrent Resolution 1, 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>
Secretary of the Senate	John F. Dwyer	P-FT	\$49,150.40 annual	
Assistant Secretary of the Senate	Cynthia A. Clingan	P-FT	34	6
Sr. Caucus Staff Director	Dennis Harbaugh	P-FT	36	4
Caucus Staff Director	Robert Haus	P-FT	34	2
Sr. Administrative Assistant to Majority Leader	Gregory Nichols	P-FT	35	6
Administrative Assistant to Minority Leader I	Stephanie Laudner	P-FT	27	1
Administrative Assistant to Leader I	John Cacciatore	P-FT	27	1
Sr. Legislative Research Analyst	James Boose	P-FT	35	1
Legislative Research Analyst III	William B. Haigh	P-FT	33	2
Legislative Research Analyst III	Debbie O'Leary	P-FT	33	3
Legislative Research Analyst III	Theresa Kehoe	P-FT	33	1
Legislative Research Analyst III	Steve Conway	P-FT	33	1
Legislative Research Analyst III	Suzanne Johnson	P-FT	33	1
Legislative Research Analyst II	Randy Bauer	P-FT	30	1
Legislative Research Analyst II	Carolann Jensen	P-FT	30	2
Legislative Research Analyst I	Curtis Stamp	P-FT	27	2
Legislative Research Analyst I	Ann Molis	P-FT	27	1
Legislative Research Analyst I	Robyn Mills	P-FT	27	1
Caucus Secretary	Mary Bustad	P-FT	21	6
Secretary to Minority Leader	Vicki Davis	S-0	19	3
Secretary to President	Jeanne Coverdale	S-0	19	2
Administrative Secretary to the Secretary	Annette Nichols	S-0	21	2
Executive Secretary to Minority Leader	Marcella Jolly	P-FT	23	3
Executive Secretary to the Secretary	Lori Bristol	P-FT	23	5
Confidential Secretary to Majority Leader	Kathy Hillman	P-FT	26	5
Senior Journal Editor	C.J. Kelly	P-FT	29	6
Assistant Journal Editor	Teri Souer	P-FT	21	1
Assistant to Legal Counsel	Yvonne Coohy	S-0	17	1

Senior Finance Officer	Mary Ann Abbott	P-FT	31	6
Finance Officer I	Linda Laurenzo	P-FT	24	2
Journal Recording Clerk	Kathleen Curoe	P-FT	20	2
Recording Clerk	Linda Morrow	S-0	20	1
Chief Indexer	Caryll Wilbur	P-FT	24	6
Indexing Assistant	Nancy Gibson	P-FT	18	5
Records and Supply Clerk	Mary Buban	S-0	18	6
Switchboard Operator	Mary Leonard	S-0	13	2
Switchboard Operator	Fredda Wright	S-0	13	3
Legislative Secretary	Joyce Anderson	S-0	16	3+2
Legislative Secretary	Chris Baumgartner	S-0	16	1
Legislative Secretary	Jan Davis	S-0	18	1
Legislative Secretary	Jan Doyle	S-0	17	4
Legislative Secretary	Alyce Elmitt	S-0	16	6+2
Legislative Secretary	Brian Geocke	S-0	17	1
Legislative Secretary	Glenda Gorsh	S-0	16	1
Legislative Secretary	Alleen Hedge	S-0	16	2
Legislative Secretary	Myrtle Jensen	S-0	18	3
Legislative Secretary	Pat King	S-0	18	3+2
Legislative Secretary	Kaye Lozier	S-0	16	1
Legislative Secretary	Leslie McVeigh	S-0	16	1
Legislative Secretary	Brent Oleson	S-0	16	1
Legislative Secretary	Gerry Rydell	S-0	16	6+2
Legislative Secretary	Flo Saf	S-0	16	4+2
Legislative Secretary	Beverly Samuelson	S-0	17	3+2
Legislative Secretary	Hazel Schroedel	S-0	16	5+2
Legislative Secretary	Scott Schröder	S-0	17	1
Legislative Secretary	Julie Simon	S-0	18	2
Legislative Secretary	Betty Soener	S-0	17	2
Legislative Secretary	Harriet Vande Hoef	S-0	18	3
Legislative Secretary	Elizabeth Wasker	S-0	16	6+2
Legislative Secretary	Betty Wise	S-0	16	6+2
Legislative Committee Secretary	Candy Boucher	S-0	18	2+2
Legislative Committee Secretary	Bernie Burke	S-0	18	1
Legislative Committee Secretary	Mary Callas	S-0	18	2
Legislative Committee Secretary	Karen A. Francis	S-0	18	1
Legislative Committee Secretary	Debra Feintech	S-0	18	1
Legislative Committee Secretary	Faye Fraise	S-0	18	2
Legislative Committee Secretary	Debra Fuller	S-0	18	1
Legislative Committee Secretary	Sally Gallagher	S-0	18	5+2
Legislative Committee Secretary	Mary Ann Gass	S-0	18	2
Legislative Committee Secretary	JoAnn Hanover	S-0	18	3+2
Legislative Committee Secretary	Dorothy Husak	S-0	18	3
Legislative Committee Secretary	Brenda Huyser	S-0	18	2
Legislative Committee Secretary	Gary Jones	S-0	18	1
Legislative Committee Secretary	Kay Kibbie	S-0	18	1
Legislative Committee Secretary	Todd Kimm	S-0	18	1
Legislative Committee Secretary	Jon Krieg	S-0	18	2
Legislative Committee Secretary	Lynn Lester	S-0	18	1
Legislative Committee Secretary	Frances Miller	S-0	18	2

Legislative Committee Secretary	Mary Anne O'Connell	S-0	18	3+2
Legislative Committee Secretary	Mary Ann Peer	S-0	18	2+2
Legislative Committee Secretary	Carole Peterson	S-0	18	3+2
Legislative Committee Secretary	Marilyn Rensink	S-0	18	3+2
Legislative Committee Secretary	Beth Kroeschell-Wessel	S-0	18	1
Legislative Committee Secretary	Jo Ann West	S-0	18	4+2
Bill Clerk	Glen Beck	S-0	13	2
Postmaster	Eleanor Hesseling	S-0	12	2
Sergeant-at-Arms	Merlyn Frohling	S-0	17	1
Assistant Sergeant-at-Arms	Lynn E. Brandt	S-0	14	2
Assistant Sergeant-at-Arms	William Krieg	S-0	14	2
Chief Doorkeeper	Ray J. Prosperi	S-0	12	4
Doorkeeper	Catherine DeHeck	S-0	11	4
Doorkeeper	George Finkenauer	S-0	11	1
Doorkeeper	Bernadine Follett	S-0	11	1
Doorkeeper	Daryl Nims	S-0	11	1
Doorkeeper	E.H. Samuelson	S-0	11	3
Doorkeeper	Svend Christensen	S-0	11	2
Page	Jennifer Carey	S-0	Minimum Wage	
Page	Jennifer Dawson	S-0	Minimum Wage	
Page	Kathy Foresman	S-0	Minimum Wage	
Page	Michele Goodwin	S-0	Minimum Wage	
Page	Molly Kressin	S-0	Minimum Wage	
Page	Gary McWeeny	S-0	Minimum Wage	
Page	Susan Mikkelsen	S-0	Minimum Wage	
Page	Matthew Most	S-0	Minimum Wage	
Page	Angela Mumm	S-0	Minimum Wage	
Page	Kate Reichardt	S-0	Minimum Wage	
Page	Frank Sackett	S-0	Minimum Wage	
Page	Robin Shipler	S-0	Minimum Wage	
Page	Jami Snyder	S-0	Minimum Wage	
Page	Michelle Turner	S-0	Minimum Wage	
Page	Jennifer Whitmire	S-0	Minimum Wage	
Page	Dianna Winegarden	S-0	Minimum Wage	
Page	JaDee Young	S-0	Minimum Wage	

BILL HUTCHINS, Chair

ALSO:

MR. PRESIDENT: Pursuant to Senate Concurrent Resolution 1, the committee on Rules and Administration submits the following changes:

Research Analyst III to Senior Research Analyst	Debbie O'Leary	Grade 33-3 to 35-1 Effective 1-18-91
Research Analyst III	Bill Haigh	Step 2 to Step 3 Effective 1-18-91
Administrative Secretary to Leader	Annette Nichols	Step 2 to Step 3 Effective 5-24-91

Chief Doorkeeper	Ray J. Prospero	Step 4 to Step 5 Effective 3-1-91
Doorkeeper	Catherine DeHeck	Step 4 to Step 5 Effective 3-1-91
Doorkeeper	Bernadine Follett	Step 1 to Step 2 Effective 2-1-91
Doorkeeper	Daryl Nims	Step 1 to Step 2 Effective 4-12-91
Legislative Secretary	Joyce Anderson	Step 3 to Step 4 Effective 3-29-91
Legislative Secretary	Pat King	Step 3 to Step 4 Effective 3-1-91
Legislative Secretary	Flo Saf	Step 4 to Step 5 Effective 2-1-91
Legislative Committee Secretary	Marilyn Rensink	Step 3 to Step 4 Effective 3-15-91
Legislative Committee Secretary	Mary Callas	Step 1 to Step 2 Effective 1-14-91
Legislative Committee Secretary	JoAnn Hanover	Step 3 to Step 4 Effective 3-1-91
Legislative Committee Secretary	Jon Krieg	Step 2 to Step 3 Effective 4-26-91

BILL HUTCHINS, Chair

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 10:46 a.m., until Monday, January 21, 1991, at 1:30 p.m.

JOURNAL OF THE SENATE

EIGHTH CALENDAR DAY
SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 21, 1991

The Senate met in regular session at 1:32 p.m., President Welsh presiding.

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

The Journals of Thursday, January 17, 1991 and Friday, January 18, 1991 were approved.

INTRODUCTION OF BILLS

Senate File 45, by Lind, a bill for an act prohibiting the purchase and use of certain automated traffic law enforcement equipment.

Read first time and passed on file.

Senate File 46, by Priebe, a bill for an act relating to aboveground petroleum tanks and providing an effective date.

Read first time and passed on file.

Senate File 47, by Lind and Slife, a bill for an act to prohibit the shooting of shotguns across a public highway and subjecting violators to a penalty.

Read first time and passed on file.

Senate File 48, by Szymoniak, a bill for an act relating to professional titles and abbreviations of physical therapists and physical therapist assistants, and licensure, examination fees, and conditions of practice of physical therapist assistants.

Read first time and passed on file.

HOUSE MESSAGE RECEIVED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on January 17, 1991, adopted the following resolution in which the concurrence of the House was asked:

Senate Joint Resolution 1, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the equality of rights of men and women under law.

RECESS

On motion of Senator Hutchins, the Senate recessed at 1:39 p.m., until 4:00 p.m.

RECONVENED

The Senate reconvened at 4:03 p.m., President Welsh presiding.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

BUSINESS AND LABOR RELATIONS

Convened: January 17, 1991, 1:34 p.m.

Members Present: Sturgeon, Vice Chair; Fuhrman, Ranking Member; Buhr, Palmer, Peterson, Rensink, Slife and Taylor.

Members Absent: Running, Chair (excused); and Kinley.

Committee Business: Organizational meeting; assigned Senate File 32 to a subcommittee.

Adjourned: 1:38 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: January 17, 1991, 1:30 p.m.

Members Present: Rosenburg, Chair; Gronstal, Vice Chair; Jensen, Ranking Member; Borlaug, Deluhery, Fraise, Hannon, Hedge, Kersten, Miller, Soorholtz and Varn.

Members Absent: none.

Committee Business: Organizational meeting.

Adjourned: 1:40 p.m.

JUDICIARY

Convened: January 17, 1991, 2:18 p.m.

Members Present: Sturgeon, Chair; Rosenberg, Vice Chair; Fuhrman, Ranking Member; Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson, Slife and Varn.

Members Absent: Connolly (excused).

Committee Business: Organizational meeting; assigned bills to subcommittees.

Adjourned: 2:33 p.m.

CERTIFICATE OF RECOGNITION

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

Linn-Mar High School, Marion — For winning the 1990 Class 4A State Football Championship. Senator Pate (1-21-91).

STUDY BILLS RECEIVED**SSB 27 State Government**

Relating to the vendor appeal process of the department of general services.

SSB 28 Local Government

Relating to vehicle registration renewals and nonpayment of certain fines and charges.

SSB 29 State Government

Relating to liens on public property.

SSB 30 Transportation

Relating to automobile liability insurance premium reductions for elderly insureds who complete an accident prevention course.

SUBCOMMITTEE ASSIGNMENTS**Senate File 1**

LOCAL GOVERNMENT: Fraise, Chair; Szymoniak and Vande Hoef

Senate File 4

LOCAL GOVERNMENT: Fraise, Chair; Miller and Vande Hoef

Senate File 5

LOCAL GOVERNMENT: Miller, Chair; Jensen and Vande Hoef

Senate File 6

LOCAL GOVERNMENT: Jensen, Chair; Boswell and Miller

Senate File 16

LOCAL GOVERNMENT: Miller, Chair; Borlaug and Boswell

Senate File 17

LOCAL GOVERNMENT: Miller, Chair; Borlaug and Boswell

Senate File 26

LOCAL GOVERNMENT: Buhr, Chair; Jensen and Miller

Senate File 37

LOCAL GOVERNMENT: Hannon, Chair; Boswell and Rittmer

Senate File 40

TRANSPORTATION: Gettings, Chair; Lloyd-Jones and Jensen

Senate File 42

HUMAN RESOURCES: Riordan, Chair; Hannon, Kramer, Murphy and Taylor

Senate File 43

HUMAN RESOURCES: Szymoniak, Chair; Horn and Tinsman

SSB 14

LOCAL GOVERNMENT: Hannon, Chair; Fraise and Jensen

SSB 15

LOCAL GOVERNMENT: Boswell, Chair; Borlaug and Buhr

SSB 16

LOCAL GOVERNMENT: Miller, Chair; Rittmer and Szymoniak

SSB 23

AGRICULTURE: Priebe, Chair; McLaren and Miller

SSB 24

HUMAN RESOURCES: Hannon, Chair; Kramer, Riordan, Rittmer, Szymoniak

SSB 28

LOCAL GOVERNMENT: Szymoniak, Chair; Borlaug and Fraise

SSB 30

TRANSPORTATION: Connolly, Chair; Dieleman and Nystrom

AMENDMENT FILED

S-3005 S.F. 23 Elaine Szymoniak

BILLS ASSIGNED TO COMMITTEE

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

S.F.	45	Judiciary
S.F.	46	Environment & Energy Utilities
S.F.	47	Natural Resources
S.F.	48	Human Resources

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:04 p.m., until 9:00 a.m., Tuesday, January 22, 1991.

JOURNAL OF THE SENATE

NINTH CALENDAR DAY
SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 22, 1991

The Senate met in regular session at 9:04 p.m., President Welsh presiding.

Prayer was offered by the Reverend Blake Blakesley, pastor of Scotch Ridge United Presbyterian Church, Carlisle, Iowa.

The Journal of Monday, January 21, 1991 was approved.

INTRODUCTION OF BILL

Senate File 49, by Boswell, a bill for an act relating to corrective action rules for petroleum underground storage tanks.

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

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate File 33** be referred from the Regular Calendar to committee on **Ways and Means**.

RECESS

On motion of Senator Horn, the Senate recessed at 9:10 a.m., until 4:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: January 21, 1991, 3:10 p.m.

Members Present: Hannon, Chair; Buhr, Vice Chair; Hagerla, Ranking Member; Horn, Kramer, Murphy, Riordan, Rittmer, Szymoniak, Taylor and Tinsman.

Members Absent: Sturgeon (excused).

Committee Business: Approved committee rules; assigned bills to subcommittees; presentation by Steve Conway on spousal impoverishment and Oregon's health plan.

Adjourned: 4:00 p.m.

STATE GOVERNMENT

Convened: January 21, 1991, 2:27 p.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Rife, Soorholtz, Vande Hoef and Welsh.

Members Absent: Running (excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 2:37 p.m.

TRANSPORTATION

Convened: January 21, 1991, 3:05 p.m.

Members Present: Fraise, Chair; Connolly, Vice Chair; Drake, Ranking Member; Dieleman, Gettings, Jensen, Kersten, Kinley, Lloyd-Jones, Nystrom, Pate and Welsh.

Members Absent: none.

Committee Business: Assigned bills to subcommittees.

Adjourned: 3:08 p.m.

COMMITTEE REPORT

AGRICULTURE

Final Bill Action: SENATE FILE 34, a bill for an act relating to the sale, offer for sale, or distribution of purple loosestrife.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Priebe, Peterson, Soorholtz, Boswell, Hedge, Hester, Husak, McLaren, Miller, Palmer, Riordan, Rittmer and Vande Hoef. Nays, none. Absent or not voting, 2: Doyle and Fraise.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS

Senate File 33

WAYS AND MEANS: Husak, Chair; Fraise and Hedge

Senate File 38

STATE GOVERNMENT: Murphy, Chair; Buhr and Lind

Senate File 44

APPROPRIATIONS: Gronstal, Chair; Gettings and Vande Hoef

SSB 25

STATE GOVERNMENT: Nystrom, Chair; Horn and McLaren

SSB 26

STATE GOVERNMENT: Doyle, Chair; Kramer and Lloyd-Jones

SSB 27

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

SSB 29

STATE GOVERNMENT: Doyle, Chair; Rife and Welsh

SSB 31

AGRICULTURE: Boswell, Chair; Peterson, Priebe, Rittmer and Soorholtz

SSB 34

AGRICULTURE: Priebe, Chair; Doyle and Soorholtz

SSB 35

APPROPRIATIONS: Running, Chair; Borlaug and Gettings

SSB 36

APPROPRIATIONS: Riordan, Chair; Lind and Lloyd-Jones

SSB 37

APPROPRIATIONS: Gettings, Chair; Husak and Kersten

SSB 39

WAYS AND MEANS: Fraise, Chair; Dieleman, Hedge, Murphy and Taylor

BILLS ASSIGNED TO COMMITTEE

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

S. F.	49	Environment & Energy Utilities
S. F.	50	Local Government
S. F.	51	Commerce
S. F.	52	Environment & Energy Utilities

STUDY BILLS RECEIVED**SSB 31 Agriculture**

Classifying the transfer of a nonpayable financial instrument to a livestock dealer as a fraudulent practice and making penalties applicable.

SSB 32 Ways and Means

Increasing the cigarette and tobacco taxes and providing an effective date.

SSB 33 Ways and Means

Relating to the definitions of wine and beer, making a tax applicable, and providing an effective date.

SSB 34 Agriculture

Relating to transactions involving grain, by prohibiting the use of credit-sale contracts, providing an effective date, and making penalties applicable.

SSB 35 Appropriations

Making nonsubstantive changes in the Iowa small business new jobs training Act.

SSB 36 Appropriations

Relating to the Iowa community cultural grants program.

SSB 37 Appropriations

Relating to the reversion of appropriations for the planning and construction of armories for the department of public defense and providing an effective date.

SSB 38 Environment/Energy Utilities

Relating to the establishment of a well contractor certification program.

SSB 39 Ways and Means

Relating to increasing the cigarette and tobacco taxes, amending the definition of wine and beer, making the tax applicable, and providing an effective date.

AFTERNOON SESSION

The Senate reconvened at 4:00 p.m., President Welsh presiding.

INTRODUCTION OF BILLS

Senate File 50, by Jensen, 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 for real and personal property and providing an applicability date.

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

Senate File 51, by Jensen, a bill for an act requiring insurance coverage for necessary diet requirements of infants suffering from a certain disease.

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

Senate File 52, by Jensen and Rosenberg, 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 53, by committee on Agriculture, a bill for an act relating to certificates required for moving swine, and creating penalties.

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

Senate File 54, by Priebe, a bill for an act creating a separate state racing commission and a state gaming commission and abolishing the state racing and gaming commission.

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

Senate File 55, by Priebe and Hutchins, a bill for an act relating to payment of the district cost per pupil by the district of residence to the receiving district under open enrollment and requiring payment of the state aid portion during the first and prior partial

years of attendance and providing an effective date and applicability.

Read first time and passed on file.

Senate File 56, by committee on Agriculture, a bill for an act requiring reporting of county aid by societies organized to administer local fairs.

Read first time and placed on calendar.

Senate File 57, by Nystrom, a bill for an act relating to the investment and use of moneys in the perpetual care trust funds of a cemetery.

Read first time and passed on file.

Senate File 58, by Vande Hoef, a bill for an act requiring that a document creating a mortgage or deed of trust encumbering real estate be acknowledged by the joint tenants of the real estate.

Read first time and passed on file.

QUORUM CALL

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

The vote revealed 43 present, 7 absent and a quorum present.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 53, a bill for an act relating to certificates required for moving swine, and creating penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Priebe, Peterson, Soorholtz, Boswell, Hedge, Hester, Husak, McLaren, Miller, Palmer, Riordan, Rittmer and Vande Hoef. Nays, none. Absent or not voting, 2: Doyle and Fraise.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 56 (SSB 22), a bill for an act requiring reporting of county aid by societies organized to administer local fairs.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Priebe, Peterson, Soorholtz, Boswell, Hedge, Hester, Husak, McLaren, Miller, Palmer, Riordan, Rittmer and Vande Hoef. Nays, none. Absent or not voting, 2: Doyle and Fraise.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:08 p.m., until 9:00 a.m., Wednesday, January 23, 1991.

JOURNAL OF THE SENATE

TENTH CALENDAR DAY
EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 23, 1991

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

Prayer was offered by Candy Boucher, Senate Secretary from Des Moines, Iowa, who sang "You'll Never Walk Alone".

The Journal of Tuesday, January 22, 1991, was approved.

INTRODUCTION OF BILL

Senate File 59, by Lind, a bill for an act increasing the penalty for littering.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:06 a.m., until 4:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: January 22, 1991, 9:30 a.m.

Members Present: Peterson, Chair; Dieleman, Vice Chair; Pate, Ranking Member; Slife and Welsh.

Members Absent: none.

Committee Business: Budget presentations from the offices of governor, secretary of state, and treasurer of state.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: January 22, 1991, 9:38 a.m.

Members Present: Husak, Chair; Priebe, Vice Chair; McLaren, Ranking Member; Hester and Kibbie.

Members Absent: none.

Committee Business: Approved rules and discussed FY 1992 governor's recommendations.

Adjourned: 11:32 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 22, 1991, 9:35 a.m.

Members Present: Riordan, Chair; Kramer, Ranking Member; Borlaug and Lloyd-Jones.

Members Absent: Boswell, Vice Chair.

Committee Business: Adopted rules; presentation by Erv Wett, Department of Management, regarding the governor's proposed deappropriations; Allan Thoms and Fran Fleck, Department of Economic Development, appeared before the committee.

Adjourned: 11:18 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 22, 1991, 9:38 a.m.

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

Members Absent: none.

Committee Business: Adopted rules; presentation by Kathy Mabie and Dave Heuton, Department of Management, regarding the governor's proposed deappropriations for FY 1991 and FY 1992 recommendations.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 22, 1991, 9:34 a.m.

Members Present: Buhr, Chair; Miller, Vice Chair; Tinsman, Ranking Member; Hannon and Rittmer.

Members Absent: none.

Committee Business: Presentations were made regarding legislative oversight for FY 1991.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 22, 1991, 9:40 a.m.

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

Members Absent: none.

Committee Business: LFB review of governor's recommendations on Department of Corrections and Judicial Branch.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: January 22, 1991, 9:37 a.m.

Members Present: Palmer, Vice Chair; Rensink, Ranking Member; Hedge and Kinley.

Members Absent: Running, Chair (excused).

Committee Business: Adopted rules; LFB reviewed oversight reports for FY 1991 and presented review of governor's deappropriations for FY 1991.

Adjourned: 10:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: January 22, 1991, 9:39 a.m.

Members Present: Gettings, Chair; Doyle, Vice Chair; Kersten, Ranking Member; Connolly and Jensen.

Members Absent: none.

Committee Business: Approved rules and discussed governor's recommendations for FY 1992.

Adjourned: 11:24 a.m.

AGRICULTURE

Convened: January 22, 1991, 8:20 a.m.

Members Present: Priebe, Chair; Peterson, Vice Chair; Soorholtz, Ranking Member; Boswell, Hedge, Hester, Husak, McLaren, Miller, Palmer, Riordan, Rittmer and Vande Hoef.

Members Absent: Doyle and Fraise.

Committee Business: Amended and approved LSB 1020 and ordered redrafted as a committee bill; approved SSB 22 as a committee bill; recommended passage of Senate File 34.

Adjourned: 8:50 a.m.

WAYS AND MEANS

Convened: January 22, 1991, 2:25 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hedge, Ranking Member; Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Murphy, Palmer, Rosenberg, Szymoniak and Taylor.

Members Absent: Rosenberg and Szymoniak (both excused).

Committee Business: Assigned bills to subcommittees; 1991 proposals from Revenue and Finance.

Adjourned: 3:15 p.m.

RESOLUTION ENROLLED, SIGNED AND SENT TO SECRETARY OF STATE

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following resolution has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Secretary of State's office this 23rd day of January, 1991:

Senate Joint Resolution 1.

JOHN F. DWYER
Secretary of the Senate

STUDY BILLS RECEIVED

SSB 40 Education

To prohibit the board of directors of a school district from charging fees for the rental of textbooks.

SSB 41 Education

Relating to the minimum salary requirement of phase I and the allocation of moneys between phases I, II, and III in the educational excellence program.

SSB 42 Education

Requiring the acceptance of a student's postsecondary options credits as high school academic or vocational-technical credits by a school district or accredited nonpublic school.

SSB 43 Transportation

Relating to contracts for road, bridge, and culvert construction.

SSB 44 Local Government

Relating to minimum qualifications for the office of county sheriff and providing filing deadlines.

SSB 45 Commerce

Relating to collateral acceptable to secure a loan or other transaction with a state bank.

SSB 46 Commerce

Relating to the obligations of a spouse of a director or officer of a state bank.

SSB 47 Commerce

Relating to exempting a bank from providing evidence of financial security when making an application for registration as a travel agency.

SSB 48 Commerce

Relating to the number of presidents of a state bank which is established by merger or consolidation.

SSB 49 Commerce

Relating to the reservation of a bank name.

SUBCOMMITTEE ASSIGNMENTS**Senate File 23**

EDUCATION: Szymoniak, Chair; Deluhery and Tinsman

Senate File 36

COMMERCE: Doyle, Chair; Gronstal and Slife

Senate File 39

COMMERCE: Deluhery, Chair; Priebe and Tieden

**Senate File 44
(Reassigned)**

APPROPRIATIONS: Gronstal, Chair; Gettings and Hagerla

Senate File 50

LOCAL GOVERNMENT: Jensen, Chair; Buhr and Fraise

Senate File 51

COMMERCE: Gronstal, Chair; Doyle, Jensen, Palmer and Slife

**SSB 35
(Reassigned)**

APPROPRIATIONS: Running, Chair; Gettings and Pate

SSB 40

EDUCATION: Szymoniak, Chair; Kramer and Murphy

SSB 41

EDUCATION: Connolly, Chair; Horn and Tieden

SSB 42

EDUCATION: Deluhery, Chair; Szymoniak and Tieden

SSB 43

TRANSPORTATION: Gettings, Chair; Pate and Welsh

SSB 44

LOCAL GOVERNMENT: Fraise, Chair; Boswell and Jensen

SSB 45

COMMERCE: Varn, Chair; Deluhery and Tieden

SSB 46

COMMERCE: Gettings, Chair; Deluhery and Jensen

SSB 47

COMMERCE: Gronstal, Chair; Deluhery and Kersten

SSB 48

COMMERCE: Priebe, Chair; Deluhery and Nystrom

SSB 49

COMMERCE: Palmer, Chair; Deluhery and Lind

AFTERNOON SESSION

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

INTRODUCTION OF BILLS

Senate File 60, by Rosenberg, 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 61, by Lind and Kersten, a bill for an act to require the department of education to create athletic conferences for school districts and accredited nonpublic schools in order to permit schools to participate in athletic events with schools of comparable size and close geographic proximity.

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

Senate File 62, by Lind and Kersten, a bill for an act relating to school participation in athletic conferences and public and private athletic camps, and providing for an independent study.

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

Senate File 63, by Varn, a bill for an act relating to motor vehicle accident reporting levels.

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

Senate File 64, by Gronstal, a bill for an act relating to professional licensure suspension, and renewal upon delinquency in child support payments by licensees.

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

Senate File 65, by Vande Hoef, Rensink, Drake, Dieleman, Jensen, Husak, Kibbie, Fuhrman, and Taylor, a bill for an act relating to the amount required to be held in trust under certain agreements for funeral services or funeral merchandise.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Running for the week 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.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	54	State Government
S. F.	55	Education
S. F.	57	Commerce
S. F.	58	Commerce
S. F.	59	Environment & Energy Utilities

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:15 p.m., until 9:00 a.m., Thursday, January 24, 1991.

JOURNAL OF THE SENATE

ELEVENTH CALENDAR DAY
NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 24, 1991

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

Prayer was offered by Dr. James King, pastor of the First United Methodist Church, Des Moines, Iowa.

The Journal of Wednesday, January 23, 1991, was approved.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:16 a.m., until 2:15 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: January 23, 1991, 9:30 a.m.

Members Present: Peterson, Chair; Dieleman, Vice Chair; Pate, Ranking Member; Slife and Welsh.

Members Absent: none.

Committee Business: Budget presentation by Jack Walters, Director, and staff from the Department of General Services.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: January 23, 1991, 9:40 a.m.

Members Present: Husak, Chair; Priebe, Vice Chair; McLaren, Ranking Member; Hester and Kibbie.

Members Absent: none.

Committee Business: Presentations by: Dr. Dennis Keeney from the Leopold Center; Jim Brown and Lisa Smith, Department of Natural Resources; and Daryl Frey and Jim Gulliford, Department of Agriculture.

Adjourned: 12:05 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 23, 1991, 9:43 a.m.

Members Present: Riordan, Chair; Boswell, Vice Chair; Kramer, Ranking Member; Borlaug and Lloyd-Jones.

Members Absent: none.

Committee Business: Presentations by Allan Thoms, Director of the Department of Economic Development, regarding the governor's proposed deappropriations; and Tom Swartz on INTERNET, relative to deappropriations and FY 1992.

Adjourned: 11:43 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 23, 1991, 9:40 a.m.

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

Members Absent: none.

Committee Business: Discussed FY 1991 proposed deappropriations bill.

Adjourned: 10:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 22, 1991, 9:35 a.m.

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

Members Absent: Sturgeon.

Committee Business: Organizational meeting; adopted rules; representatives from DHS gave an overview of the budget summary.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 23, 1991, 9:40 a.m.

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

Members Absent: Sturgeon.

Committee Business: Dick Moore, Criminal and Juvenile Justice Planning, gave an overview of the juvenile justice system.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 23, 1991, 9:40 a.m.

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

Members Absent: none.

Committee Business: Reviewed budget for the Board of Parole; performance oversight on the Department of Corrections and Board of Parole.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: January 23, 1991, 9:37 a.m.

Members Present: Palmer, Vice Chair; Rensink, Ranking Member; and Hedge.

Members Absent: Running, Chair (excused); and Kinley.

Committee Business: LFB gave overview of governor's recommendations for FY 1992; presentation by Bill Wegman, State Public Defender, regarding indigent defense.

Adjourned: 10:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: January 23, 1991, 9:35 a.m.

Members Present: Gettings, Chair; Doyle, Vice Chair; Kersten, Ranking Member; Connolly and Jensen.

Members Absent: none.

Committee Business: Discussed governor's proposed deappropriations.

Adjourned: 11:19 a.m.

COMMERCE

Convened: January 23, 1991, 1:34 p.m.

Members Present: Deluhery, Chair; Kinley, Vice Chair; Slife, Ranking Member; Doyle, Gettings, Gronstal, Jensen, Kersten, Lind, Nystrom, Palmer, Priebe, Sturgeon, Tieden and Varn.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; presentation on private deposit insurance for Iowa consumers by James Tabor, Superintendent of the Savings and Loan Division; James Forney, Superintendent of the Credit Union Division; and Steve Moser, Deputy Superintendent of the Banking Division.

Adjourned: 2:05 p.m.

EDUCATION

Convened: January 23, 1991, 3:05 p.m.

Members Present: Connolly, Chair; Horn, Vice Chair; Taylor, Ranking Member; Deluhery, Dieleman, Kibbie, Kramer, Lind, Murphy, Rensink, Szymoniak, Tieden, Tinsman and Varn.

Members Absent: Running (excused).

Committee Business: Assigned bills to subcommittees; presentation and announcements by LFB.

Adjourned: 3:31 p.m.

LOCAL GOVERNMENT

Convened: January 23, 1991, 2:23 p.m.

Members Present: Miller, Chair; Szymoniak, Vice Chair; Rittmer, Ranking Member; Borlaug, Boswell, Buhr, Fraise, Hannon, Jensen and Vande Hoef.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; presentations by Kent Sovern, League of Iowa Municipalities; Paul Coates, Iowa State Association of Counties; and Paul Hauscher from Waukee, pertaining to voluntary and involuntary annexation.

Adjourned: 3:22 p.m.

NATURAL RESOURCES

Convened: January 23, 1991, 2:15 p.m.

Members Present: Palmer, Chair; Kibbie, Vice Chair; Hester, Ranking Member; Dieleman, Hagerla, Hedge, Priebe, Rensink, Riordan, Rosenberg, Sturgeon and Tieden.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; priorities presentation by Larry Wilson, Director of the Department of Natural Resources.

Adjourned: 2:50 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: January 23, 1991, 1:40 p.m.

Members Present: Riordan, Chair; Hannon, Vice Chair; Borlaug, Ranking Member; Boswell, Kibbie, Kramer, Miller, Pate, Peterson, Rittmer and Vande Hoef.

Members Absent: Running (excused).

Committee Business: Presentation by Allan Thoms, Director of the Department of Economic Development.

Adjourned: 2:14 p.m.

CERTIFICATE OF RECOGNITION

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

Margaret Wimmer, Creston — For appreciation of the seven years of faithful, dedicated service to the Iowa Senate and the state of Iowa. Thank you for a job well done! Senator Boswell (1-24-91).

BILLS ASSIGNED TO COMMITTEE

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

S.F.	60	Natural Resources
S.F.	61	Education
S.F.	62	Education
S.F.	63	Transportation
S.F.	64	State Government
S.F.	65	Commerce

SUBCOMMITTEE ASSIGNMENTS**Senate File 2**

JUDICIARY: Rosenberg, Chair; Connolly and Taylor

Senate File 27

JUDICIARY: Hagerla, Chair; Pate and Sturgeon

Senate File 29

JUDICIARY: Sturgeon, Chair; Deluhery and Drake

Senate File 30

HUMAN RESOURCES: Riordan, Chair; Murphy and Tinsman

Senate File 31

JUDICIARY: Varn, Chair; Fuhrman and Horn

Senate File 45

JUDICIARY: Hester, Chair; Fuhrman and Gronstal

Senate File 57

COMMERCE: Varn, Chair; Deluhery and Nystrom

Senate File 58

COMMERCE: Priebe, Chair; Deluhery and Tieden

AFTERNOON SESSION

The Senate reconvened at 2:17 p.m., President Welsh presiding.

HOUSE MESSAGE RECEIVED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on January 23, 1991, amended and adopted the following resolution in which the concurrence of the Senate is asked:

Senate Concurrent Resolution 2, a concurrent resolution relating to joint rules of the senate and house for the seventy-fourth general assembly (S—3007).

INTRODUCTION OF BILLS

Senate File 66, by Taylor, a bill for an act relating to the possession and consumption of alcoholic liquor, wine, or beer by persons under twenty-one years of age, and providing a penalty.

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

Senate File 67, by Taylor, a bill for an act establishing an alcohol concentration level for the offense of public intoxication.

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

Senate File 68, by Priebe, a bill for an act relating to the permit requirements for tire collectors and providing a penalty.

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

Senate File 69, by Varn, a bill for an act requiring certain subcontractors to provide a bond when participating in public improvements and providing sanctions.

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

Senate File 70, by Lind, a bill for an act including veterans of the Persian Gulf Conflict as veterans eligible to serve on county commissions of veteran affairs, to receive certain veterans benefits,

and to be eligible for a property tax exemption, and providing an effective date.

Read first time and passed on file.

Senate Joint Resolution 3, by Kibbie, a joint resolution proposing an amendment to the Constitution of the State of Iowa to increase the term of office for a member of the House of Representatives to four years and for a member of the Senate to six years.

Read first time and passed on file.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. J. R.	3	State Government
S. F.	66	Judiciary
S. F.	67	Judiciary
S. F.	68	Environment & Energy Utilities
S. F.	69	Local Government
S. F.	70	Local Government

STUDY BILLS RECEIVED

SSB 50 Human Resources

Relating to professional licensure suspension, and renewal upon delinquency in child support payments by licensees.

SSB 51 Human Resources

Relating to the sale, furnishing, and use of cigarettes and tobacco products, and providing penalties.

SSB 52 State Government

Establishing a state fair challenge grant foundation.

SSB 53 State Government

Relating to the payment of pension benefits under the chapter 410 retirement system, to surviving spouses who remarry.

SSB 54 State Government

Relating to clinical privileges in hospitals licensed by the state.

INTRODUCTION OF BILL

Senate File 71, by Murphy, a bill for an act relating to interest applied to unpaid state income tax obligations.

Read first time under Rule 28 and **passed on file.**

AMENDMENTS FILED

S-3006	S.F.	34	Berl E. Priebe
S-3007	S.C.R.	2	House amendment
S-3008	S.F.	48	Elaine Szymoniak

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 2:20 p.m., until 1:30 p.m., Monday, January 28, 1991.

JOURNAL OF THE SENATE

FIFTEENTH CALENDAR DAY
TENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 28, 1991

The Senate met in regular session at 1:37 p.m., President Welsh presiding.

Prayer was offered by the Honorable H. Kay Hedge, member of the Senate from Mahaska County, Fremont, Iowa.

The Journal of Thursday, January 24, 1991, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Nystrom for the afternoon on request of Senator Lind and Senator Hagerla for a portion of the afternoon on request of Senator Vande Hoef.

INTRODUCTION OF BILLS

Senate File 72, by Welsh, a bill for an act relating to the construction, reconstruction, and plugging of water wells, making penalties applicable, and providing effective dates.

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

Senate File 73, by Tinsman, Kersten, Drake, Connolly, and Fraise, a bill for an act relating to drivers license reciprocity for minors.

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

Senate File 74, by Connolly, a bill for an act relating to the funds which may be set aside for debt retirement, capital improvements, and certain other purposes by pari-mutuel nonprofit corporation licensees.

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

Senate Resolution 2, by Tinsman, Deluhery, and Rife, a resolution recommending the issuance of a commemorative stamp for the 100th anniversary of the chiropractic profession.

Read first time and passed on file.

QUORUM CALL

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

The vote revealed 41 present, 9 absent and a quorum present.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 34

On motion of Senator Vande Hoef, Senate File 34, a bill for an act relating to the sale, offer for sale, or distribution of purple loosestrife, with report of committee recommending passage, was taken up for consideration.

Senator Priebe offered amendment S—3006 filed by him on January 24, 1991, to page 1 of the bill and moved its adoption.

Amendment S—3006 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. 34) the vote was:

Ayes, 46:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Fraise
Fuhrman	Gettings	Gronstal	Hannon
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kersten	Kibbie
Kinley	Kramer	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Running	Slife	Sturgeon	Szymoniak

Taylor
Varn

Tieden
Welsh

Tinsman

Vande Hoef

Nays, none:

Absent or not voting, 4:

Drake

Hagerla

Nystrom

Soorholtz

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

Senate File 56

On motion of Senator Peterson, Senate File 56, a bill for an act requiring reporting of county aid by societies organized to administer local fairs, was taken up for consideration.

President pro-tempore Lloyd-Jones took the chair at 2:06 p.m.

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

On the question "Shall the bill pass?" (S.F. 56) the vote was:

Ayes, 48:

Borlaug
Deluhery
Fraise
Hagerla
Horn
Kersten
Lind
Murphy
Priebe
Rittmer
Sturgeon
Tinsman

Boswell
Dieleman
Fuhrman
Hannon
Husak
Kibbie
Lloyd-Jones
Palmer
Rensink
Rosenberg
Szymoniak
Vande Hoef

Buhr
Doyle
Gettings
Hedge
Hutchins
Kinley
McLaren
Pate
Rife
Running
Taylor
Varn

Connolly
Drake
Gronstal
Hester
Jensen
Kramer
Miller
Peterson
Riordan
Slife
Tieden
Welsh

Nays, none:

Absent or not voting, 2:

Nystrom

Soorholtz

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

Senate File 53

On motion of Senator Priebe, Senate File 53, a bill for an act relating to certificates required for moving swine, and creating penalties, 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. 53) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

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 Concurrent Resolution 2

Senator Hutchins called up for consideration, Senate Concurrent Resolution 2, a concurrent resolution relating to joint rules of the senate and house for the seventy-fourth general assembly, amended by the House, and moved that the Senate concur in House amendment S—3007 filed January 24, 1991.

The motion lost by a voice vote and the Senate **refused to concur** in the House amendment.

RECESS

On motion of Senator Hutchins, the Senate recessed at 2:23 p.m., until 4:30 p.m.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION**

Convened: January 24, 1991, 9:55 a.m.

Members Present: Peterson, Chair; Pate, Ranking Member; Slife and Welsh.

Members Absent: Dieleman, Vice Chair (excused).

Committee Business: Presentations by the Department of Personnel and General Services.

Adjourned: 11:59 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: January 24, 1991, 9:55 a.m.

Members Present: Husak, Chair; Priebe, Vice Chair; McLaren, Ranking Member; Hester and Kibbie.

Members Absent: none.

Committee Business: Presentation by the Five Island Lake Committee.

Adjourned: 11:02 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 24, 1991, 9:53 a.m.

Members Present: Riordan, Chair; Kramer, Ranking Member; Borlaug and Lloyd-Jones.

Members Absent: Boswell, Vice Chair (excused).

Committee Business: Presentations by Wallace Technology Foundation and Institute for Decision Making, University of Northern Iowa.

Adjourned: 11:47 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 24, 1991, 9:57 a.m.

Members Present: Buhr, Chair; Miller, Vice Chair; Tinsman, Ranking Member; Hannon and Rittner.

Members Absent: none.

Committee Business: Discussion of performance-based and zero-based budgeting procedures.

Adjourned: 10:58 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 24, 1991, 9:43 a.m.

Members Present: Szymoniak, Chair; Deluhery, Vice Chair; Hagerla, Ranking Member; Fuhrman and Sturgeon

Members Absent: none.

Committee Business: Overview of child care; continued discussion of court ordered evaluation and treatment (juvenile justice).

Adjourned: 11:44 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 24, 1991, 9:50 a.m.

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

Members Absent: Rosenberg (excused).

Committee Business: Budget presentation by the Judicial Department.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: January 24, 1991, 9:52 a.m.

Members Present: Rensink, Ranking Member; Hedge and Kinley.

Members Absent: Running, Chair and Palmer, Vice Chair (both excused).

Committee Business: LFB defined governor's proposal of reverting trust fund monies to the general fund; budget presentation by the Department of Commerce.

Adjourned: 11:21 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: January 24, 1991, 9:45 a.m.

Members Present: Gettings, Chair; Doyle, Vice Chair; Kersten, Ranking Member; and Connolly.

Members Absent: Jensen (excused).

Committee Business: Budget presentations by the ILEA and DPD.

Adjourned: 11:35 a.m.

JUDICIARY

Convened: January 24, 1991, 1:38 p.m.

Members Present: Sturgeon, Chair; Rosenberg, Vice Chair; Fuhrman, Ranking Member; Connolly, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Peterson, Slife and Varn.

Members Absent: Pate.

Committee Business: Assigned bills to subcommittees.

Adjourned: 1:49 p.m.

ANNOUNCEMENT BY THE PRESIDENT OF THE SENATE

President Welsh announced that Senator Jack Rife had resigned his statutory appointment to the Health Data Commission and Senator Mark Hagerla had been appointed to serve the remainder of the term.

STUDY BILLS RECEIVED

SSB 55 Judiciary

Relating to probate code provisions with respect to testamentary

trusts, investments by fiduciaries, conservatorships, and the distribution of decedents' property by affidavit.

SSB 56 State Government

Relating to the minutes required to be maintained by governmental bodies.

SSB 57 State Government

Requiring licensed professional and occupational disciplinary hearings to be open to the public except as provided in law for official meetings open to the public.

SSB 58 State Government

Relating to the regulation of certain establishments licensed to serve the public.

SSB 59 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 deduction, providing certain prohibitions, providing that the candidate for lieutenant governor is not considered a separate candidate for campaign finance purposes, providing penalties, and providing effective and applicability dates.

SSB 60 State Government

Relating to the posting of signs by certain persons to warn of the effect of alcohol on pregnant women and making a penalty applicable.

SSB 61 State Government

Requiring that certain settlements of claims involving governmental bodies be filed with the governmental bodies as public records.

SSB 62 State Government

Allowing certain elections to be conducted by mail ballots, providing penalties, and providing for the prospective repeal of the Act.

SSB 63 State Government

Relating to the administration of and programs administered by the department of agriculture and land stewardship and establishing certain fees.

SSB 64 Business & Labor Relations

Relating to unemployment insurance tax liability for employee leasing companies and the administration of a voluntary shared work unemployment compensation program administered by the department of employment services.

SSB 65 Business & Labor Relations

Relating to boxing and wrestling laws administered by the athletic commissioner.

SSB 66 Business & Labor Relations

Relating to the administration of the employment security law by the division of job service of the department of employment services.

SSB 67 Business & Labor Relations

Relating to the collateral effect of job service division determinations regarding claims for unemployment benefits.

SSB 68 Business & Labor Relations

Allowing an employer to conduct random drug testing of employees in sensitive positions.

SUBCOMMITTEE ASSIGNMENTS

**Senate File 2
(Reassigned)**

JUDICIARY: Rosenberg, Chair; Connolly and Slife

**Senate File 13
(Reassigned)**

JUDICIARY: Rosenberg, Chair; Peterson and Slife

**Senate File 18
(Reassigned)**

JUDICIARY: Murphy, Chair; Connolly and Slife

Senate File 48

HUMAN RESOURCES: Szymoniak, Chair; Horn and Taylor

Senate File 54

STATE GOVERNMENT: Gronstal, Chair; Priebe and Soorholtz

Senate File 64

STATE GOVERNMENT: Horn, Chair; Gronstal and Kramer

SSB 50

HUMAN RESOURCES: Hannon, Chair; Riordan and Tinsman

SSB 51

HUMAN RESOURCES: Sturgeon, Chair; Hannon and Taylor

SSB 52

STATE GOVERNMENT: Soorholtz, Chair; McLaren and Priebe

SSB 53

STATE GOVERNMENT: Nystrom, Chair; Dieleman and Horn

SSB 54

STATE GOVERNMENT: Dieleman, Chair; Buhr and Kramer

SSB 55

JUDICIARY: Sturgeon, Chair; Fuhrman and Varn

SSB 56

STATE GOVERNMENT: Running, Chair; Gronstal and Lind

SSB 57

STATE GOVERNMENT: Running, Chair; Buhr and Drake

SSB 58

STATE GOVERNMENT: Doyle, Chair; Horn and Kramer

SSB 59

STATE GOVERNMENT: Gronstal, Chair; Kibbie and McLaren

SSB 60

STATE GOVERNMENT: Horn, Chair; Rife and Running

SSB 61

STATE GOVERNMENT: Running, Chair; Buhr and Kramer

SSB 62

STATE GOVERNMENT: Gronstal, Chair; Nystrom and Running

SSB 63

STATE GOVERNMENT: Priebe, Chair; Running and Vande Hoef

CERTIFICATES OF RECOGNITION

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

Heinrich Duane Lenz ("Rick"), Primghar — For attaining the coveted rank of Eagle Scout. Senator Vande Hoef (1-21-91).

Matthew Ferguson, Davenport — For attaining the coveted rank of Eagle Scout. Senator Rife (1-22-91).

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber on January 28, 1991, when the final vote was taken on Senate File 34.

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

MARK HAGERLA

BILLS ASSIGNED TO COMMITTEE

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

S. R.	2	Rules and Administration
S. F.	71	Ways and Means
S. F.	72	Environment & Energy Utilities
S. F.	73	Transportation
S. F.	74	State Government
S. F.	75	Local Government
S. F.	76	Ways and Means
S. F.	77	State Government

ANNOUNCEMENT OF SENATE APPOINTMENTS BY THE MAJORITY LEADER

January 25, 1991

***Indicates appointment mandated by statute**

IOWA LEGISLATIVE COUNCIL

(Iowa Code 2.41)

Bill Hutchins, Audubon*
 Joe Welsh, Dubuque*
 Jean Lloyd-Jones, Iowa City*
 Leonard Boswell, Davis City*
 Jack Rife, Moscow*
 Dale Tieden, Elkader*
 Don Doyle, Sioux City
 Wally Horn, Cedar Rapids
 Emil Husak, Toledo
 John Jensen, Plainfield
 Jim Lind, Waterloo
 Jack Nystrom, Boone

RECONVENED

The Senate reconvened at 4:36 p.m., President Welsh presiding.

INTRODUCTION OF BILLS

Senate File 75, by Varn, a bill for an act relating to counties, changing the term general relief to general assistance, amending county recorders' filing provisions, including parcel number designations on plats of survey, amending the procedure for late filing of homestead and military property tax credits, amending the real estate transfer tax exemption, requiring both the county auditor and treasurer to submit tax dedication documentation for participation in the resource enhancement and protection program, amending the duties of drainage district classification and reclassification commissions, and establishing constructive notice of right-of-way easements in drainage districts.

Read first time and passed on file.

Senate File 76, by Lloyd-Jones, a bill for an act raising the city transit property tax levy limit.

Read first time and passed on file.

Senate File 77, 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 78, by Kibbie, a bill for an act relating to the membership of the college student aid commission, to substitute a representative from the community colleges for the member of the state council on vocational education.

Read first time and passed on file.

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:37 p.m., until 9:00 a.m., Tuesday, January 29, 1991.

JOURNAL OF THE SENATE

SIXTEENTH CALENDAR DAY
ELEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 29, 1991

The Senate met in regular session at 9:08 a.m., President pro tempore Lloyd-Jones presiding.

Prayer was offered by the Honorable Wm. W. (Bill) Dieleman, member of the Senate from Marion County, Pella, Iowa.

The Journal of Monday, January 28, 1991, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Murphy for the day on request of Senator Hutchins.

INTRODUCTION OF BILLS

Senate File 79, by Rittmer, a bill for an act relating to the definition of vacancy in office for elected county officers.

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

Senate File 80, by Gronstal, a bill for an act relating to liability of municipalities for torts on municipal extensions of primary roads.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:14 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

STATE GOVERNMENT

Convened: January 28, 1991, 2:35 p.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Buhr, Dieleman, Doyle, Horn, Lind, McLaren, Rife, Running and Welsh.

Members Absent: Nystrom, Ranking Member (excused); Drake, Gronstal, Kramer, Murphy, Priebe, Soorholtz (excused) and Vande Hoef.

Committee Business: Assigned bills to subcommittees.

Adjourned: 2:50 p.m.

TRANSPORTATION

Convened: January 28, 1991, 3:35 p.m.

Members Present: Fraise, Chair; Connolly, Vice Chair; Drake, Ranking Member; Dieleman, Gettings, Jensen, Kersten, Kinley, Lloyd-Jones, Pate and Welsh.

Members Absent: Nystrom (excused).

Committee Business: Assigned bills to subcommittees; general discussion.

Adjourned: 3:55 p.m.

STUDY BILLS RECEIVED

SSB 69 Agriculture

Relating to agricultural land held by corporations, limited partnerships, and trusts, and providing penalties.

SSB 70 Agriculture

Relating to alternative fuels, by establishing a center for ethanol fuel, requiring state agencies to purchase vehicles which operate on ethanol fuel, providing for the formation of a compact between states, and continuing the excise tax exemption for gasohol.

SSB 71 Local Government

To create an advisory commission on intergovernmental relations, specify its membership, and enumerate its powers and duties.

SSB 72 Ways & Means

Relating to the limitation period for filing for an Iowa income tax credit or refund.

SSB 73 Human Resources

Relating to child abuse.

SSB 74 Human Resources

Relating to the Iowa pharmacy practice Act.

SSB 75 Human Resources

Relating to child in need of assistance proceedings and certain child abuse registry information.

SSB 76 Human Resources

Relating to the medical assistance program.

SSB 77 Commerce

Relating to the deposit insurance required of certain financial institutions by elimination the authority of those institutions to secure private insurance to satisfy this requirement.

SSB 78 Judiciary

Relating to establishing a durable power of attorney authorized to make health care decisions.

SSB 79 Judiciary

Relating to authorizing a spouse to execute a power of attorney instrument sufficient to relinquish homestead rights and inchoate surviving spouse's statutory share in the homestead.

SSB 80 Judiciary

Relating to the protection of trade secrets and providing an effective date.

SSB 81 Judiciary

Establishing the Iowa uniform premarital agreement Act.

SSB 82 Judiciary

Relating to corporation law by providing electronic access to corporate records, relating to the removal or resignation of directors, relating to certain notice requirements, and by making certain nonsubstantive corrections.

SSB 83 Judiciary

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.

SSB 84 Judiciary

Increasing the penalty for interference with official acts.

SSB 85 Judiciary

Relating to operating a motor vehicle while under the influence by eliminating the restitution limit.

SSB 86 Judiciary

Relating to vehicle roadblocks conducted to enforce compliance with prohibitions against operating while under the influence of alcohol or a drug.

SSB 87 Judiciary

Relating to property subject to seizure and forfeiture.

SSB 88 Judiciary

Prohibiting the entry of deferred judgments and sentences and suspended sentences for controlled substance offenders.

SSB 89 Judiciary

Relating to operation of a motor vehicle while under the influence of alcohol or a drug, providing for minimum hours of community service for certain offenders, and minimum periods of license revocation with earlier effective dates.

SSB 90 Judiciary

Relating to certain tort actions by limiting the maximum liability for noneconomic damages and by modifying the statute of limitations for certain malpractice actions.

SSB 91 Judiciary

Relating to possession of a device for stimulating or depressing a horse or dog during a race, distribution of controlled substances, and arson, and providing for or increasing penalties.

SSB 92 Judiciary

Relating to the circumstances under which a person who acquired ownership of a pistol or revolver is not required to obtain an annual permit.

SSB 93 Judiciary

Relating to allowing persons indirectly injured by antitrust violations to sue for redress.

SSB 94 Judiciary

Relating to the taxation of attorney fees in prison disciplinary cases.

SSB 95 Judiciary

Establishing the crime of fourth degree sexual abuse by public employees, and providing a penalty.

SSB 96 Judiciary

Relating to the Iowa civil rights Act by expanding the definition of public accommodation.

SSB 97 Judiciary

Providing investigators of the board of nursing and board of dental examiners with the powers of peace officers.

SSB 98 Judiciary

To delete the requirement for personal identifying information in the collection of domestic abuse reports.

SSB 99 Judiciary

Relating to certain statutory provisions concerning the department of corrections.

SSB 100 Judiciary

Relating to certain statutory provisions concerning the department of corrections.

SSB 101 Judiciary

Relating to crimes against the elderly and disabled persons by creating a cause of action, creating a special fund, and providing a civil penalty.

SSB 102 Judiciary

Relating to juveniles and placement of juveniles waived to adult court under the juvenile code and additional mandatory reporters of child abuse.

SSB 103 Judicial

Increasing the penalties for wanton neglect of a resident of a health care facility.

SSB 104 Education

Establishing the arts and cultural enhancement and endowment program.

SSB 105 Education

Relating to the formula used to calculate part-time student financial aid awards under the tuition grant program.

SSB 106 Education

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

SSB 107 Transportation

Relating to the removal of trees, brush, and underbrush, and other growth within the highway right-of-way.

SSB 108 Transportation

Relating to fine moneys and forfeited bail for violation of a county ordinance.

SSB 109 Transportation

Increasing penalties for interfering with a traffic control device.

SSB 110 Transportation

Relating to weight restrictions for single axle farm trailers.

SSB 111 Transportation

Making it a felony to buy, sell, exchange, give away, or possess various vehicle identification number plates, labels, stickers, or rivets, removing, holding, or using a manufacturers vehicle identification plate as a fraudulent practice and creating a penalty.

SSB 112 Transportation

Making technical Code changes relating to transportation.

SUBCOMMITTEE ASSIGNMENTS**Senate File 24**

ENVIRONMENT & ENERGY UTILITIES: Gronstal, Chair; Borlaug, Hannon, Hedge and Miller

Senate File 41

ENVIRONMENT & ENERGY UTILITIES: Gronstal, Chair; Borlaug, Hannon, Hedge and Miller

Senate File 46

ENVIRONMENT & ENERGY UTILITIES: Gronstal, Chair; Borlaug, Hannon, Hedge and Miller

Senate File 49

ENVIRONMENT & ENERGY UTILITIES: Gronstal, Chair; Borlaug, Hannon, Hedge and Miller

Senate File 52

ENVIRONMENT & ENERGY UTILITIES: Jensen, Chair; Deluhery and Rosenberg

Senate File 55

EDUCATION: Kibbie, Chair; Tinsman and Varn

Senate File 59

ENVIRONMENT & ENERGY UTILITIES: Varn, Chair; Hannon and Jensen

Senate File 61

EDUCATION: Horn, Chair; Connolly, Kersten, Lind and Running

Senate File 62

EDUCATION: Horn, Chair; Connolly, Kersten, Lind and Running

Senate File 63

TRANSPORTATION: Lloyd-Jones, Chair; Connolly and Drake

Senate File 66

JUDICIARY: Rosenberg, Chair; Drake and Peterson

Senate File 67

JUDICIARY: Murphy, Chair; Connolly and Hester

Senate File 68

ENVIRONMENT & ENERGY UTILITIES: Hannon, Chair; Fraise and Kersten

Senate File 69

LOCAL GOVERNMENT: Szymoniak, Chair; Borlaug and Miller

Senate File 70

LOCAL GOVERNMENT: Fraise, Chair; Boswell and Rittmer

Senate File 71

WAYS AND MEANS: Deluhery, Chair; Drake and Murphy

Senate File 73

TRANSPORTATION: Connolly, Chair; Drake and Welsh

SSB 38

ENVIRONMENT & ENERGY UTILITIES: Miller, Chair; Borlaug and Fraise

SSB 64

BUSINESS AND LABOR RELATIONS: Buhr, Chair; Peterson and Rensink

SSB 65

BUSINESS AND LABOR RELATIONS: Kinley, Chair; Slife and Sturgeon

SSB 66

BUSINESS AND LABOR RELATIONS: Sturgeon, Chair; Buhr and Taylor

SSB 67

BUSINESS AND LABOR RELATIONS: Buhr, Chair; Palmer and Rensink

SSB 68

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

SSB 69

AGRICULTURE: Doyle, Chair; Palmer and Rittmer

SSB 70

AGRICULTURE: Riordan, Chair; Hester and Peterson

SSB 71

LOCAL GOVERNMENT: Miller, Chair; Buhr and Vande Hoef

SSB 72

WAYS AND MEANS: Palmer, Chair; Connolly and McLaren

SSB 77

COMMERCE: Deluhery, Chair; Slife and Sturgeon

SSB 78

JUDICIARY: Sturgeon, Chair; Murphy and Pate

SSB 79

JUDICIARY: Varn, Chair; Hagerla and Hester

SSB 80

JUDICIARY: Slife, Chair; Connolly and Deluhery

SSB 81

JUDICIARY: Sturgeon, Chair; Rosenberg and Slife

SSB 82

JUDICIARY: Varn, Chair; Peterson and Slife

SSB 83

JUDICIARY: Connolly, Chair; Drake and Fuhrman

SSB 84

JUDICIARY: Varn, Chair; Peterson and Slife

SSB 85

JUDICIARY: Sturgeon, Chair; Connolly and Fuhrman

SSB 86

JUDICIARY: Rosenberg, Chair; Hagerla and Murphy

SSB 87

JUDICIARY: Sturgeon, Chair; Murphy and Slife

SSB 88

JUDICIARY: Rosenberg, Chair; Pate and Slife

SSB 89

JUDICIARY: Gronstal, Chair; Drake and Hester

SSB 90

JUDICIARY: Varn, Chair; Drake and Slife

SSB 91

JUDICIARY: Deluhery, Chair; Hagerla and Slife

SSB 92

JUDICIARY: Hester, Chair; Drake and Gronstal

SSB 93

JUDICIARY: Sturgeon, Chair; Pate and Slife

SSB 94

JUDICIARY: Gronstal, Chair; Fuhrman and Hester

SSB 95

JUDICIARY: Gronstal, Chair; Deluhery and Hagerla

SSB 96

JUDICIARY: Slife, Chair; Peterson and Varn

SSB 97

JUDICIARY: Murphy, Chair; Hagerla and Horn

SSB 98

JUDICIARY: Peterson, Chair; Horn and Slife

SSB 99

JUDICIARY: Fuhrman, Chair; Hester and Horn

SSB 100

JUDICIARY: Murphy, Chair; Fuhrman and Horn

SSB 101

JUDICIARY: Sturgeon, Chair; Gronstal and Pate

SSB 102

JUDICIARY: Sturgeon, Chair; Fuhrman and Rosenberg

SSB 103

JUDICIARY: Deluhery, Chair; Hester and Peterson

SSB 104

EDUCATION: Connolly, Chair; Lind and Varn

SSB 105

EDUCATION: Horn, Chair; Connolly and Rensink

SSB 106

EDUCATION: Horn, Chair; Connolly and Rensink

SSB 107

TRANSPORTATION: Lloyd-Jones, Chair; Kersten and Kinley

SSB 108

TRANSPORTATION: Fraise, Chair; Dieleman and Pate

SSB 109

TRANSPORTATION: Dieleman, Chair; Gettings and Nystrom

SSB 110

TRANSPORTATION: Fraise, Chair; Jensen and Welsh

SSB 111

TRANSPORTATION: Kinley, Chair; Fraise and Kersten

SSB 112

TRANSPORTATION: Dieleman, Chair; Drake and Welsh

AFTERNOON SESSION

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

INTRODUCTION OF BILLS

Senate File 81, by Tinsman, Dieleman, Hester, Hagerla, and Lloyd-Jones, a bill for an act relating to safety procedures required for water skiers and surfboarders and subjecting violators to an existing penalty.

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

Senate File 82, by Priebe, a bill for an act relating to the deposit of certain funds relating to the commercial cleaning of private sewage disposal facilities in the general fund of a county.

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

Senate File 83, by committee on Ways and Means, a bill for an act relating to the updating of the references to the federal Internal Revenue Code, adopting revisions in the research activities credit and the earned income credit, and providing applicability and effective dates.

Read first time and **placed on Ways & Means Calendar**.

Senate File 84, by Rosenberg, a bill for an act relating to the purchase of recycled paper by state agencies.

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

QUORUM CALL

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

The vote revealed 39 present, 11 absent and a quorum present.

APPENDIX**COMMITTEE REPORTS****WAYS AND MEANS**

Final Bill Action: SENATE FILE 33, a bill for an act amending the pesticide Act of Iowa, by providing requirements for pesticide dealers, providing registration requirements, and providing for fees.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3009.

Final Vote: Ayes, 12: Dieleman, Husak, Hedge, Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Rosenberg and Taylor. Nays, none. Absent or not voting, 3: Murphy, Palmer and Szymoniak.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 83 (SSB 10), a bill for an act relating to the updating of the references to the federal Internal Revenue Code, adopting revisions in the research activities credit and the earned income credit, and providing applicability and effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Dieleman, Husak, Hedge, Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Rosenberg and Szymoniak. Nays, none. Absent or not voting, 3: Murphy, Palmer and Taylor.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

AMENDMENT FILED

S—3009

S.F.

33

Ways and Means

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:40 p.m., until 9:00 a.m., Wednesday, January 30, 1991.

JOURNAL OF THE SENATE

SEVENTEENTH CALENDAR DAY
TWELFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 30, 1991

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

Prayer was offered by the Reverend Jim Hanke, pastor of the United Methodist Church, Manchester, Iowa.

The Journal of Tuesday, January 29, 1991, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on January 28, 1991, passed the following bills in which the concurrence of the Senate is asked:

House File 4, a bill for an act relating to permissible use of moneys appropriated by the county boards of supervisors for the benefit of honorably discharged, indigent veterans of wars.

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

House File 39, a bill for an act relating to fees charged by the county recorder and exempting the county from the payment of fees.

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

INTRODUCTION OF BILL

Senate File 85, by Taylor, a bill for an act relating to the exemption of certain church-related instructional programs from the definition of child day care.

Read first time and passed on file.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:20 a.m., until 4:30 p.m.

APPENDIX**STUDY BILLS RECEIVED****SSB 113 Commerce**

Relating to the repeal of chapter 536B, and the restrictions on investments made by, and debt instruments offered for sale by, and industrial loan company.

SSB 114 Commerce

Relating to banking law by limiting the aggregate amount of cash value life insurance a state bank may purchase, amending the date by which the superintendent must file an annual report, and suspending certain laws.

SSB 115 Commerce

Relating to public utility reorganizations.

SSB 116 Natural Resources

Relating to the operation of a watercraft by a person who is intoxicated, including implied consent for chemical testing, and providing penalties.

SSB 117 Education

Relating to area education agencies and providing effective dates.

REPORTS OF COMMITTEE MEETINGS**APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT**

Convened: January 29, 1991, 9:35 a.m.

Members Present: Riordan, Chair; Boswell, Vice Chair; Kramer, Ranking Member; Borlaug and Lloyd-Jones.

Members Absent: none.

Committee Business: Presentation by the Department of Economic Development on rural economic development.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 29, 1991, 9:35 a.m.

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

Members Absent: Murphy (excused).

Committee Business: Discussed proposed FY 1991 budget deappropriations.

Adjourned: 10:16 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 29, 1991, 9:37 a.m.

Members Present: Szymoniak, Chair; Deluhery, Vice Chair; Hagerla, Ranking Member; Fuhrman and Sturgeon.

Members Absent: none.

Committee Business: General overview of proposed deappropriations and presentation by the Department of Human Services regarding the governor's recommendations.

Adjourned: 11:28 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: January 29, 1991, 9:37 a.m.

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

Members Absent: Kinley.

Committee Business: Presentation by the DES.

Adjourned: 11:59 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: January 29, 1991, 9:35 a.m.

Members Present: Gettings, Chair; Doyle, Vice Chair; Kersten, Ranking Member; Connolly and Jensen.

Members Absent: none.

Committee Business: Identification of sub-subcommittee issues; review of FY 1990 and first six months of FY 1991 departmental expenditures.

Adjourned: 10:45 a.m.

AGRICULTURE

Convened: January 29, 1991, 7:55 a.m.

Members Present: Priebe, Chair; Peterson, Vice Chair; Soorholtz, Ranking Member; Boswell, Doyle, Fraise, Hedge, Hester, Husak, McLaren, Miller, Riordan, Rittmer and Vande Hoef.

Members Absent: Palmer.

Committee Business: Presentation by Bob Furleigh on the 1990 farm act and revenue; amended and deferred action on SSB 31; assigned bills to subcommittees.

Adjourned: 9:00 a.m.

BUSINESS AND LABOR RELATIONS

Convened: January 29, 1991, 1:30 p.m.

Members Present: Running, Chair; Sturgeon, Vice Chair; Fuhrman, Ranking Member; Buhr, Kinley, Palmer, Peterson, Rensink, Slife and Taylor.

Members Absent: none.

Committee Business: Assigned bills to subcommittees.

Adjourned: 1:37 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: January 29, 1991, 1:35 p.m.

Members Present: Rosenburg, Chair; Gronstal, Vice Chair; Jensen, Ranking Member; Borlaug, Deluhery, Fraise, Hannon, Hedge, Kersten, Miller, Soorholtz and Varn.

Members Absent: none.

Committee Business: Assigned bills to subcommittees and presentations by DNR officials.

Adjourned: 2:22 p.m.

HUMAN RESOURCES

Convened: January 28, 1991, 3:38 p.m.

Members Present: Hannon, Chair; Buhr, Vice Chair; Hagerla, Ranking Member; Horn, Kramer, Murphy, Riordan, Rittmer, Sturgeon, Taylor and Tinsman.

Members Absent: Szymoniak (excused).

Committee Business: Assigned bills to subcommittees; deferred action on Senate File 42.

Adjourned: 4:10 p.m.

JUDICIARY

Convened: January 29, 1991, 3:38 p.m.

Members Present: Sturgeon, Chair; Rosenberg, Vice Chair; Fuhrman, Ranking Member; Deluhery, Drake, Gronstal, Hagerla, Hester, Pate, Peterson and Slife.

Members Absent: Connolly, Horn, Murphy (excused) and Varn.

Committee Business: Assigned bills to subcommittees.

Adjourned: 3:44 p.m.

WAYS AND MEANS

Convened: January 29, 1991, 2:35 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hedge, Ranking Member; Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Rosenberg, Szymoniak and Taylor.

Members Absent: Murphy (excused) and Palmer.

Committee Business: Assigned bills to subcommittees; approved SSB 10 as a committee bill; recommended passage of Senate File 33 as amended.

Adjourned: 2:40 p.m.

BILLS ASSIGNED TO COMMITTEE

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

S.F.	78	Education
S.F.	79	Local Government
S.F.	80	Local Government
S.F.	81	Natural Resources
S.F.	82	Appropriations
S.F.	84	State Government

SUBCOMMITTEE ASSIGNMENTS

Senate File 65

COMMERCE: Varn, Chair; Deluhery and Tieden

SSB 83 (Reassigned)

JUDICIARY: Connolly, Chair; Fuhrman and Rosenberg

SSB 113

COMMERCE: Gettings, Chair; Deluhery and Slife

SSB 114

COMMERCE: Palmer, Chair; Deluhery and Lind

SSB 115

COMMERCE: Deluhery, Chair; Kersten and Palmer

AFTERNOON SESSION

The Senate reconvened at 4:31 p.m., President Welsh presiding.

INTRODUCTION OF BILLS

Senate File 86, by Taylor, a bill for an act establishing the crime of assault against a peace officer and providing a penalty.

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

Senate File 87, by committee on Commerce, a bill for an act relating to the deposit insurance required of certain financial institutions by eliminating the authority of those institutions to secure private insurance to satisfy this requirement.

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

Senate File 88, by Priebe and Soorholtz, a bill for an act relating to testing and cleanup of petroleum underground storage tank releases.

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

APPENDIX**ANNOUNCEMENT OF STATUTORY APPOINTMENTS
BY THE SENATE MAJORITY AND MINORITY LEADERS****LEGISLATIVE COUNCIL COMMITTEES**

(Code Section 2.45)

FISCAL COMMITTEE

Leonard L. Boswell
William W. (Bill) Dieleman
Joe J. Welsh
H. Kay Hedge
Dale L. Tieden

CAPITAL PROJECTS

Leonard L. Boswell
Richard Varn
Emil J. Husak
Dale L. Tieden
Jack Rife

PERMANENT PENSIONS COMMITTEE

(Code 97D.4)

Jack Kibbie
William W. (Bill) Dieleman
Larry Murphy
Richard Drake
Jack Nystrom

COMMITTEE REPORTS**COMMERCE**

Final Bill Action: SENATE FILE 87 (SSB 77), a bill for an act relating to the deposit insurance required of certain financial institutions by eliminating the authority of those institutions to secure private insurance to satisfy this requirement.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Deluhery, Kinley, Slife, Gettings, Gronstal, Jensen, Kersten, Lind, Nystrom, Palmer, Sturgeon and Tieden. Nays, 2: Doyle and Priebe. Absent or not voting, 1: Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 6, a bill for an act relating to permissible use of moneys appropriated by the county boards of supervisors for the benefit of honorably discharged, indigent veterans of wars.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Miller, Szymoniak, Rittmer, Borlaug, Boswell, Buhr, Fraise, Hannon, Jensen and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 89 (SSB 15), a bill for an act relating to requiring county recorders to submit monthly reports of trade name statements or certificates of change filed during the preceding month.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Miller, Szymoniak, Rittmer, Borlaug, Boswell, Buhr, Fraise, Hannon, Jensen and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 91 (SSB 44), a bill for an act relating to minimum qualifications for the office of county sheriff and providing filing deadlines.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Miller, Szymoniak, Rittmer, Borlaug, Boswell, Buhr, Fraise, Hannon, Jensen and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 92 (SSB 71), a bill for an act to create an advisory commission on intergovernmental relations, specify its membership, and enumerate its powers and duties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Miller, Szymoniak, Rittmer, Borlaug, Boswell, Buhr, Fraise, Hannon, Jensen and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 93 (SSB 14), a bill for an act relating to transfer of title by affidavit of the surviving spouse.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Miller, Szymoniak, Rittmer, Borlaug, Boswell, Buhr, Fraise, Hannon, Jensen and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: SENATE FILE 90, a bill for an act making nonsubstantive changes in the Iowa small business new jobs training Act.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Riordan, Hannon, Borlaug, Boswell, Kibbie, Miller, Pate, Peterson, Rittmer, Running and Vande Hoef. Nays, none. Absent or not voting, 1: Kramer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 89, by committee on Local Government, a bill for an act relating to requiring county recorders to submit monthly reports of trade name statements or certificates of change filed during the preceding month.

Read first time under Rule 28 and placed on calendar.

Senate File 90, by committee on Small Business and Economic Development, a bill for an act making nonsubstantive changes in the Iowa small business new jobs training Act.

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

Senate File 91, by committee on Local Government, a bill for an act relating to minimum qualifications for the office of county sheriff and providing filing deadlines.

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

Senate File 92, by committee on Local Government, a bill for an act to create an advisory commission on intergovernmental relations, specify its membership, and enumerate its powers and duties.

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

Senate File 93, by committee on Local Government, a bill for an act relating to transfer of title by affidavit of the surviving spouse.

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

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:33 p.m., until 9:00 a.m., Thursday, January 31, 1991.

JOURNAL OF THE SENATE

EIGHTEENTH CALENDAR DAY
THIRTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 31, 1991

The Senate met in regular session at 9:27 a.m., President Welsh presiding.

Prayer was offered by the Honorable Richard Vande Hoef, member of the Senate from Osceola County, Harris, Iowa.

The Journal of Wednesday, January 30, 1991, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Szymoniak for the day on request of Senator Hutchins.

INTRODUCTION OF BILLS

Senate File 94, by Kinley, a bill for an act requiring the labeling of fresh meat, and making a penalty applicable.

Read first time and passed on file.

Senate File 95, by Lind, a bill for an act to conform the state minimum wage law regarding tips to federal law.

Read first time and passed on file.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:31 a.m., until 3:30 p.m.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S.F.	85	Human Resources
S.F.	86	Judiciary
H.F.	39	Local Government

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: January 30, 1991, 10:20 a.m.

Members Present: Peterson, Chair; Dieleman, Vice Chair; Pate, Ranking Member; Slife and Welsh.

Members Absent: none.

Committee Business: Reviewed alternative ADM-Sub budget and ordered a revised budget be drafted by LFB.

Adjourned: 12:04 p.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: January 30, 1991, 10:25 a.m.

Members Present: Husak, Chair; Priebe, Vice Chair; McLaren, Ranking Member; Hester and Kibbie.

Members Absent: none.

Committee Business: Decisions on FY 1991 deappropriations.

Adjourned: 11:42 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 30, 1991, 10:23 a.m.

Members Present: Riordan, Chair; Kramer, Ranking Member; Borlaug and Lloyd-Jones.

Members Absent: Boswell, Vice Chair (excused).

Committee Business: Presentation on small business incubators; a new deappropriations spreadsheet was distributed with a projected concensus to be reached at next meeting.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 30, 1991, 10:29 a.m.

Members Present: Buhr, Chair; Miller, Vice Chair; Tinsman, Ranking Member; Hannon and Rittmer.

Members Absent: none.

Committee Business: 1992 budget presentation by the Department of Public Health.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: January 30, 1991, 10:25 a.m.

Members Present: Running, Chair; Rensink, Ranking Member; Hedge and Kinley.

Members Absent: Palmer, Vice Chair.

Committee Business: Presentation by LFB on possible FY '91 budget adjustments.

Adjournment: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: January 30, 1991, 10:20 a.m.

Members Present: Gettings, Chair; Doyle, Vice Chair; Kersten, Ranking Member and Connolly.

Members Absent: Jensen.

Committee Business: Discussed FY 1991 deappropriations.

Adjourned: 10:45 a.m.

COMMERCE

Convened: January 30, 1991, 1:30 p.m.

Members Present: Deluhery, Chair; Kinley, Vice Chair; Slife, Ranking Member; Doyle, Gettings, Gronstal, Jensen, Kersten, Lind, Nystrom, Palmer, Priebe, Sturgeon, Tieden and Varn.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved SSB 77 as a committee bill; presentation by David Lyons, Commissioner of Insurance.

Adjourned: 2:25 p.m.

EDUCATION

Convened: January 30, 1991, 3:35 p.m.

Members Present: Connolly, Chair; Horn, Vice Chair; Taylor, Ranking Member; Deluhery, Dieleman, Kibbie, Kramer, Lind, Murphy, Rensink, Running, Szymoniak, Tieden, Tinsman and Varn.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; presentation by the Department of Education.

Adjourned: 4:30 p.m.

ETHICS

Convened: January 30, 1991, 3:33 p.m.

Members Present: Senators Lloyd-Jones, Chair; Gettings, Vice Chair; Drake, Ranking Member; Hedge and Husak; Citizen members DeKoster and Knutson.

Members Absent: none.

Committee Business: Approved LSBs 1826 and 1827 as committee resolutions.

Adjourned: 4:20 p.m.

LOCAL GOVERNMENT

Convened: January 30, 1991, 2:38 p.m.

Members Present: Miller, Chair; Szymoniak, Vice Chair; Rittmer, Ranking Member; Borlaug, Boswell, Buhr, Fraise, Hannon, Jensen and Vande Hoef.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 6; approved SSBs 15, 71, 44 and 14 as committee bills.

Adjourned: 3:06 p.m.

NATURAL RESOURCES

Convened: January 30, 1991, 2:30 p.m.

Members Present: Palmer, Chair; Kibbie, Vice Chair; Hester, Ranking Member; Dieleman, Hagerla, Hedge, Priebe, Rensink, Riordan, Rosenberg, Sturgeon and Tieden.

Members Absent: none.

Committee Business: Amended SSB 7 and ordered redrafted for final approval as a committee bill; assigned bills to subcommittees; budget presentation by the Natural Resources Commission.

Adjourned: 3:25 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: January 30, 1991, 1:35 p.m.

Members Present: Riordan, Chair; Hannon, Vice Chair; Borlaug, Ranking Member; Boswell, Kibbie, Miller, Pate, Peterson, Rittmer, Running and Vande Hoef.

Members Absent: Kramer (excused).

Committee Business: Presentation by the Wallace Technology Transfer Foundation; approved LSB 1298 as a committee bill.

Adjourned: 2:34 p.m.

STUDY BILLS RECEIVED**SSB 118 State Government**

Relating to the membership on community-based correctional program project advisory committees.

SSB 119 State Government

Relating to the payment of pension benefits under the chapter 410 retirement system, to surviving spouses who remarry.

SSB 120 State Government

Relating to peer review of certain certified public accountants, and providing an effective date.

SSB 121 State Government

Relating to the organizational structure of the Wallace technology transfer foundation and the Iowa product development corporation.

SSB 122 State Government

Relating to the installation of smoke detectors in certain tenant dwelling units, multiple-unit residential buildings, and single family residences.

SSB 123 State Government

Relating to the adoption of rules providing for the administering of a deferred compensation program for state employees by the department of personnel.

SSB 124 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 125 State Government

Relating to research, review, and evaluation with respect to certain health-related legislative proposals, providing for contracting arrangements and a structure for organization and coordination, imposing fees, providing for the appropriation of funds, and providing other properly related matters.

SSB 126 State Government

Relating to arrests by peace officers employed on excursion gambling boats, and providing an effective date.

SSB 127 State Government

Relating to the presence of certain persons under the age of twenty-one years on excursion gambling boats, and providing an effective date.

SSB 128 Education

Relating to school instruction and attendance of children of compulsory school attendance age.

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

MR. PRESIDENT: Pursuant to Senate Concurrent Resolution 1, the committee on Rules and Administration submits the following changes:

Assistant Journal Editor

Teri Souer

Step 1 to Step 2
effective 1-18-91

Executive Sec'y to Leader

Marcella Jolly

Step 3 to Step 4
effective 2-15-91

BILL HUTCHINS, Chair

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: SENATE FILE 42, a bill for an act relating to the authority of physician assistants to prescribe and supply prescription drugs and controlled substances.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Hannon, Buhr, Horn, Kramer, Murphy, Riordan, Rittmer, Sturgeon and Taylor. Nays, 2: Hagerla and Tinsman. Absent or not voting, 1: Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 97 (SSB 109), a bill for an act increasing penalties for interfering with a traffic control device.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Fraise, Connolly, Drake, Dieleman, Kersten, Nystrom and Pate. Nays, none. Absent or not voting, 5: Gettings, Jensen, Kinley, Lloyd-Jones and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS

Senate Resolution 2

RULES AND ADMINISTRATION: Welsh, Chair; Soorholtz and Husak

Senate Joint Resolution 3

STATE GOVERNMENT: Kibbie, Chair; Horn and Soorholtz

Senate File 60

NATURAL RESOURCES: Palmer, Chair; Hagerla and Rosenberg

Senate File 61 (Reassigned)

EDUCATION: Horn, Chair; Connolly and Lind

Senate File 62 (Reassigned)

EDUCATION: Horn, Chair; Connolly and Lind

Senate File 74

STATE GOVERNMENT: Horn, Chair; Gronstal and Kramer

Senate File 77

STATE GOVERNMENT: Doyle, Chair; Drake and Priebe

Senate File 78

EDUCATION: Kibbie, Chair; Deluhery and Kramer

Senate File 84

STATE GOVERNMENT: Murphy, Chair; Priebe and Vande Hoef

SSB 73

HUMAN RESOURCES: Sturgeon, Chair; Buhr and Hagerla

SSB 74

HUMAN RESOURCES: Rittmer, Chair; Buhr and Hannon

SSB 75

HUMAN RESOURCES: Tinsman, Chair; Buhr and Murphy

SSB 76

HUMAN RESOURCES: Szymoniak, Chair; Hagerla and Sturgeon

SSB 90

(Reassigned)

JUDICIARY: Varn, Chair; Rosenberg and Slife

SSB 116

NATURAL RESOURCES: Palmer, Chair; Hagerla and Rosenberg

SSB 117

EDUCATION: Murphy, Chair; Connolly, Taylor, Tinsman and Varn

SSB 118

STATE GOVERNMENT: Horn, Chair; Gronstal and Nystrom

SSB 119

STATE GOVERNMENT: Nystrom, Chair; Dieleman and Horn

SSB 120

STATE GOVERNMENT: Vande Hoef, Chair; Doyle and Murphy

SSB 121

STATE GOVERNMENT: Kibbie, Chair; McLaren and Welsh

SSB 122

STATE GOVERNMENT: Lloyd-Jones, Chair; Buhr and Lind

SSB 123

STATE GOVERNMENT: Murphy, Chair; Horn and Soorholtz

SSB 124

STATE GOVERNMENT: Murphy, Chair; Horn and Lind

SSB 125

STATE GOVERNMENT: Running, Chair; Dieleman and Lind

SSB 126

STATE GOVERNMENT: Murphy, Chair; Kibbie and Nystrom

SSB 127

STATE GOVERNMENT: Drake, Chair; Kibbie and Soorholtz

SSB 128

EDUCATION: Murphy, Chair; Connolly and Tieden

AFTERNOON SESSION

The Senate reconvened at 3:30 p.m., President Welsh presiding.

INTRODUCTION OF BILLS

Senate File 96, by Doyle, a bill for an act relating to the recording of telephone conversations and providing a civil remedy.

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

Senate File 97, by committee on Transportation, a bill for an act increasing penalties for interfering with a traffic control device.

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

Senate File 98, by Kibbie, Hutchins, Priebe, Riordan, Husak, Fraise, and Hannon, 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 **passed on file**.

Senate File 99, by Jensen, a bill for an act relating to reimbursement for law enforcement officer training costs.

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

Senate File 100, by Taylor, Husak, Jensen, and Priebe, a bill for an act relating to supplementary weighting added under certain sharing agreements, including those pupils who would be added by application of the plan during the 1990-1991 school year.

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

INTRODUCTION OF RESOLUTIONS

Senate Resolution 3, by committee on Ethics, a resolution to provide the senate rules governing lobbyists.

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

Senate Resolution 4, by committee on Ethics, a resolution to provide for the Senate Code of Ethics.

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.

COMMITTEE ON MEMORIALS

Senator Hutchins moved that a committee of four members be appointed to ascertain the names of the deceased members of the Senate and that the committee be authorized to appoint committees to prepare suitable memorial resolutions.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Horn, Chair; Doyle, Hedge, and Rittmer.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Vande Hoef for the remainder of the day on request of Senator Hester.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 33

On motion of Senator Riordan, Senate File 33, a bill for an act amending the pesticide Act of Iowa, by providing requirements for pesticide dealers, providing registration requirements, and providing for fees, with report of committee on Ways and Means recommending amendment and passage, was taken up for consideration.

Senator Dieleman offered amendment S-3009 filed by the committee on Ways and Means on January 29, 1991, to pages 1, 3, 4 and the title page of the bill and moved its adoption.

Amendment S—3009 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. 33) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Varn	Welsh

Nays, none:

Voting present, 1

Tinsman

Absent or not voting, 1:

Vande Hoef

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

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Files 6, 87, 90 and 92.

Senate File 6

On motion of Senator Dieleman, Senate File 6, a bill for an act relating to permissible use of moneys appropriated by the county boards of supervisors for the benefit of honorably discharged, indigent veterans of wars, with report of committee recommending passage, was taken up for consideration.

Senator Dieleman asked and received unanimous consent that **House File 4** be substituted for **Senate File 6**.

Senator Dieleman asked and received unanimous consent that action on **House File 4** be deferred.

Senate File 87

On motion of Senator Deluhery, Senate File 87, a bill for an act relating to the deposit insurance required of certain financial institutions by eliminating the authority of those institutions to secure private insurance to satisfy this requirement, was taken up for consideration.

Senator Gettings offered amendment S—3010 filed by Senators Gettings and Deluhery from the floor to pages 1, 2 and the title page of the bill.

Senator Drake asked and received unanimous consent that action on amendment S—3010 and **Senate File 87** be deferred.

Senate File 90

On motion of Senator Riordan, Senate File 90, a bill for an act making nonsubstantive changes in the Iowa small business new jobs training Act, was taken up for consideration.

President pro tempore Lloyd-Jones took the chair at 3:54 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. 90) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife

Soorholtz
Tieden

Sturgeon
Tinsman

Szymoniak
Varn

Taylor
Welsh

Nays, none:

Absent or not voting, 2:

Palmer

Vande Hoef

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

Senate File 92

On motion of Senator Miller, Senate File 92, a bill for an act to create an advisory commission on intergovernmental relations, specify its membership, and enumerate its powers and duties, 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. 92) the vote was:

Ayes, 46:

Borlaug
Deluhery

Fraise

Hagerla

Horn

Kibbie

Lloyd-Jones

Nystrom

Priebe

Rittmer

Soorholtz

Tinsman

Boswell

Dieleman

Fuhrman

Hannon

Husak

Kinley

McLaren

Palmer

Rensink

Rosenberg

Szymoniak

Varn

Buhr

Doyle

Gettings

Hedge

Jensen

Kramer

Miller

Pate

Rife

Running

Taylor

Connolly

Drake

Gronstal

Hester

Kersten

Lind

Murphy

Peterson

Riordan

Slife

Tieden

Nays, none:

Absent or not voting, 4:

Hutchins

Sturgeon

Vande Hoef

Welsh

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 101, by Running, a bill for an act relating to the loss of pay while on military leave of absence.

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

APPENDIX**ANNOUNCEMENT OF APPOINTMENTS BY THE
SENATE MAJORITY AND MINORITY LEADERS****LEGISLATIVE COUNCIL COMMITTEES****SERVICE COMMITTEE**

(Code Section 2.45)

Joe J. Welsh
Bill Hutchins
Jack Rife**ADMINISTRATION COMMITTEE**

(Code Section 2.45)

Donald V. Doyle
Jean Lloyd-Jones
Dale L. Tieden**STUDIES COMMITTEE**Bill Hutchins
Emil J. Husak
Wally E. Horn
Jack Rife
Jim Lind**COMMITTEE REPORTS****ETHICS****Final Bill Action:** SENATE RESOLUTION 3, a resolution to provide the senate rules governing lobbyists.**Recommendation:** APPROVED COMMITTEE RESOLUTION.**Final Vote:** Ayes, 7: Lloyd-Jones, Gettings, Drake, Hedge, Husak, DeKoster (citizen member) and Knutson (citizen member). Nays, none.**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.**ALSO:****Final Bill Action:** SENATE RESOLUTION 4, a resolution to provide for the Senate Code of Ethics.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 7: Lloyd-Jones, Gettings, Drake, Hedge, Husak, DeKoster (citizen member) and Knutson (citizen member). Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

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

S.F.	88	Environment & Energy Utilities
S.F.	94	Agriculture
S.F.	95	Business & Labor Relations
S.F.	96	Judiciary
S.F.	98	Natural Resources

INTRODUCTION OF BILL

Senate File 102, by Gronstal, a bill for an act eliminating the requirement that the clerk of the district court file an annual report with the treasurer of state on certain fines, penalties, forfeitures, and recognizances.

Read first time under Rule 28 and **passed on file.**

AMENDMENT FILED

S-3010	S.F.	87	Donald Gettings Patrick J. Deluhery
--------	------	----	--

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:15 p.m., until 1:30 p.m., Monday, February 4, 1991.

JOURNAL OF THE SENATE

TWENTY-SECOND CALENDAR DAY
FOURTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 4, 1991

The Senate met in regular session at 1:33 p.m., President Welsh presiding.

Prayer was offered by the Reverend James Barge, pastor of the Westminister Presbyterian Church, Des Moines, Iowa.

The Journal of Thursday, January 31, 1991, was approved.

INTRODUCTION OF BILLS

Senate File 103, by committee on State Government, a bill for an act relating to the Iowa national guard by increasing the minimum salary for active state service and by authorizing the granting of easements by the state armory board.

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

Senate File 104, by committee on State Government, a bill for an act relating to certain administrative functions of the department of personnel.

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

Senate File 105, by Sturgeon, a bill for an act relating to violation of a domestic abuse no-contact order and assaults related to domestic abuse, and imposing a criminal penalty and mandatory minimum sentences.

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

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

The Senate resumed session, President Welsh presiding.

APPENDIX**STUDY BILLS RECEIVED****SSB 129 Human Resources**

Requiring the state registrar to provide a certified copy of a birth certificate when the certificate is registered.

SSB 130 Human Resources

Relating to the prevention of disabling conditions by establishing a prevention of disabilities policy board, an advisory council to the board, and the position of commissioner of disability prevention.

SSB 131 Human Resources

Relating to state programs and institutions serving persons with mental retardation, developmental disabilities, or mental illness.

SSB 132 Human Resources

Relating to the sale, purchase, and furnishing of cigarettes and tobacco products to certain persons and providing penalties.

SSB 133 State Government

Relating to therapeutically certified optometrists.

SSB 134 Environment & Energy Utilities

Relating to the protection of public land from discharges from concentrated commercial facilities as provided by the natural resource commission.

SSB 135 Ways & Means

Relating to providing an income tax exemption for payments received by persons providing in-home health-related care services to related individuals, and providing a retroactive applicability date.

SSB 136 Ways & Means

Extending the lower state motor fuel tax rate for motor fuel containing at least ten percent alcohol distilled from cereal grains.

SSB 137 Ways & Means

Relating to the administration of the individual income tax, by amending the requirement that each tax return include two voter registration forms; providing uniformity in the priority of the various income tax credits; specifying that the incomes covered in the government pension exclusion are considered for purposes of determining if taxpayers qualify for total exemption from tax; providing that qualification for the tuition and textbook deduction and the tuition and textbook credit is based on taxpayers' net incomes instead of their federal adjusted gross incomes; providing for revision in the computation of the child and dependent care credit and allocation of the credit between married taxpayers and nonresidents and part-year resident taxpayers; relating to the penalty for delinquent payment of fuel taxes resulting from a check given in payment but not honored because of insufficient funds; relating to access to confidential tax information by certain persons and the application of confidentiality laws of the state; relating to penalty provisions on the filing of certain tax returns and failure to submit payment of taxes as required by the rules of the director of revenue and finance; relating to the due date for income tax returns for nonprofit corporations subject to the unrelated business income tax; relating to use tax on vehicles subject to registration or only subject to the issuance of title; relating to the exemption from inheritance tax of the share of the estate passing to the surviving spouse; relating to payment of interest to taxpayers owed refunds for inheritance tax; relating to payment of refunds of the environmental protection charge; and providing effective dates.

SSB 138 Transportation

Restricting the burning of vegetation or debris within rights-of-way of public roads and providing a penalty.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: January 31, 1991, 10:00 a.m.

Members Present: Husak, Chair; Priebe, Vice Chair; McLaren, Ranking Member; Hester and Kibbie.

Members Absent: none.

Committee Business: Explanation of governor's transfer of trust funds by DOM and DORF; presentations on waste management by UNI, Indians Hills Community College and ISU.

Adjourned: 11:52 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 31, 1991, 10:04 a.m.

Members Present: Riordan, Chair; Kramer, Ranking Member; Borlaug and Lloyd-Jones.

Members Absent: Boswell, Vice Chair (excused).

Committee Business: Presentation by the Iowa Finance Authority; concensus reached on deappropriations figures for referral to the full Appropriations Committee.

Adjourned: 11:37 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 31, 1991, 10:04 a.m.

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

Members Absent: none.

Committee Business: Discussed committee recommendations to the FY 1991 deappropriations bill.

Adjourned: 10:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 31, 1991, 10:10 a.m.

Members Present: Hagerla, Ranking Member; Fuhrman and Sturgeon.

Members Absent: Szymoniak, Chair (excused) and Deluhery, Vice Chair.

Committee Business: Presentations by the DHS regarding budget recommendations for the final quarter, and by Mental Health regarding budget concerns; review by LFB of FY 1992 budget recommendations.

Adjourned: 11:28 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 31, 1991, 10:08 a.m.

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

Members Absent: none.

Committee Business: Final consideration of deappropriations.

Adjourned; 11:05 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: January 31, 1991, 10:00 a.m.

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

Members Absent: Kinley.

Committee Business: Presentations by DOM and DORF regarding governor's transfer of trust funds.

Adjourned: 11:13 a.m.

STATE GOVERNMENT

Convened: January 31, 1991, 2:35 p.m.

Members Present: Kibbie, Chair; Nystrom, Ranking Member; Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Running, Soorholtz and Welsh.

Members Absent: Lloyd-Jones, Vice Chair (excused); Rife and Vande Hoef (excused).

Committee Business: Approved SSBs 25 and 8 as committee bills; assigned bills to subcommittees.

Adjourned: 3:02 p.m.

TRANSPORTATION

Convened: January 31, 1991, 8:45 a.m.

Members Present: Fraise, Chair; Connolly, Vice Chair; Drake, Ranking Member; Dieleman, Kersten, Nystrom and Pate.

Members Absent: Gettings, Jensen, Kinley, Lloyd-Jones and Welsh (all excused).

Committee Business: Assigned bills to subcommittees; approved SSB 109 as a committee bill.

Adjourned: 8:57 a.m.

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on January 31, 1991.

Had I been present, I would have voted "aye" on Senate Files 33, 90 and 92.

RICHARD VANDE HOEF

BILLS ASSIGNED TO COMMITTEE

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

S.F.	99	Local Government
S.F.	100	Education
S.F.	101	Business and Labor Relations
S.F.	102	State Government
S.F.	105	Judiciary

SUBCOMMITTEE ASSIGNMENTS

Senate File 85

HUMAN RESOURCES: Taylor, Chair; Buhr and Hannon

SSB 129

HUMAN RESOURCES: Murphy, Chair; Horn and Kramer

SSB 130

HUMAN RESOURCES: Hannon, Chair; Kramer and Riordan

SSB 131

HUMAN RESOURCES: BUHR, Chair; Rittmer and Szymoniak

COMMITTEE REPORTS**STATE GOVERNMENT**

Final Bill Action: SENATE FILE 84, a bill for an act relating to the purchase of recycled paper by state agencies.

Recommendation: DO PASS.

Final Vote: Ayes. 18: Kibbie, Nystrom, Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, Lloyd-Jones, McLaren, Murphy, Rife, Running, Soorholtz, Vande Hoef and Welsh. Nays, none. Absent or not voting, 1: Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 103 (SSB 25), a bill for an act relating to the Iowa national guard by increasing the minimum salary for active state service and by authorizing the granting of easements by the state armory board.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes. 16: Kibbie, Nystrom, Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Running, Soorholtz and Welsh. Nays, none. Absent or not voting, 3: Lloyd-Jones, Rife and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 104 (SSB 8), a bill for an act relating to certain administrative functions of the department of personnel.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes. 16: Kibbie, Nystrom, Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Running, Soorholtz and Welsh. Nays, none. Absent or not voting, 3: Lloyd-Jones, Rife and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 108 (SSB 126), a bill for an act relating to arrests by peace officers employed on excursion gambling boats, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes. 17: Kibbie, Nystrom, Buhr, Dieleman, Drake, Gronstal, Horn, Kramer, Lind, Lloyd-Jones, McLaren, Murphy, Rife, Running, Soorholtz, Vande Hoef and Welsh. Nays, 1: Doyle. Absent or not voting, 1: Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 109 (SSB 119), a bill for an act relating to the payment of pension benefits under the chapter 410 retirement system, to surviving spouses who remarry.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes. 18: Kibbie, Nystrom, Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, Lloyd-Jones, McLaren, Murphy, Rife, Running, Soorholtz, Vande Hoef and Welsh. Nays, none. Absent or not voting, 1: Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 110 (SSB 127), a bill for an act relating to the presence of certain persons under the age of twenty-one years on excursion gambling boats, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes. 18: Kibbie, Nystrom, Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, Lloyd-Jones, McLaren, Murphy, Rife, Running, Soorholtz, Vande Hoef and Welsh. Nays, none. Absent or not voting, 1: Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 111 (SSB 26), a bill for an act relating to the qualifications for licensure of an accounting practitioner.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes. 18: Kibbie, Nystrom, Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, Lloyd-Jones, McLaren, Murphy, Rife, Running, Soorholtz, Vande Hoef and Welsh. Nays, none. Absent or not voting, 1: Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 112 (SSB 118), a bill for an act relating to the membership on community-based correctional program project advisory committees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes. 18: Kibbie, Nystrom, Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, Lloyd-Jones, McLaren, Murphy, Rife, Running, Soorholtz, Vande Hoef and Welsh. Nays, none. Absent or not voting, 1: Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 106, by Kibbie, a bill for an act creating a part-time student financial aid program for students at community colleges.

Read first time under Rule 28 and **passed on file**.

Senate File 107, by Riordan, a bill for an act relating to the designation of polling places for school elections.

Read first time under Rule 28 and **passed on file**.

Senate File 108, by the committee on State Government, a bill for an act relating to arrests by peace officers employed on excursion gambling boats, and providing an effective date.

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

Senate File 109, by committee on State Government, a bill for an act relating to the payment of pension benefits under the chapter 410 retirement system, to surviving spouses who remarry.

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

Senate File 110, by committee on State Government, a bill for an act relating to the presence of certain persons under the age of twenty-one years on excursion gambling boats, and providing an effective date.

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

Senate File 111, by committee on State Government, a bill for an act relating to the qualifications for licensure of an accounting practitioner.

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

Senate File 112, by committee on State Government, a bill for an act relating to the membership on community-based correctional program project advisory committees.

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

AMENDMENTS FILED

S-3011	S. R.	3	Jean Lloyd-Jones
S-3012	S. F.	91	Eugene Fraise

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 2:14 p.m., until 9:00 a.m., Tuesday, February 5, 1991.

JOURNAL OF THE SENATE

TWENTY-THIRD CALENDAR DAY
FIFTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 5, 1991

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

Prayer was offered by the Honorable Jack W. Hester, member of the Senate from Pottawattamie County, Honey Creek, Iowa, who sang "Just a Closer Walk With Thee".

The Journal of Monday, February 4, 1991, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Boswell for the morning on request of Senator Hutchins.

INTRODUCTION OF BILLS

Senate File 113, by Gettings, a bill for an act relating to exempting certain cargo tank motor vehicles from hazardous materials transportation regulations.

Read first time and passed on file.

Senate File 114, by Szymoniak, a bill for an act relating to the definition of a physician for the purpose of the practice of nursing.

Read first time and passed on file.

DISTINGUISHED GUEST

Senator Lloyd-Jones presented Dr. Maria Stolzman, a member of the Polish Parliament and Solidarity trade union.

Maria is a Doctor of Agricultural Sciences with a degree in Livestock Genetics. She is a past Deputy Director of the Nationwide Animal Breeding Center in Warsaw, was nominated as Secretary of the Church Agricultural Committee by the Primatee of Poland in 1984 and was made President of the Water Supply Foundation in 1988.

Dr. Stolzman has been a member of the Polish Parliament since June of 1989.

QUORUM CALL

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

The vote revealed 44 present, 6 absent and a quorum present.

UNFINISHED BUSINESS (Deferred January 31, 1991)

House File 4

The Senate resumed consideration of House File 4, a bill for an act relating to permissible use of moneys appropriated by the county boards of supervisors for the benefit of honorably discharged, indigent veterans of wars, was taken up for further consideration (substituted for Senate File 6 and deferred on January 31, 1991).

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. 4) the vote was:

Ayes, 46:

Borlaug	Buhr	Deluhery	Dieleman
Doyle	Drake	Fraise	Fuhrman
Gettings	Gronstal	Hagerla	Hedge
Hester	Horn	Husak	Hutchins
Jensen	Kersten	Kibbie	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife

Riordan
Slife
Taylor
Varn

Rittmer
Soorholtz
Tieden
Welsh

Rosenberg
Sturgeon
Tinsman

Running
Szymoniak
Vande Hoef

Nays, none:

Absent or not voting, 4:

Boswell

Connolly

Hannon

Kinley

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

Senator Dieleman asked and received unanimous consent that **Senate File 6** be **withdrawn** from further consideration of the Senate.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:25 a.m., until 4:30 p.m.

AFTERNOON SESSION

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

INTRODUCTION OF BILLS

Senate File 115, by committee on Human Resources, a bill for an act relating to the income eligibility level for the payment of indigent obstetrical and newborn care costs.

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

Senate File 116, by committee on Human Resources, a bill for an act relating to the uniform controlled substances Act.

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

Senate File 117, by Lloyd-Jones, a bill for an act to change the school starting date to a date which is no later than the third Friday in September.

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

Senate File 118, by committee on Agriculture, a bill for an act relating to the certification of commercial applicators of pesticides.

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

Senate File 119, by Jensen, a bill for an act to provide a law enforcement training course for part-time law enforcement officers.

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

Senate File 120, by Horn, Doyle, Jensen, Running, Fraise, Riordan, and Nystrom, a bill for an act relating to the inclusion of coverage for podiatric services under prepaid group plans if the podiatric services are covered when performed by other health care providers.

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

Senate File 121, by committee on Appropriations, a bill for an act relating to the reversion of appropriations for the planning and construction of armories for the department of public defense and providing an effective date.

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

Senate File 122, by Vande Hoef, a bill for an act requiring that an instrument recorded by a county recorder contain the name and signature of the person preparing the instrument.

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

Senate File 123, by Gronstal, Nystrom, and Horn, a bill for an act relating to requiring insurance coverage for certain diagnostic or surgical procedures involving bones or joints of the face, neck, or head.

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

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	106	Education
S. F.	107	Education
S. F.	117	Education
S. F.	113	Transportation
S. F.	114	Human Resources
S. F.	122	Local Government

STUDY BILLS RECEIVED

SSB 139 Business & Labor Relations

Relating to this state's labor laws administered by the labor commissioner by amending provisions of the Code concerning occupational safety and health penalties, boiler inspections, child labor laws, minimum wage laws, and out-of-state contractor bonding requirements.

SSB 140 Judiciary

Relating to agreements by physicians and attorneys restricting professional practices, providing that such agreements violate public policy, and providing effective date and retroactive applicability provisions.

SSB 141 Judiciary

Relating to nonsubstantive Code and Act corrections.

SSB 142 Judiciary

Relating to certain religious exemptions to the required provision of medical treatment, and requiring screening for metabolic diseases in newborn infants.

SSB 143 Judiciary

Relating to reprisals with respect to certain disclosures of information and other actions by employees, providing penalties, and providing civil remedies.

SSB 144 Judiciary

Relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities.

SSB 145 Transportation

Relating to safety standards for privately owned, public use airports.

SSB 146 Transportation

Requiring a fee for issuance of a temporary restricted license and increasing the fee for escort services.

SSB 147 Transportation

Relating to public utilities in highway rights-of-way.

SSB 148 Transportation

Relating to fees for advertising permits.

SUBCOMMITTEE ASSIGNMENTS**Senate File 72**

ENVIRONMENT AND ENERGY UTILITIES: Miller, Chair; Borlaug and Fraise

Senate File 75

LOCAL GOVERNMENT: Fraise, Chair; Borlaug and Rittmer

Senate File 76

WAYS AND MEANS: Connolly, Chair; Drake and Szymoniak

Senate File 79

LOCAL GOVERNMENT: Rittmer, Chair; Buhr and Miller

Senate File 80

LOCAL GOVERNMENT: Rittmer, Chair; Fraise and Miller

Senate File 86

JUDICIARY: Rosenberg, Chair; Deluhery and Hester

Senate File 88

ENVIRONMENT & ENERGY UTILITIES: Gronstal, Chair; Borlaug, Hannon, Hedge and Miller

Senate File 94

AGRICULTURE: Soorholtz, Chair; Palmer and Rittmer

Senate File 95

BUSINESS AND LABOR RELATIONS: Buhr, Chair; Slife and Sturgeon

Senate File 96

JUDICIARY: Varn, Chair; Hester and Murphy

Senate File 105

JUDICIARY: Sturgeon, Chair; Rosenberg and Slife

House File 39

LOCAL GOVERNMENT: Borlaug, Chair; Fraise and Vande Hoef

SSB 133

STATE GOVERNMENT: Running, Chair; Vande Hoef and Welsh

SSB 134

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

SSB 135

WAYS AND MEANS: Szymoniak, Chair; Rosenberg and Taylor

SSB 136

WAYS AND MEANS: Dieleman, Chair; Hedge and Husak

SSB 137

WAYS AND MEANS: Murphy, Chair; McLaren and Rosenberg

SSB 138

TRANSPORTATION: Jensen, Chair; Nystrom and Welsh

SSB 139

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

SSB 140

JUDICIARY: Sturgeon, Chair; Connolly and Slife

SSB 141

JUDICIARY: Gronstal, Chair; Drake and Horn

SSB 142

JUDICIARY: Fuhrman, Chair; Connolly and Gronstal

SSB 143

JUDICIARY: Varn, Chair; Fuhrman and Peterson

SSB 144

JUDICIARY: Connolly, Chair; Hester and Peterson

SSB 145

TRANSPORTATION: Gettings, Chair; Kinley and Nystrom

SSB 146

TRANSPORTATION: Dieleman, Chair; Fraise and Kersten

SSB 147

TRANSPORTATION: Drake, Chair; Connolly and Fraise

SSB 148

TRANSPORTATION: Welsh, Chair; Kinley and Pate

CERTIFICATE OF RECOGNITION

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

Dr. Maria Stolzman, member of the Polish Parliament — For her contribution to the field of livestock genetics, her leading role in the Solidarity movement, her pioneer work as President of the Water Supply Foundation, and as one of 16 women deputies in the first democratically elected government of Poland. Senator Lloyd-Jones (2-5-91).

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 118 (SSB 21), a bill for an act relating to the certification of commercial applicators of pesticides.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Priebe, Peterson, Soorholtz, Doyle, Fraise, Hedge, Hester, Husak, McLaren, Miller, Riordan, Rittmer and Vande Hoef. Nays, none. Absent or not voting, 2: Boswell and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

APPROPRIATIONS

Final Bill Action: SENATE FILE 121 (SSB 37), a bill for an act relating to the reversion of appropriations for the planning and construction of armories for the department of public defense and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Boswell, Welsh, Tieden, Buhr, Gettings, Gronstal, Hagerla, Husak, Kersten, Lind, Lloyd-Jones, McLaren, Peterson, Rensink, Riordan and Varn. Nays, none. Absent or not voting, 5: Connolly, Pate, Running, Szymoniak and Varn.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action:*SENATE FILE 124, a bill for an act relating to reductions in appropriations made for the fiscal year ending June 30, 1991, to departments and agencies of state government and to other public purposes, transferring moneys from the Iowa plan fund and other funds to the general fund of the state, and eliminating certain special funds, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL WITH AMENDMENTS—3013.

Final Vote: Ayes, 17: Boswell, Welsh, Tieden, Buhr, Gettings, Gronstal, Hagerla, Husak, Lind, Lloyd-Jones, Pate, Peterson, Riordan, Running, Szymoniak, Tinsman and Varn. Nays, 3: Kersten, McLaren and Rensink. Absent or not voting, 1: Connolly.

Fiscal Note: 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 124 and they were attached to the committee report.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 48, a bill for an act relating to professional titles and abbreviations of physical therapists and physical therapist assistants, and licensure, examination fees, and conditions of practice of physical therapist assistants.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Hannon, Horn, Murphy, Riordan, Rittmer, Szymoniak, Taylor and Tinsman. Nays, 4: Buhr, Hagerla, Kramer and Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 115 (SSB 20), a bill for an act relating to the income eligibility level for the payment of indigent obstetrical and newborn care costs.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hannon, Buhr, Hagerla, Horn, Kramer, Murphy, Riordan, Rittmer, Sturgeon, Szymoniak, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 116 (SSB 18), a bill for an act relating to the uniform controlled substances Act.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hannon, Buhr, Hagerla, Horn, Kramer, Murphy, Riordan, Rittmer, Sturgeon, Szymoniak, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILL

Senate File 124, by committee on Appropriations, a bill for an act relating to reductions in appropriations made for the fiscal year ending June 30, 1991, to departments and agencies of state government and to other public purposes, transferring moneys from the Iowa plan fund and other funds to the general fund of the state, and eliminating certain special funds, and providing an effective date.

Read first time under Rule 28 and placed on Appropriations Calendar.

AMENDMENT FILED

S—3013 S.F. 124 Appropriations

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:37 p.m., until 9:00 a.m., Wednesday, February 6, 1991.

JOURNAL OF THE SENATE

TWENTY-FOURTH CALENDAR DAY
SIXTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 6, 1991

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

Prayer was offered by the Reverend Don Plantinga, pastor of the Trinity Reformed Church, Pella, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hagerla until he arrives on request of Senator Vande Hoef.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:08 a.m., until 4:30 p.m.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION**

Convened: February 5, 1991, 9:37 a.m.

Members Present: Peterson, Chair; Dieleman, Vice Chair; Pate, Ranking Member; Slife and Welsh.

Members Absent: none.

Committee Business: Presentations by the Iowa Department of Revenue and Finance and the Commissioner of the Lottery.

Adjourned: 12:01 p.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: February 5, 1991, 9:40 a.m.

Members Present: Husak, Chair; Priebe, Vice Chair; McLaren, Ranking Member; Hester and Kibbie.

Members Absent: none.

Committee Business: Presentation by the DNR on the ground water protection fund; LFB gave explanation on how trust funds currently work.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 5, 1991, 9:40 a.m.

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

Members Absent: none.

Committee Business: Discussed Senate and House changes to the FY 1991 deappropriations bill.

Adjourned: 10:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 5, 1991, 9:35 a.m.

Members Present: Riordan, Chair; Kramer, Ranking Member; Borlaug and Lloyd-Jones.

Members Absent: Boswell, Vice Chair (excused).

Committee Business: Presentations by the Resource, Conservation and Development Group, University of Iowa and Iowa State University; discussed deappropriations bills.

Adjourned: 11:14 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 5, 1991, 9:40 a.m.

Members Present: Buhr, Chair; Miller, Vice Chair; Tinsman, Ranking Member; Hannon and Rittmer.

Members Absent: none.

Committee Business: Budget presentation by the Department of Elder Affairs.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 5, 1991, 9:40 a.m.

Members Present: Szymoniak, Chair; Deluhery, Vice Chair; Hagerla, Ranking Member; Fuhrman and Sturgeon.

Members Absent: none.

Committee Business: Reports presented regarding AFDC, Emergency Assistance, Coalition for the Homeless and Promise Jobs.

Adjourned: 11:44 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 5, 1991, 9:40 a.m.

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

Members Absent: none.

Committee Business: Budget review of the Judicial Department.

Adjourned: 10:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: February 5, 1991, 9:40 a.m.

Members Present: Running, Chair; Palmer, Vice Chair; Rensink, Ranking Member; Hedge and Kinley.

Members Absent: none.

Committee Business: Overview by the Department of Inspection and Appeals/ FY 1992 budget requests.

Adjourned: 11:36 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: February 5, 1991, 9:38 a.m.

Members Present: Gettings, Chair; Doyle, Vice Chair; Kersten, Ranking Member and Jensen.

Members Absent: Connolly (excused).

Committee Business: Discussed touring the Department of Public Safety facility; organizational meeting with sub-subcommittees.

Adjourned: 9:57 a.m.

AGRICULTURE

Convened: February 5, 1991, 8:00 a.m.

Members Present: Priebe, Chair; Peterson, Vice Chair; Soorholtz, Ranking Member; Doyle, Fraise, Hedge, Hester, Husak, McLaren, Miller, Riordan, Rittmer and Vande Hoef.

Members Absent: Boswell (excused) and Palmer.

Committee Business: Presentation by the Drake AG Law Center regarding the effects of environmental law to agriculture; Dr. Maria Stolzman, member of the Polish Parliament, spoke to the committee; approved SSB 21 as a committee bill; deferred action on LSB 1542.

Adjourned: 9:15 a.m.

APPROPRIATIONS

Convened: February 4, 1991, 4:05 p.m.

Members Present: Boswell, Chair; Welsh, Vice Chair; Tieden, Ranking Member; Buhr, Connolly, Gettings, Gronstal, Hagerla, Husak, Kersten, Lind, Lloyd-Jones, McLaren, Pate, Peterson, Rensink, Riordan, Running, Szymoniak, Tinsman and Varn.

Members Absent: none.

Committee Business: Discussed deappropriations bill.

Adjourned: 4:20 p.m.

APPROPRIATIONS

Convened: February 5, 1991, 11:35 a.m.

Members Present: Boswell, Chair; Welsh, Vice Chair; Tieden, Ranking Member; Buhr, Gettings, Gronstal, Hagerla, Husak, Kersten, Lind, Lloyd-Jones, McLaren, Pate, Peterson, Rensink, Riordan, Running, Szymoniak, Tinsman and Varn.

Members Absent: Connolly (excused).

Committee Business: Approved SSB 37 as a committee bill; amended and approved LSB 1972 as a committee bill.

Adjourned: 12:00 noon.

BUSINESS AND LABOR RELATIONS

Convened: February 5, 1991, 1:30 p.m.

Members Present: Running, Chair; Fuhrman, Ranking Member; Buhr, Kinley, Palmer, Peterson, Rensink, Slife and Taylor.

Members Absent: Sturgeon, Vice Chair (excused).

Committee Business: Assigned bills to subcommittees; presentation on the unemployment trust fund.

Adjourned: 2:40 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: February 5, 1991, 1:33 p.m.

Members Present: Rosenberg, Chair; Gronstal, Vice Chair; Jensen, Ranking Member; Borlaug, Fraise, Hannon, Hedge and Miller.

Members Absent: Deluhery (excused); Kersten, Soorholtz and Varn.

Committee Business: Assigned bills to subcommittees.

Adjourned: 1:35 p.m.

HUMAN RESOURCES

Convened: February 4, 1991, 3:10 p.m.

Members Present: Hannon, Chair; Buhr, Vice Chair; Hagerla, Ranking Member; Horn, Kramer, Murphy, Riordan, Rittmer, Sturgeon, Szymoniak, Taylor and Tinsman.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved SSBs 20 and 18 as committee bills; recommended passage of Senate File 48.

Adjourned: 4:06 p.m.

JUDICIARY

Convened: February 5, 1991, 3:37 p.m.

Members Present: Sturgeon, Chair; Rosenberg, Vice Chair; Fuhrman, Ranking Member; Deluhery, Drake, Hagerla, Hester, Horn, Murphy, Pate, Peterson and Slife.

Members Absent: Connolly (excused); Gronstal and Varn.

Committee Business: Assigned bills to subcommittees; heard testimony on domestic violence.

Adjourned: 5:27 p.m.

RULES AND ADMINISTRATION

Convened: January 31, 1991, 8:25 a.m.

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

Members Absent: Rife, Ranking Member and Soorholtz.

Committee Business: Approved bid for Senate photographs; approved Senate personnel reports; miscellaneous administrative reports.

Adjourned: 9:15 a.m.

STATE GOVERNMENT

Convened: February 4, 1991, 2:20 p.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Rife, Running, Soorholtz, Vande Hoef and Welsh.

Members Absent: Priebe (excused).

Committee Business: Assigned SSB 133 to a subcommittee; recommended passage of Senate File 84 and approved SSBs 118, 127, 126, 26 and 119 as committee bills.

Adjourned: 2:50 p.m.

TRANSPORTATION

Convened: February 4, 1991, 3:07 p.m.

Members Present: Fraise, Chair; Connolly, Vice Chair; Drake, Ranking Member; Dieleman, Gettings, Jensen, Kinley, Lloyd-Jones, Nystrom, Pate and Welsh.

Members Absent: Kersten (excused).

Committee Business: Presentation on theft of motor vehicles by the Department of Public Safety; Ms. Chris Odell, Assistant Attorney General, was provided information on SSB 111; discussed and deferred action on Senate File 63.

Adjourned: 3:57 p.m.

WAYS AND MEANS

Convened: February 5, 1991, 2:42 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hedge, Ranking Member; Drake, Fraise, Fuhrman, Hester, McLaren, Murphy, Palmer, Rosenberg and Taylor.

Members Absent: Connolly, Deluhery (both excused) and Szymoniak.

Committee Business: Assigned bills to subcommittees.

Adjourned: 2:45 p.m.

**REPORT OF THE COMMITTEE ON
MEMORIAL RESOLUTIONS**

MR. PRESIDENT: The committee on memorial resolutions has ascertained the names of former members of the Senate who have become deceased and appoints the following committees to prepare memorial resolutions:

ALDEN ERSKINE: Sturgeon, Chair; Doyle and Rensink

ELMER F. LANGE: Fuhrman, Chair; Doyle and Hutchins

CARL H. RINGGENBERG: Rosenberg, Chair; Palmer and Nystrom

EARL WILLITS: Buhr, Chair; Palmer and Kramer

**WALLY E. HORN, Chair
DONALD V. DOYLE
H. KAY HEDGE
SHELDON RITTMER**

STUDY BILLS RECEIVED

SSB 149 Transportation

Requiring revocation of motor vehicle licenses for drug offenses.

SSB 150 Transportation

Relating to certificates of title for wrecked, salvage, or stolen vehicles and eliminating component part reviews.

SSB 151 Commerce

Relating to the advertisement and sale of wood building materials and making certain consumer fraud penalties applicable.

SSB 152 Commerce

Requiring registration of persons located outside of this state who issue credit cards, providing for an examination fee, and providing a penalty.

SSB 153 Education

Relating to the weighting plan to be used to provide funds for the excess costs of instruction of children requiring special education.

SSB 154 Education

Relating to the calculation of phase I payments to school districts and area education agencies.

SUBCOMMITTEE ASSIGNMENTS**SSB 149**

TRANSPORTATION: Dieleman, Chair; Jensen and Lloyd-Jones

SSB 150

TRANSPORTATION: Gettings, Chair; Fraise and Nystrom

SSB 151

COMMERCE: Varn, Chair; Deluhery and Lind

SSB 152

COMMERCE: Deluhery, Chair; Jensen and Palmer

SSB 153

EDUCATION: Deluhery, Chair; Horn and Kramer

SSB 154

EDUCATION: Running, Chair; Deluhery and Tinsman

AMENDMENTS FILED

S-3014	S. R.	4	Jean Lloyd-Jones
S-3015	S. F.	104	William W. Dieleman

AFTERNOON SESSION

The Senate reconvened at 4:32 p.m., President Welsh presiding.

INTRODUCTION OF BILLS

Senate File 125, by Doyle, a bill for an act creating an Iowa resource development fund and providing for the allocation of funds for water resources and related projects.

Read first time and passed on file.

Senate File 126, by Boswell, a bill for an act requiring soil testing for certain contaminated sites and monitoring of petroleum releases for underground storage tanks.

Read first time and passed on file.

Senate File 127, by Boswell, a bill for an act relating to the hunting of deer, quail, and gray partridge.

Read first time and passed on file.

Senate File 128, by Rensink, a bill for an act relating to student participation in athletics in grades ten through twelve under open enrollment.

Read first time and passed on file.

Senate File 129, by Doyle, a bill for an act relating to the time period within which an information or indictment for sexual exploitation of a minor can be found.

Read first time and passed on file.

Senate File 130, by Priebe, a bill for an act establishing a grazing land tax credit fund, providing a tax credit, making an appropriation, and providing effective and applicability dates.

Read first time and passed on file.

Senate File 131, by Varn, 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.

Read first time and passed on file.

Senate File 132, by Dieleman, a bill for an act relating to the criteria for the awarding of custody of a minor child following dissolution of a marriage.

Read first time and passed on file.

Senate File 133, by Hagerla and Tinsman, a bill for an act relating to assistance to victims of domestic and sexual abuse, establishing a separate domestic violence and sexual assault grant fund, and increasing the fee for filing an application for a license to marry.

Read first time and passed on file.

Senate File 134, by committee on Natural Resources, a bill for an act relating to the use of fireworks in state parks and preserves and providing a penalty.

Read first time and placed on calendar.

Senate File 135, by Priebe, a bill for an act relating to group insurance policies, by requiring coverage of persons engaged in farming.

Read first time and passed on file.

APPENDIX

COMMITTEE REPORTS

EDUCATION

Final Bill Action: SENATE FILE 23, a bill for an act relating to the teaching of American sign language in accredited schools.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3016.

Final Vote: Ayes, 14: Connolly, Horn, Taylor, Deluhery, Dieleman, Kibbie, Kramer, Lind, Murphy, Rensink, Running, Szymoniak, Tieden and Tinsman. Nays, none. Absent or not voting, 1: Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: SENATE FILE 134 (SSB 7), a bill for an act relating to the use of fireworks in state parks and preserves and subjecting violators to a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Palmer, Kibbie, Hedge, Priebe, Rensink, Rosenberg and Tieden. Nays, none. Absent or not voting, 5: Hester, Dieleman, Hagerla, Riordan and Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENT FILED

S-3016 S.F. 23 Education

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:35 p.m., until 9:00 a.m., Thursday, February 7, 1991.

JOURNAL OF THE SENATE

TWENTY-FIFTH CALENDAR DAY
SEVENTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 7, 1991

The Senate met in regular session at 9:24 a.m., President pro tempore Lloyd-Jones presiding.

Prayer was offered by the Reverend Dean Messerly, pastor of the Community Church, Union, Iowa.

The Journals of Tuesday, February 5 and Wednesday, February 6, 1991, were approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Connolly for the day on request of Senator Hutchins.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 6, 1991, passed the following bill in which the concurrence of the Senate is asked:

House File 173, a bill for an act relating to reductions in appropriations made for the fiscal year ending June 30, 1991, to departments and agencies of state government and to other public purposes, a supplemental appropriation, and transferring moneys from the Iowa plan fund and other funds to the general fund of the state, and providing an effective date.

This bill was read first time and passed on file.

INTRODUCTION OF BILLS

Senate File 136, by Boswell, a bill for an act relating to petroleum underground storage tanks by establishing cost guidelines for goods and services required for remedial action.

Read first time and passed on file.

Senate File 137, by Nystrom and Taylor, a bill for an act applying the death penalty or life imprisonment, by establishing a capital offense, by providing for review of death sentences, and procedures for the time, manner, and delay of execution, by amending the rules of criminal procedure and by providing for the Act's applicability.

Read first time and passed on file.

RECESS

On motion of Senator Horn, the Senate recessed at 9:52 a.m., until 3:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: February 6, 1991, 9:30 a.m.

Members Present: Peterson, Chair; Dieleman, Vice Chair; Pate, Ranking Member and Slife.

Members Absent: Welsh.

Committee Business: Reports from the Department of Management and the Office of Drug Enforcement-Abuse Prevention Coordinator.

Adjourned: 10:52 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: February 6, 1991, 9:44 a.m.

Members Present: Husak, Chair; Priebe, Vice Chair; McLaren, Ranking Member; Hester and Kibbie.

Committee Business: DNR FY 1992 budget request.

Adjourned: 11:14 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 6, 1991, 9:37 a.m.

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

Members Absent: Nystrom (excused).

Committee Business: Presentations by representatives from the vocational education and vocational rehabilitation departments.

Adjourned: 10:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 6, 1991, 9:45 a.m.

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

Members Absent: Rosenberg (excused).

Committee Business: Budget presentation by the Office of the Attorney General, including Farmers Mediations Service; Bill Allan reviewed the TOW program at the Clarinda facility.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: February 6, 1991, 9:40 a.m.

Members Present: Running, Chair; Palmer, Vice Chair; Rensink, Ranking Member; Hedge and Kinley

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

Adjourned: 11:20 a.m.

COMMERCE

Convened: February 6, 1991, 1:30 p.m.

Members Present: Deluhery, Chair; Kinley, Vice Chair; Slife, Ranking Member; Doyle, Gettings, Gronstal, Jensen, Kersten, Lind, Nystrom, Palmer, Priebe, Tieden and Varn.

Members Absent: Sturgeon.

Committee Business: Assigned bills to subcommittees; presentation by the Iowa Utilities Board on legislative proposals.

Adjourned: 2:10 p.m.

EDUCATION

Convened: February 6, 1991, 3:35 p.m.

Members Present: Connolly, Chair; Horn, Vice Chair; Taylor, Ranking Member; Deluhery, Dieleman, Kibbie, Kramer, Lind, Murphy, Rensink, Running, Szymoniak, Tieden and Tinsman.

Members Absent: Varn (excused).

Committee Business: Assigned bills to subcommittees; approved SSBs 42 and 117; recommended passage of Senate File 23 as amended; recommended passage of Senate File 78.

Adjourned: 4:20 p.m.

LOCAL GOVERNMENT

Convened: February 6, 1991, 2:40 p.m.

Members Present: Miller, Chair; Szymoniak, Vice Chair; Rittmer, Ranking Member; Borlaug, Buhr, Fraise, Hannon, Jensen and Vande Hoef.

Members Absent: Boswell (excused).

Committee Business: Assigned bills to subcommittees; presentation by the mayor of Clive on voluntary and involuntary annexation.

Adjourned: 3:06 p.m.

NATURAL RESOURCES

Convened: February 6, 1991, 2:33 p.m.

Members Present: Palmer, Chair; Kibbie, Vice Chair; Hedge, Priebe, Rensink, Rosenberg and Tieden.

Members Absent: Hester, Ranking Member; Dieleman, Hagerla, Riordan and Sturgeon.

Committee Business: Approved SSB 7 as a committee bill.

Adjourned: 2:35 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: February 6, 1991, 1:35 p.m.

Members Present: Riordan, Chair; Hannon, Vice Chair; Borlaug, Ranking Member; Boswell, Kibbie, Kramer, Miller, Pate, Peterson, Rittmer, Running and Vande Hoef.

Members Absent: none.

Committee Business: Presentation by the Finance Division of the Department of Economic Development on assistance programs.

Adjourned: 2:28 p.m.

BILLS ASSIGNED TO COMMITTEE
(Assigned February 6, 1991)

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

S. F.	119	Local Government
S. F.	120	Commerce
S. F.	123	Commerce
S. F.	125	Natural Resources
S. F.	126	Environment & Energy Utilities
S. F.	127	Natural Resources
S. F.	128	Education

COMMITTEE REPORTS

EDUCATION

Final Bill Action: SENATE FILE 78, a bill for an act relating to the membership of the college student aid commission, to substitute a representative from the community colleges for the member of the state council on vocational education.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Connolly, Horn, Taylor, Deluhery, Dieleman, Kibbie, Kramer, Lind, Murphy, Rensink, Running, Szymoniak, Tieden and Tinsman. Nays, none. Absent or not voting, 1: Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 138 (SSB 42), a bill for an act requiring the acceptance of a student's postsecondary options credits as high school academic or vocational-technical credits by a school district or accredited nonpublic school.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Connolly, Horn, Taylor, Deluhery, Dieleman, Kibbie, Kramer, Lind, Murphy, Rensink, Running, Szymoniak, Tieden and Tinsman. Nays, none. Absent or not voting, 1: Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 141 (SSB 117), a bill for an act relating to area education agencies and providing effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Connolly, Horn, Taylor, Deluhery, Dieleman, Kibbie, Kramer, Lind, Murphy, Rensink, Running, Szymoniak, Tieden and Tinsman. Nays, none. Absent or not voting, 1: Varn.

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 141 and they were attached to the committee report.

STUDY BILLS RECEIVED

SSB 155 Human Resources

Relating to state policies and procedures affecting children.

SSB 156 Human Resources

Relating to the department of inspections and appeals by expanding its investigatory authority, providing that certain information regarding health care facilities be available to the public, relating to health care facilities under receivership, providing additional grounds for suspension and revocation of certain licenses issued by the department, increasing criminal penalties for wanton neglect of a resident of a health care facility, and providing an effective date.

SSB 157 State Government

Relating to political signs and making certain penalties applicable.

SSB 158 State Government

Relating to regulation of fireworks and making a penalty applicable.

SUBCOMMITTEE ASSIGNMENTS

Senate File 102

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

SSB 17

APPROPRIATIONS: Husak, Chair; Boswell and McLaren

SSB 157

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

SSB 158

STATE GOVERNMENT: Doyle, Chair; Drake and Priebe

AFTERNOON SESSION

The Senate reconvened at 3:40 p.m., President Welsh presiding.

INTRODUCTION OF BILLS

Senate File 138, by committee on Education, a bill for an act requiring the acceptance of a student's postsecondary options credits as high school academic or vocational- technical credits by a school district or accredited nonpublic school.

Read first time and placed on calendar.

Senate File 139, by Hagerla, Borlaug, McLaren, Taylor, Hedge, and Tieden, a bill for an act relating to mandatory HIV testing for persons convicted of sex crimes.

Read first time and passed on file.

Senate File 140, by Hagerla, Vande Hoef, Borlaug, McLaren, Taylor, and Hester, a bill for an act relating to the testimony of a child by closed circuit equipment in the courtroom.

Read first time and passed on file.

Senate File 141, by committee on Education, a bill for an act relating to media and educational services funding for area education agencies.

Read first time and placed on calendar.

Senate File 142, by Priebe, a bill for an act relating to the availability of certain information relating to escrow accounts maintained in connection with real estate loans.

Read first time and passed on file.

Senate File 143, by Szymoniak, a bill for an act relating to the perpetual care of cemeteries and cemetery lots and spaces.

Read first time and passed on file.

Senate File 144, by Boswell, a bill for an act relating to eligibility determinations involving spousal resources for certain institutionalized medical assistance recipients.

Read first time and passed on file.

Senate File 145, 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.

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.

CONSIDERATION OF BILLS (Appropriations Calendar)

Senate File 121

On motion of Senator Gettings, Senate File 121, a bill for an act relating to the reversion of appropriations for the planning and construction of armories for the department of public defense and providing an effective date, 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. 121) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kersten	Kibbie
Kinley	Kramer	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymaniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Connolly Hannon

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

Senate File 124

On motion of Senator Boswell, Senate File 124, a bill for an act relating to reductions in appropriations made for the fiscal year ending June 30, 1991, to departments and agencies of state government and to other public purposes, transferring moneys from the Iowa plan fund and other funds to the general fund of the state, and eliminating certain special funds, and providing an effective date, was taken up for consideration.

Senator Boswell offered amendment S—3017 filed by him from the floor to strike everything after the enacting clause of the bill and to the title page of the bill and moved its adoption.

Amendment S—3017 was adopted by a voice vote.

With the adoption of amendment S—3017, amendment S—3013 filed by the committee on Appropriations on February 5, 1991, to pages 11, 17, 28, 37, 54, 71, 103 and 142 of the bill, was out of order.

Senator Boswell asked and received unanimous consent that **House File 173** be substituted for **Senate File 124** as amended.

House File 173

On motion of Senator Boswell, House File 173, a bill for an act relating to reductions in appropriations made for the fiscal year ending June 30, 1991, to departments and agencies of state government and to other public purposes, a supplemental appropriation, and transferring moneys from the Iowa plan fund and other funds to the general fund of the state, and providing an effective date, was taken up for consideration.

Senator Riordan offered amendment S—3018 filed by Senators Riordan and Hannon from the floor to page 37 of the bill.

Senator Lind asked and received unanimous consent that further action on amendment S—3018 and House File 173 be deferred.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 89

On motion of Senator Boswell, Senate File 89, a bill for an act relating to requiring county recorders to submit monthly reports of trade name statements or certificates of change filed during the preceding month, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 89) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
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.

Senate File 91

On motion of Senator Fraise, Senate File 91, a bill for an act relating to minimum qualifications for the office of county sheriff and providing filing deadlines, was taken up for consideration.

Senator Fraise offered amendment S—3012 filed by him on February 4, 1991, to strike everything after the enacting clause and to the title page of the bill.

Senator Priebe asked unanimous consent that further action on amendment S—3012 and Senate File 91 be deferred.

Senator Priebe withdrew his request.

Senator Szymoniak asked and received unanimous consent that action on amendment S—3012 and **Senate File 91** be deferred.

Senate File 97

On motion of Senator Dieleman, Senate File 97, a bill for an act increasing penalties for interfering with a traffic control device, 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. 97) the vote was:

Ayes, 44:

Borlaug	Boswell	Buhr	Deluhery
Dieleman	Drake	Fraise	Fuhrman
Gettings	Hagerla	Hannon	Hedge
Hester	Horn	Husak	Hutchins
Jensen	Kersten	Kibbie	Kinley
Kramer	Lind	Lloyd-Jones	McLaren
Miller	Nystrom	Palmer	Pate
Priebe	Rensink	Rife	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 5:

Doyle	Gronstal	Murphy	Peterson
Riordan			

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.

Senate Resolution 3

On motion of Senator Lloyd-Jones, Senate Resolution 3, a resolution to provide the senate rules governing lobbyists, was taken up for consideration.

Senator Lloyd-Jones offered amendment S—3011 filed by her on February 4, 1991, to page 4 of the resolution and moved its adoption.

Amendment S—3011 was adopted by a voice vote.

Senator Lloyd-Jones moved adoption of Senate Resolution 3 as amended, which motion prevailed by a voice vote and the resolution was adopted.

Senate Resolution 4

On motion of Senator Lloyd-Jones, Senate Resolution 4, a resolution to provide for the Senate Code of Ethics, was taken up for consideration.

Senator Lloyd-Jones offered amendment S—3014 filed by her on February 6, 1991, to page 3 of the resolution and moved its adoption.

Amendment S—3014 was adopted by a voice vote.

Senator Lloyd-Jones moved adoption of Senate Resolution 4 as amended, which motion prevailed by a voice vote and the resolution was adopted.

Senate File 103

On motion of Senator Nystrom, Senate File 103, a bill for an act relating to the Iowa national guard by increasing the minimum salary for active state service and by authorizing the granting of easements by the state armory board, was taken up for consideration.

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

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

Ayes, 48:

Borlaug	Boswell	Buhr	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kersten	Kibbie
Kinley	Kramer	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Connolly Hannon

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

Senate File 104

On motion of Senator Gronstal, Senate File 104, a bill for an act relating to certain administrative functions of the department of personnel, was taken up for consideration.

Senator Dieleman offered amendment S—3015 filed by him on February 6, 1991, to page 1 of the bill and moved its adoption.

Amendment S—3015 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. 104) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Deluhery
Dieleman	Doyle	Drake	Fuhrman
Gettings	Gronstal	Hagerla	Hedge
Hester	Horn	Husak	Hutchins
Jensen	Kersten	Kibbie	Kinley
Kramer	Lind	Lloyd-Jones	McLaren
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Running	Slife	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none:

Absent or not voting, 3:

Connolly	Fraise	Hannon
----------	--------	--------

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

Senate File 109

On motion of Senator Nystrom, Senate File 109, a bill for an act relating to the payment of pension benefits under the chapter 410 retirement system, to surviving spouses who remarry, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 109) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor

Tieden
Welsh

Tinsman

Vande Hoef

Varn

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.

Senate File 110

On motion of Senator Drake, Senate File 110, a bill for an act relating to the presence of certain persons under the age of twenty-one years on excursion gambling boats, and providing an effective date, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 110) the vote was:

Ayes, 37:

Buhr
Fraise
Hagerla
Hutchins
Kramer
Miller
Pate
Rittmer
Sturgeon
Welsh

Deluhery
Fuhrman
Hannon
Kersten
Lind
Murphy
Priebe
Running
Szymoniak

Doyle
Gettings
Horn
Kibbie
Lloyd-Jones
Nystrom
Rife
Slife
Tieden

Drake
Gronstal
Husak
Kinley
McLaren
Palmer
Riordan
Soorholtz
Varn

Nays, 12:

Borlaug
Hester
Rosenberg

Boswell
Jensen
Taylor

Dieleman
Peterson
Tinsman

Hedge
Rensink
Vande Hoef

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.

Senate File 111

On motion of Senator Doyle, Senate File 111, a bill for an act relating to the qualifications for licensure of an accounting practitioner, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 111) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
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.

Senate File 112

On motion of Senator Horn, Senate File 112, a bill for an act relating to the membership on community-based correctional program project advisory committees, 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. 112) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
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.

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Files 115 and 116.

Senate File 115

On motion of Senator Buhr, Senate File 115, a bill for an act relating to the income eligibility level for the payment of indigent obstetrical and newborn care costs, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 115) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
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.

Senate File 116

On motion of Senator Szymoniak, Senate File 116, a bill for an act relating to the uniform controlled substances Act, 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. 116) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife

Soorholtz
Tieden
Welsh

Sturgeon
Tinsman

Szymoniak
Vande Hoef

Taylor
Varn

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.

INTRODUCTION OF BILLS

Senate File 146, by Varn, Rosenberg, Lloyd-Jones, and Lind, a bill for an act relating to the time of making decisions for and notice of final decisions for increases in tuition, fees, or charges at institutions of higher education under the control of the state board of regents.

Read first time and passed on file.

Senate File 147, by Tinsman, Kramer, Vande Hoef, Borlaug, Taylor, and Tieden, a bill for an act to establish school site councils at public and accredited private schools.

Read first time and passed on file.

Senate File 148, by Tinsman, Vande Hoef, Taylor, Kramer, Pate, Hagerla, Rensink, Kersten, and Rife, 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.

Senate File 149, by Tinsman, Rensink, Kramer, Vande Hoef, Borlaug, McLaren, Taylor, Hagerla, and Nystrom, a bill for an act to include incentives for teachers to organize, facilitate, and participate in workshops to foster parental involvement in education in performance-based pay plans under the educational excellence program.

Read first time and passed on file.

Senate File 150, by committee on Appropriations, a bill for an act relating to the department of natural resources, by providing for the use of unexpended moneys in the fish and game protection fund, and providing an effective date.

Read first time and placed on Appropriations Calendar.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	129	Judiciary
S. F.	130	Agriculture
S. F.	131	Judiciary
S. F.	132	Judiciary
S. F.	135	Commerce
S. F.	136	Environment and Energy Utilities
S. F.	137	Judiciary
S. F.	140	Judiciary

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 150 (SSB 17), a bill for an act relating to the department of natural resources, by providing for the use of unexpended moneys in the fish and game protection fund, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Boswell, Welsh, Tieden, Buhr, Gettings, Hagerla, Husak, Kersten, Lloyd-Jones, McLaren, Peterson, Rensink, Running, Szymoniak, Tinsman and Varn. Nays, none. Absent or not voting, 5: Connolly, Gronstal, Lind, Pate and Riordan.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 151 (SSB 120), a bill for an act relating to peer review of certain certified public accountants, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 19: Kibbie, Lloyd-Jones, Nystrom, Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Rife, Running, Soorholtz, Vande Hoef and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILL

Senate File 151, by committee on State Government, a bill for an act relating to peer review of certain certified public accountants, and providing an effective date.

Read first time under Rule 28 and placed on calendar.

AMENDMENTS FILED

S-3017	S.F.	124	Leonard L. Boswell
S-3018	H.F.	173	Jim Riordan
			Beverly A. Hannon
S-3019	H.F.	173	Richard F. Drake
S-3020	H.F.	173	Dale L. Tieden
			Jim Lind
			Mark Hagerla
			James Kersten
			Mary Kramer
			Derryl McLaren
			Paul Pate
			Wilmer Rensink
			Maggie Tinsman
			Richard Vande Hoef
			Ray Taylor
			John Jensen
			Linn Fuhrman
			John Soorholtz
			H. Kay Hedge
			Sheldon Rittmer
			Richard F. Drake
			Harry Slife
			Allen Borlaug
S-3021	H.F.	173	Leonard L. Boswell
S-3022	H.F.	173	Berl Priebe
			Jim Riordan
S-3023	S.F.	87	Don Gettings
			Patrick Deluhery
			Richard F. Drake

S—3024

H.F.

173

Harry Slife
Beverly Hannon
Florence Buhr
Leonard Boswell
Bill Hutchins
Larry Murphy
Al Sturgeon

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:32 p.m., until 9:00 a.m., Friday, February 8, 1991.

JOURNAL OF THE SENATE

TWENTY-SIXTH CALENDAR DAY
EIGHTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, February 8, 1991

The Senate met in regular session at 9:17 a.m., President Welsh presiding.

Prayer was offered by the Honorable Wm. W. (Bill) Dieleman, member of the Senate from Marion County, Pella, Iowa.

The Journal of Thursday, February 7, 1991 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senators Kinley and Doyle for the day on request of Senator Hutchins.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House, on February 7, 1991, **insisted** on its amendment to **Senate Concurrent Resolution 2**, a concurrent resolution relating to joint rules of the senate and house for the seventy-fourth general assembly, 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 Bremer, Mr. Lageschulte; the Representative from Crawford, Mr. Muhlbauer; the Representative from Marion, Mr. Schrader; the Representative from Mahaska, Mr. Van Maanen.

ALSO: That the House has on February 7, 1991, passed the following bill in which the concurrence of the Senate is asked:

House File 129, a bill for an act to legalize the proceedings of the City Council of the City of Mason City relating to its budget and certification of taxes pertaining to the City Library.

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

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 151** be referred from the Regular Calendar to committee on **State Government**.

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 Welsh presiding.

UNFINISHED BUSINESS

(Deferred January 31, 1991)

Senate File 87

The Senate resumed consideration of Senate File 87, a bill for an act relating to the deposit insurance required of certain financial institutions by eliminating the authority of those institutions to secure private insurance to satisfy this requirement, and amendment S—3010 by Senators Gettings and Deluhery to pages 1, 2 and the title page of the bill, deferred on January 31, 1991.

Senator Gettings offered amendment S—3023 filed by Senators Gettings, et al., on February 7, 1991, to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—3023 was adopted by a voice vote.

With the adoption of amendment S—3023, amendment S—3010 by Senators Gettings and Deluhery to pages 1, 2 and the title page of the bill, deferred on January 31, 1991, was ruled out of order.

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

On the question "Shall the bill pass?" (S.F. 87) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Doyle Kinley

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 7, 1991)

House File 173

The Senate resumed consideration of House File 173, a bill for an act relating to reductions in appropriations made for the fiscal year ending June 30, 1991, to departments and agencies of state government and to other public purposes, a supplemental appropriation, and transferring moneys from the Iowa plan fund and other funds to the general fund of the state, and providing an effective date, and amendment S—3018 by Senators Riordan and Hannon to page 37 of the bill, deferred on February 7, 1991.

Senator Tieden offered amendment S—3020 filed by Senators Tieden, et al., on February 7, 1991, to strike everything after the enacting clause of the bill.

Senator Boswell offered amendment S—3027 filed by Senators Boswell, et al., from the floor to pages 8, 15-18, 32, 35, 40, 41, 43-47, 52, 55, 57, 62 and 64 of amendment S—3020 and called for a division of the amendment:

Division S—3027 A: lines 19 and 20.

Division S—3027 B: line 9.

Division S—3027 C: lines 15 and 16.

Division S—3027 D: line 25.

Division S—3027 E: lines 23 and 24.

Division S—3027 F: line 4.

Division S—3027 G: line 5.

Division S—3027 H: lines 6 and 7.

Division S—3027 I: line 8.

Division S—3027 J: line 10.

Division S—3027 K: lines 11 and 12.

Division S—3027 L: lines 13 and 14.

Division S—3027 M: lines 17, 18 and 21.

Division S—3027 N: line 22.

Senator Gronstal moved the adoption of division S—3027A to pages 47 and 52 of amendment S—3020.

A record roll call was requested.

On the question "Shall division S—3027A to amendment S—3020 be adopted?" (H.F. 173) the vote was:

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

Ayes, 27:

Boswell
Dieleman
Hannon
Kibbie
Nystrom
Riordan
Szymoniak

Buhr
Fraise
Horn
Lloyd-Jones
Palmer
Rosenberg
Varn

Connolly
Gettings
Husak
Miller
Peterson
Running
Welsh

Deluhery
Gronstal
Hutchins
Murphy
Priebe
Sturgeon

Nays, 21:

Borlaug	Drake	Fuhrman	Hagerla
Hedge	Hester	Jensen	Kersten
Kramer	Lind	McLaren	Pate
Rensink	Rife	Rittmer	Slife
Soorholtz	Taylor	Tieden	Tinsman
Vande Hoef			

Absent or not voting, 2:

Doyle Kinley

Division S—3027A was adopted.

Senator Boswell moved the adoption of division S—3027B to page 32 of amendment S—3020.

A record roll call was requested.

On the question "Shall division S—3027B to amendment S—3020 be adopted?" (H.F. 173) the vote was:

Ayes, 27:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Fraise	Gettings	Gronstal
Hannon	Horn	Husak	Hutchins
Kibbie	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Peterson	Priebe
Riordan	Rosenberg	Running	Sturgeon
Szymoniak	Varn	Welsh	

Nays, 21:

Borlaug	Drake	Fuhrman	Hagerla
Hedge	Hester	Jensen	Kersten
Kramer	Lind	McLaren	Pate
Rensink	Rife	Rittmer	Slife
Soorholtz	Taylor	Tieden	Tinsman
Vande Hoef			

Absent or not voting, 2:

Doyle Kinley

Division S—3027B was adopted.

Senator Husak took the chair at 11:50 a.m.

President Welsh took the chair at 11:52 a.m.

Senator Gettings moved the adoption of division S—3027C to pages 45 and 46 of amendment S—3020.

A record roll call was requested.

On the question "Shall division S—3027C to amendment S—3020 be adopted?" (H.F. 173) the vote was:

Ayes, 27:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Fraise	Gettings	Gronstal
Hannon	Horn	Husak	Hutchins
Kibbie	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Peterson	Priebe
Riordan	Rosenberg	Running	Sturgeon
Szymoniak	Varn	Welsh	

Nays, 21:

Borlaug	Drake	Fuhrman	Hagerla
Hedge	Hester	Jensen	Kersten
Kramer	Lind	McLaren	Pate
Rensink	Rife	Rittmer	Slife
Soorholtz	Taylor	Tieden	Tinsman
Vande Hoef			

Absent or not voting, 2:

Doyle Kinley

Division S—3027C was adopted.

Senator Boswell asked and received unanimous consent to withdraw division S—3027D to page 64 of amendment S—3020.

Senator Boswell asked and received unanimous consent that action on division S—3027E through S—3027N to amendment S—3020 be deferred.

Senator Running offered amendment S—3031 filed by him from the floor to pages 20-23 of amendment S—3020.

Senator Running asked and received unanimous consent that action on amendment S—3031 to amendment S—3020 be deferred.

Senator Varn offered amendment S—3035 filed by Senators Boswell and Varn from the floor to page 64 of amendment S—3020 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3035 to amendment S—3020 be adopted?" (H.F. 173) the vote was:

Ayes, 27:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Fraise	Gettings	Gronstal
Hannon	Horn	Husak	Hutchins
Kibbie	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Peterson	Priebe
Riordan	Rosenberg	Running	Sturgeon
Szymoniak	Varn	Welsh	

Nays, 21:

Borlaug	Drake	Fuhrman	Hagerla
Hedge	Hester	Jensen	Kersten
Kramer	Lind	McLaren	Pate
Rensink	Rife	Rittmer	Slife
Soorholtz	Taylor	Tieden	Tinsman
Vande Hoef			

Absent or not voting, 2:

Doyle	Kinley
-------	--------

Amendment S—3035 was adopted.

The Senate resumed consideration of divisions S—3027E through S—3027N by Senators Boswell, et al., to amendment S—3020, previously deferred.

Senator Varn moved the adoption of division S—3027E to pages 57 and 62 of amendment S—3020.

A record roll call was requested.

On the question "Shall division S—3027E to amendment S—3020 be adopted?" (H.F. 173) the vote was:

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

Ayes, 28:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Fraise	Gettings	Gronstal
Hannon	Horn	Husak	Hutchins
Jensen	Kibbie	Lloyd-Jones	Miller
Murphy	Nystrom	Palmer	Peterson
Priebe	Riordan	Rosenberg	Running
Sturgeon	Szymoniak	Varn	Welsh

Nays, 20:

Borlaug	Drake	Fuhrman	Hagerla
Hedge	Hester	Kersten	Kramer
Lind	McLaren	Pate	Rensink
Rife	Rittmer	Slife	Soorholtz
Taylor	Tieden	Tinsman	Vande Hoef

Absent or not voting, 2:

Doyle Kinley

Division S—3027E was adopted.

President pro tempore Lloyd-Jones took the chair at 12:31 p.m.

Senator Szymoniak moved the adoption of division S—3027F to page 8 of amendment S—3020.

A record roll call was requested.

On the question "Shall division S—3027F to amendment S—3020 be adopted?" (H.F. 173) the vote was:

Ayes, 27:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Fraise	Gettings	Gronstal
Hannon	Horn	Husak	Hutchins
Kibbie	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Peterson	Priebe
Riordan	Rosenberg	Running	Sturgeon
Szymoniak	Varn	Welsh	

Nays, 21:

Borlaug	Drake	Fuhrman	Hagerla
Hedge	Hester	Jensen	Kersten
Kramer	Lind	McLaren	Pate
Rensink	Rife	Rittmer	Slife
Soorholtz	Taylor	Tieden	Tinsman
Vande Hoef			

Absent or not voting, 2:

Doyle Kinley

Division S—3027F was adopted.

President Welsh took the chair at 1:05 p.m.

Senator Buhr moved the adoption of division S—3027G to page 15 of amendment S—3020.

A record roll call was requested.

On the question "Shall division S—3027G to amendment S—3020 be adopted?" (H.F. 173) the vote was:

Ayes, 27:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Fraise	Gettings	Gronstal
Hannon	Horn	Husak	Hutchins
Kibbie	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Peterson	Priebe
Riordan	Rosenberg	Running	Sturgeon
Szymoniak	Varn	Welsh	

Nays, 21:

Borlaug	Drake	Fuhrman	Hagerla
Hedge	Hester	Jensen	Kersten
Kramer	Lind	McLaren	Pate
Rensink	Rife	Rittmer	Slife
Soorholtz	Taylor	Tieden	Tinsman
Vande Hoef			

Absent or not voting, 2:

Doyle Kinley

Division S—3027G was adopted.

Senator Boswell asked and received unanimous consent to withdraw divisions S—3027H through S—3027N to amendment S—3020.

Senator Running withdrew amendment S—3031 to pages 20-23 of amendment S—3020, previously deferred.

Senator Tieden moved the adoption of amendment S—3020 as amended.

On the question "Shall amendment S—3020 as amended be adopted?" (H.F. 173) the vote was:

Ayes, 20:

Borlaug	Drake	Fuhrman	Hagerla
Hedge	Jensen	Kersten	Kramer
Lind	McLaren	Pate	Rensink
Rife	Rittmer	Slife	Soorholtz
Taylor	Tieden	Tinsman	Vande Hoef

Nays, 28:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Fraise	Gettings	Gronstal
Hannon	Hester	Horn	Husak
Hutchins	Kibbie	Lloyd-Jones	Miller
Murphy	Nystrom	Palmer	Peterson
Priebe	Riordan	Rosenberg	Running
Sturgeon	Szymoniak	Varn	Welsh

Absent or not voting, 2:

Doyle	Kinley
-------	--------

Amendment S—3020 as amended lost.

Senator Boswell offered amendment S—3021 filed by him on February 7, 1991, to pages 3, 5-7, 28, 39, 57-59, 73, 74, 76 and 82-84 of the bill.

Senator Boswell offered amendment S—3028 filed by him from the floor to page 1 of amendment S—3021 and moved its adoption.

Amendment S—3028 was adopted by a voice vote.

Senator Boswell offered amendment S—3029 filed by him from the floor to page 2 of amendment S—3021 and moved its adoption.

Amendment S—3029 was adopted by a voice vote.

Senator Boswell offered amendment S—3026 filed by Senators Boswell, et al., from the floor to pages 2, 4-11, 13-15, 28, 31 and 52 of amendment S—3021.

President pro tempore Lloyd-Jones took the chair at 1:40 p.m.

Senator Boswell moved the adoption of amendment S—3026 to amendment S—3021.

A record roll call was requested.

On the question "Shall amendment S—3026 to amendment S—3021 be adopted?" (H.F. 173) the vote was:

Ayes, 45:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Drake	Fraise	Fuhrman
Gettings	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	McLaren
Miller	Murphy	Nystrom	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Vande Hoef	Varn
Welsh			

Nays, 3:

Borlaug	Peterson	Tinsman
---------	----------	---------

Absent or not voting, 2:

Doyle	Kinley
-------	--------

Amendment S—3026 was adopted.

Senator Rosenberg offered amendment S—3033 filed by Senators Rosenberg, Varn and Riordan from the floor to pages 9, 13, 18, 19 and 32-42 of amendment S—3021 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3033 to amendment S—3021 be adopted?" (H.F. 173) the vote was:

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

Ayes, 25:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Fraise	Gettings	Gronstal
Hannon	Horn	Husak	Hutchins
Kibbie	Lloyd-Jones	Miller	Murphy
Priebe	Riordan	Rosenberg	Running
Soorholtz	Sturgeon	Szymoniak	Varn
Welsh			

Nays, 23:

Borlaug	Drake	Fuhrman	Hagerla
Hedge	Hester	Jensen	Kersten
Kramer	Lind	McLaren	Nystrom
Palmer	Pate	Peterson	Rensink
Rife	Rittmer	Slife	Taylor
Tieden	Tinsman	Vande Hoef	

Absent or not voting, 2:

Doyle	Kinley
-------	--------

Amendment S—3033 was adopted.

Senator Sturgeon offered amendment S—3034 filed by him from the floor to page 52 of amendment S—3021.

President Welsh took the chair at 2:10 p.m.

Senator Priebe raised the point of order that amendment S—3034 to amendment S—3021 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3034 in order.

Senator Sturgeon moved the adoption of amendment S—3034 to amendment S—3021.

A record roll call was requested.

On the question "Shall amendment S—3034 to amendment S—3021 be adopted?" (H.F. 173) the vote was:

Ayes, 25:

Boswell	Buhr	Connolly	Drake
Fraise	Gettings	Gronstal	Hannon
Husak	Hutchins	Kibbie	Lind
Lloyd-Jones	Miller	Murphy	Nystrom
Riordan	Rosenberg	Running	Soorholtz
Sturgeon	Szymoniak	Taylor	Varn
Welsh			

Nays, 23:

Borlaug	Deluhery	Dieleman	Fuhrman
Hagerla	Hedge	Hester	Horn
Jensen	Kersten	Kramer	McLaren
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Rittmer	Slife
Tieden	Tinsman	Vande Hoef	

Absent or not voting, 2:

Doyle	Kinley
-------	--------

Amendment S—3034 was adopted.

Senator Boswell moved the adoption of amendment S—3021 as amended.

A record roll call was requested.

On the question "Shall amendment S—3021 as amended be adopted?" (H.F. 173) the vote was:

Ayes, 25:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Fraise	Gettings	Gronstal
Hannon	Hester	Horn	Husak
Hutchins	Kibbie	Lloyd-Jones	Miller
Murphy	Nystrom	Riordan	Rosenberg
Running	Sturgeon	Szymoniak	Varn
Welsh			

Nays, 23:

Borlaug	Drake	Fuhrman	Hagerla
---------	-------	---------	---------

Hedge	Jensen	Kersten	Kramer
Lind	McLaren	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Rittmer	Slife	Soorholtz	Taylor
Tieden	Tinsman	Vande Hoef	

Absent or not voting, 2:

Doyle Kinley

Amendment S—3021 as amended was adopted.

Senator Hannon asked and received unanimous consent to withdraw amendment S—3024 filed by Senators Hannon, et al., on February 7, 1991, to page 11 of the bill.

Senator Hannon offered amendment S—3036 filed by Senators Hannon, et. al., from the floor to page 11 of the bill and moved its adoption.

Amendment S—3036 was adopted by a voice vote.

Senator Running offered amendment S—3032 filed by him from the floor, to page 23 of the bill and moved its adoption.

Amendment S—3032 was adopted by a voice vote.

Senator Riordan moved the adoption of amendment S—3018 by Senators Riordan and Hannon to page 37 of the bill, deferred on February 7, 1991.

Amendment S—3018 was adopted by a voice vote.

Senator Boswell offered amendment S—3030 filed by him from the floor to pages 38, 60 and 81 of the bill and moved its adoption.

Amendment S—3030 was adopted by a voice vote.

Senator Priebe offered amendment S—3022 filed by Senators Priebe and Riordan on February 7, 1991, to page 71 of the bill and called for a division: lines 3 through 13 as division S—3022A and lines 14 through 20 as division S—3022B.

Senator Priebe asked and received unanimous consent that division S—3022B be withdrawn.

Senator Boswell raised the point of order that division S—3022A was not germane.

The Chair ruled the point well taken and division S—3022A out of order.

Senator Drake offered amendment S—3019 filed by him on February 7, 1991, to page 81 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3019 be adopted?" (H.F. 173) the vote was:

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

Ayes, 24:

Borlaug	Drake	Fuhrman	Hagerla
Hedge	Hester	Horn	Jensen
Kersten	Kramer	Lind	Lloyd-Jones
McLaren	Palmer	Pate	Rensink
Rife	Rittmer	Slife	Soorholtz
Taylor	Tieden	Tinsman	Vande Hoef

Nays, 24:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Fraise	Gettings	Gronstal
Hannon	Husak	Hutchins	Kibbie
Miller	Murphy	Nystrom	Peterson
Priebe	Riordan	Rosenberg	Running
Sturgeon	Szymoniak	Varn	Welsh

Absent or not voting, 2:

Doyle Kinley

Amendment S—3019 lost.

(Action on House File 173 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 Welsh 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.

BUSINESS PENDING

House File 173

The Senate resumed consideration of House File 173.

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. 173) the vote was:

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

Ayes, 26:

Boswell	Buhr	Connolly	Deluhery
Fraise	Gettings	Gronstal	Hester
Horn	Husak	Hutchins	Kibbie
Lloyd-Jones	Miller	Murphy	Nystrom
Pate	Riordan	Rosenberg	Running
Slife	Sturgeon	Szymoniak	Taylor
Varn	Welsh		

Nays, 22:

Borlaug	Dieleman	Drake	Fuhrman
Hagerla	Hannon	Hedge	Jensen
Kersten	Kramer	Lind	McLaren
Palmer	Peterson	Priebe	Rensink
Rife	Rittmer	Soorholtz	Tieden
Tinsman	Vande Hoef		

Absent or not voting, 2:

Doyle	Kinley
-------	--------

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

INTRODUCTION OF BILLS

Senate File 152, by Running, Horn and Tieden, a bill for an act establishing a maximum civil liability for losses caused by the distribution of beer, wine, or intoxicating liquor to a person while the person is intoxicated, or if the distribution results in intoxication.

Read first time and passed on file.

Senate File 153, by Running, Horn, Tieden and Lind, a bill for an act relating to the authority of a class "E" liquor control licensee to hold other retail liquor licenses.

Read first time and passed on file.

Senate File 154, by Running, Horn, Tieden and Lind, a bill for an act relating to classification of alcoholic beverages by percentage weight of alcohol and manner of production.

Read first time and passed on file.

Senate File 155, by Running and Sturgeon, a bill for an act relating to charges for injuries to employees compensable under the workers' compensation law.

Read first time and passed on file.

Senate File 156, by Running, a bill for an act establishing procedures for notification of an emergency care provider who is exposed to contagious or infectious diseases, and making penalties applicable.

Read first time and passed on file.

Senate File 157, by Szymoniak, a bill for an act relating to the notice of certain effects of alcoholic beverages, and providing a penalty.

Read first time and passed on file.

Senate File 158, by Buhr, a bill for an act relating to the redemption period of certain real property sold at tax sales and providing an applicability date.

Read first time and passed on file.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **Senate Concurrent Resolution 2** on the part of the Senate: Senators Welsh, Chair; Lloyd-Jones, Hutchins, Rife and Soorholtz.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: February 7, 1991, 10:45 a.m.

Members Present: Peterson, Chair; Pate, Ranking Member and Slife.

Members Absent: Dieleman, Vice Chair and Welsh (both excused).

Committee Business: Reports from the Secretary of State and Substance Abuse Prevention Coordinator.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: February 7, 1991, 10:25 a.m.

Members Present: Priebe, Vice Chair; McLaren, Ranking Member; Hester and Kibbie.

Members Absent: Husak, Chair (excused).

Committee Business: Discussion on animal diseases by DALs.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 7, 1991, 10:38 p.m.

Members Present: Riordan, Chair and Borlaug.

Members Absent: Boswell, Chair; Kramer, Ranking Member and Lloyd-Jones.

Committee Business: Budget presentation by the Division of Community Progress, Department of Economic Development.

Adjourned: 12:00 noon.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 7, 1991, 10:30 a.m.

Members Present: Buhr, Chair; Miller, Vice Chair; Tinsman, Ranking Member; Hannon and Rittmer.

Members Absent: none.

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

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 7, 1991, 10:35 a.m.

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

Members Absent: Rosenberg (excused).

Committee Business: Report on prison industries and update on the Sioux City CBC facility.

Adjourned: 11:35 a.m.

APPROPRIATIONS

Convened: February 7, 1991, 2:10 p.m.

Members Present: Boswell, Chair; Welsh, Vice Chair; Tieden, Ranking Member; Buhr, Gettings, Hagerla, Husak, Kersten, Lind, Lloyd-Jones, McLaren, Peterson, Rensink, Running, Szymoniak, Tinsman and Varn.

Members Absent: Connolly (excused), Gronstal, Pate and Riordan.

Committee Business: Approved SSB 17 as a committee bill.

Adjourned: 2:15 p.m.

STATE GOVERNMENT

Convened: February 7, 1991, 2:37 p.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Rife, Running, Soorholtz, Vande Hoef and Welsh.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved SSB 120 as a committee bill; recommended passage of Senate File 38 as amended.

Adjourned: 3:38 p.m.

PROOF OF PUBLICATION

Verified proof of publication of House File 129 in accordance with Section 585.1 of the Code was filed with the Secretary of the Senate.

COMMITTEE REPORT

STATE GOVERNMENT

Final Bill Action: SENATE FILE 38, a bill for an act to establish a supercomputer commission responsible for the planning, development, and implementation of a statewide supercomputer network system.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3025.

Final Vote: Ayes. 19: Kibbie, Lloyd-Jones, Nystrom, Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Rife, Running, Soorholtz, Vande Hoef and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on February 7, 1991.

Had I been present, I would have voted "aye" on Senate Files 121, 89, 97, 103, 104, 109, 110, 111, 112, 115 and 116.

MIKE CONNOLLY

PRESENTATION OF VISITORS

Senator Priebe presented the following visitors who were present in the Senate chamber as his guests:

Dr. Timothy Schmidt, Professor of Music at Waldorf College, Forest City, Iowa; Thomas Tsanga from Camproon, Africa, international student at Waldorf College; and Dr. Vladimir Lazar, Scholar in Residence at Waldorf College. Dr. Lazar is Professor

of Linguistics, Izmail Teachers Training Institute, Ismail, Ukraine
U.S.S.R.

AMENDMENTS FILED

S—3025	S.F.	38	State Government
S—3026	H.F.	173	Leonard L. Boswell
			Bill Hutchins
			Joe J. Welsh
			Emil J. Husak
			Don E. Gettings
			Larry Murphy
			Berl E. Priebe
			William W. Dieleman
			Eugene S. Fraise
			John P. Kibbie
			Jim Riordan
			Jack Nystrom
			Richard J. Varn
S—3027	H.F.	173	Leonard L. Boswell
			Bill Hutchins
			Joe J. Welsh
			Don Gettings
			John A. Peterson
			Emil J. Husak
			Jim Riordan
			Beverly A. Hannon
			Larry Murphy
			Alvin V. Miller
			Eugene Fraise
			Al Sturgeon
			Florcence Buhr
			Elaine Szymoniak
			Michael E. Gronstal
			Richard J. Varn
S—3028	H.F.	173	Leonard L. Boswell
S—3029	H.F.	173	Leonard L. Boswell
S—3030	H.F.	173	Leonard L. Boswell
S—3031	H.F.	173	Richard V. Running
S—3032	H.F.	173	Richard V. Running
S—3033	H.F.	173	Ralph Rosenberg

			Richard J. Varn
			Jim Riordan
S—3034	H.F.	173	Al Sturgeon
S—3035	H.F.	173	Leonard L. Boswell
			Richard J. Varn
S—3036	H.F.	173	Beverly Hannon
			Florence Buhr
			Leonard L. Boswell
			Bill Hutchins

BILLS ASSIGNED TO COMMITTEE

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

S.F.	133	Judiciary
S.F.	139	Judiciary
S.F.	142	Commerce
S.F.	143	Commerce
S.F.	144	Human Resources
S.F.	145	Judiciary
S.F.	146	Education
S.F.	147	Education
S.F.	148	Ways and Means
S.F.	149	Education

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 3:10 p.m., until 1:30 p.m., Monday, February 11, 1991.

JOURNAL OF THE SENATE

TWENTY-NINTH CALENDAR DAY
NINETEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 11, 1991

The Senate met in regular session at 1:32 p.m., President Welsh presiding.

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

The Journal of Friday, February 8, 1991, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Connolly for the day on request of Senator Hutchins and Senator Palmer for the day on request of Senator Horn.

INTRODUCTION OF BILL

Senate File 159, by Szymoniak, a bill for an act establishing an addiction treatment effectiveness advisory council, prescribing its duties, and providing for sanctions and civil penalties.

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

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 23

On motion of Senator Szymoniak, **Senate File 23**, a bill for an act relating to the teaching of American sign language in accredited schools, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that action on **Senate File 23** be deferred.

Senate File 134

On motion of Senator Priebe, Senate File 134, a bill for an act relating to the use of fireworks in state parks and preserves and providing a penalty, 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. 134) the vote was:

Ayes, 38:

Boswell	Buhr	Deluhery	Dieleman
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Pate
Priebe	Rensink	Riordan	Rittmer
Rosenberg	Slife	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Varn	Welsh		

Nays, 10:

Borlaug	Doyle	Drake	Jensen
Murphy	Nystrom	Peterson	Rife
Running	Vande Hoef		

Absent or not voting, 2:

Connolly	Palmer
----------	--------

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 150

On motion of Senator Husak, Senate File 150, a bill for an act

relating to the department of natural resources, by providing for the use of unexpended moneys in the fish and game protection fund, and providing an effective date, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 150) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2

Connolly Palmer

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

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 118

On motion of Senator Riordan, Senate File 118, a bill for an act relating to the certification of commercial applicators of pesticides, was taken up for consideration.

Senator Riordan offered amendment S—3037 filed by Senators Riordan and Priebe from the floor to page 1 of the bill and moved its adoption.

Amendment S—3037 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. 118) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2

Connolly Palmer

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

Senate File 78

On motion of Senator Kibbie, Senate File 78, a bill for an act relating to the membership of the college student aid commission, to substitute a representative from the community colleges for the member of the state council on vocational education, with report of committee recommending passage, was taken up for consideration.

President pro tempore Lloyd-Jones took the chair at 2:10 p.m.

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. 78) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2

Connolly Palmer

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 2:17 p.m., until 4:30 p.m.

APPENDIX

PETITIONS

The following petitions favoring legislation reducing the size of the deer herd inside the boundaries of the Lake Darling State Park were presented and placed on file by:

Senator Drake from sixty-two residents of Washington, Jefferson and Keokuk Counties.

Senator Hedge from sixty-two residents of Jefferson and Keokuk Counties.

The following petitions were presented and placed on file by:

Senator Taylor from forty residents of Franklin and Wright Counties favoring legislation that all grain sold to licensed Iowa grain elevators be covered by the Iowa Grain Indemnity Fund.

Senator Rensink from fifty-one residents of Sioux and Plymouth Counties opposing legislation placing the hunting and fishing license fund into the general fund.

CERTIFICATES OF RECOGNITION

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

Ed Harlman, Burlington — For celebrating his 111th birthday. Senator Hagerla (2-7-91).

Nelson Montero, Limon, Costa Rica — For his visit to the Iowa Senate while on the Central American Peace Scholarship and for his cultural exchange with Waukee High School students. Senator Riordan (2-7-91).

STUDY BILLS RECEIVED

SSB 159 State Government

Relating to the formula used for monthly benefit payments for certain retired members of the Iowa public employees' retirement system, and providing an effective date.

SSB 160 State Government

Relating to the department of inspections and appeals by creating new licensing and fee requirements for gaming activities.

SSB 161 State Government

A Joint Resolution proposing an amendment to the Constitution of the State of Iowa prohibiting the passage of certain state laws which would require political subdivisions to expend funds.

SSB 162 Agriculture

Relating to the family farm tax credit, and providing a penalty.

SSB 163 Agriculture

Requiring that motor vehicle fuel maintained by retail dealers include ethanol blended fuel, and providing a penalty.

SSB 164 Agriculture

Relating to a survey of agricultural land ownership by Iowa State University of Science and Technology.

SUBCOMMITTEE ASSIGNMENTS**Senate File 130**

AGRICULTURE: Priebe, Chair; Doyle and Soorholtz

SSB 159

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

SSB 160

STATE GOVERNMENT: Running, Chair; Horn and Rife

SSB 161

STATE GOVERNMENT: Doyle, Chair; Lloyd-Jones and Vande Hoef

SSB 162

AGRICULTURE: Doyle, Chair; McLaren and Priebe

SSB 163

AGRICULTURE: Hester, Chair; Hedge and Husak

SSB 164

AGRICULTURE: Miller, Chair; McLaren and Riordan

COMMITTEE REPORT**STATE GOVERNMENT**

Final Bill Action: SENATE FILE 151, a bill for an act relating to peer review of certain certified public accountants, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes. 18: Kibbie, Lloyd-Jones, Nystrom, Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Priebe, Rife, Running, Soorholtz, Vande Hoef and Welsh. Nays, none. Absent or not voting, 1: Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3037	S. F.	118	Jim Riordan
			Berl E. Priebe
S—3038	S. F.	19	Berl E. Priebe

RECONVENED

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

INTRODUCTION OF BILLS

Senate File 160, by Drake, a bill for an act relating to the time for bringing an action arising out of the performance or nonperformance of a professional service or from an alleged defect in a product.

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

Senate File 161, by Drake, a bill for an act relating to certain tort actions by limiting the maximum liability for noneconomic damages for pain and suffering, loss of consortium, or loss of chance.

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

Senate File 162, by Priebe, a bill for an act relating to the use of topical external applications on horses and dogs engaged in racing.

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

Senate File 163, by Vande Hoef and Miller, a bill for an act relating to proposed city public improvements which require sealed competitive bids.

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

Senate File 164, by Running, a bill for an act relating to the management of state agencies, by requiring implementation of principles relating to the continuing process of improving agency management and operations.

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

QUORUM CALL

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

The vote revealed 46 present, 4 absent and a quorum present.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 141.

Senate File 141

On motion of Senator Murphy, Senate File 141, a bill for an act relating to media and educational services funding for area education agencies, was taken up for consideration.

Senator Connolly asked and received unanimous consent that action on **Senate File 141** be deferred.

HOUSE MESSAGE RECEIVED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 11, 1991, refused to concur in the Senate amendment to the following bill in which the concurrence of the House was asked:

House File 173, a bill for an act relating to reductions in appropriations made for the fiscal year ending June 30, 1991, to departments and agencies of state government and to other public purposes, a supplemental appropriation, and transferring moneys from the Iowa plan fund and other funds to the general fund of the state, and providing an effective date.

SENATE INSISTS

House File 173

Senator Boswell called up for consideration House File 173, a bill for an act relating to reductions in appropriations made for the fiscal year ending June 30, 1991, to departments and agencies of state government and to other public purposes, a supplemental appropriation, and transferring moneys from the Iowa plan fund and other funds to the general fund of the state, and providing an effective date, amended by the Senate, and moved that the Senate insists on its amendment.

The motion prevailed by a voice vote and the Senate insisted on its amendment.

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

The Senate resumed session, President Welsh presiding.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **House File 173**, on the part of the Senate: Senators Boswell, Chair; Welsh, Buhr, Tieden and Lind.

INTRODUCTION OF BILLS

Senate File 165, by Hagerla, Pate, McLaren, Vande Hoef, Borlaug, Taylor, Lind, Kramer, Hedge, Rensink, Tinsman, Nystrom, Kersten, Slife, Rife, Rittmer and Tieden, a bill for an act relating to the appropriating of moneys to the general assembly and its legislative agencies for salaries, costs, and expenses of the general assembly and its agencies and providing effective dates.

Read first time and passed on file.

Senate File 166, by committee on Transportation, 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 placed on calendar.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S.F.	152	Judiciary
S.F.	153	State Government
S.F.	154	State Government
S.F.	155	Business & Labor Relations
S.F.	157	State Government
S.F.	158	Local Government
S.F.	160	Judiciary
S.F.	161	Judiciary

COMMITTEE REPORT

TRANSPORTATION

Final Bill Action: SENATE FILE 166 (SSB 138), a bill for an act restricting the burning of vegetation or debris within rights-of-way of public roads and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Fraise, Drake, Gettings, Jensen, Kersten, Lloyd-Jones, Nystrom, Pate and Welsh. Nays, 1: Dieleman. Absent or not voting, 2: Connolly and Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:15 p.m., until 9:30 a.m., Tuesday, February 12, 1991.

JOURNAL OF THE SENATE

THIRTIETH CALENDAR DAY
TWENTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 12, 1991

The Senate met in regular session at 9:30 a.m., President Welsh presiding.

Prayer was offered by the Reverend Jimmy Ford, pastor of the Staves United Methodist Church, Des Moines, Iowa.

The Journal of Monday, February 11, 1991, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Slife for the day on request of Senator Borlaug.

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.

INTRODUCTION OF BILLS

Senate File 167, by Sturgeon, a bill for an act limiting contributions made by political committees to a candidate or candidate's committee and making a penalty applicable.

Read first time and passed on file.

Senate File 168, by Kibbie, a bill for an act to permit the exclusive use of telecommunications in grades nine through twelve to provide courses that are required by the state's minimum educational standards under certain circumstances.

Read first time and passed on file.

Senate File 169, by Fuhrman, a bill for an act permitting the use of fully interactive telecommunications systems as the exclusive means to provide required courses in certain school districts and permitting a teacher's aide to be the supervising teacher at the place where the telecommunications are being received.

Read first time and passed on file.

HOUSE MESSAGE RECEIVED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 7, 1991, passed the following bill in which the concurrence of the House was asked:

Senate File 90, a bill for an act making nonsubstantive changes in the Iowa small business new jobs training act.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:56 a.m., until 4:30 p.m.

APPENDIX**STUDY BILLS RECEIVED****SSB 165 Human Resources**

Relating to federal-state public assistance programs.

SSB 166 Human Resources

Relating to the restructuring of the codified provisions relating to dependent adult abuse, and providing penalties.

SSB 167 Business & Labor Relations

A Concurrent Resolution protesting the withholding of Federal Unemployment Tax Act (FUTA) funds by the federal government.

SSB 168 Business & Labor Relations

To provide interest on delayed medical benefits payments, and to provide an administrative remedy for delay in, or termination of, medical benefits.

SSB 169 Business & Labor Relations

Relating to workers' compensation medical benefits and weekly benefit claims, extraterritorial jurisdiction, burial expenses, and minimum benefit payments.

SSB 170 Environment & Energy Utilities

Relating to air emission and water quality, pretreatment, and effluent standards and limitations.

SSB 171 Local Government

Relating to administrative rulemaking.

SSB 172 Natural Resources

Relating to the protection of surface water from siltation and sedimentation, and subjecting violators to civil and criminal penalties.

SSB 173 Natural Resources

Relating to operating a snowmobile or all-terrain vehicle while under the influence of alcohol or a drug and increasing criminal penalties.

SSB 174 Local Government

Relating to the tax levy for the assessment expense fund for the maintenance of the office of assessor.

SSB 175 Judiciary

Relating to agreements by physicians restricting professional practices, providing that such agreements violate public policy, and providing effective date and retroactive applicability provisions.

SSB 176 Judiciary

Relating to the marketable title of real estate.

SSB 177 Judiciary

Relating to the ability of a mentally disabled person to obtain a marriage license.

SSB 178 Local Government

Relating to amending or repealing city ordinances.

CONFERENCE COMMITTEE REPORT RECEIVED
(Senate Concurrent Resolution 2)

A conference committee report signed by the following Senate and House members was filed February 12, 1991, on Senate Concurrent Resolution 2, a concurrent resolution relating to joint rules of the senate and house for the seventy-fourth general assembly:

On the Part of the Senate:

JOE J. WELSH, Chair
JEAN LLOYD-JONES
BILL HUTCHINS

On the Part of the House:

GLEN JESSE, Chair
LOUIS J. MUHLBAUER
DAVID SCHRADER

PETITION
(Corrected)

The following corrected petition was presented and placed on file by:

Senator Taylor from forty residents of Franklin and Wright Counties favoring legislation that all grain sold to licensed Iowa grain elevators, be it cash sale, deferred payment, or no price established contract, be covered by the Iowa Grain Indemnity Fund.

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: February 11, 1991, 3:37 p.m.

Members Present: Hannon, Chair; Buhr, Vice Chair; Hagerla, Ranking Member; Horn, Kramer, Murphy, Riordan, Rittmer, Sturgeon, Szymoniak, Taylor and Tinsman.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; deferred action on SSB 73.

Adjourned: 4:33 p.m.

STATE GOVERNMENT

Convened: February 11, 1991, 2:35 p.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Priebe, Rife, Running, Soorholtz, Vande Hoef and Welsh.

Members Absent: Murphy (excused).

Committee Business: Recommended passage of Senate File 151; approved SSB 52 as a committee bill; assigned bills to subcommittees.

Adjourned: 2:44 p.m.

TRANSPORTATION

Convened: February 11, 1991, 3:35 p.m.

Members Present: Fraise, Chair; Drake, Ranking Member; Dieleman, Gettings, Jensen, Kersten, Lloyd-Jones, Nystrom, Pate and Welsh.

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

Committee Business: Assigned bills to subcommittees; recommended Senate File 20 be rewritten as a committee bill and ordered redrafted for final committee approval; approved SSB 138 as a committee bill; presentations by the DOT and Department of Management regarding transfer of funds.

Adjourned: 4:05 p.m.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 171, a bill for an act providing for the identification and eradication of marijuana plants.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Priebe, Peterson, Soorholtz, Boswell, Doyle, Fraise, Hedge, Hester, Husak, McLaren, Riordan, Rittmer and Vande Hoef. Nays, none. Absent or not voting, 2: Miller and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 174 (SSB 31), a bill for an act classifying the transfer of a nonpayable financial instrument to a livestock dealer as a fraudulent practice and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Priebe, Peterson, Soorholtz, Boswell, Doyle, Fraise, Hedge, Hester, Husak, McLaren, Riordan, Rittmer and Vande Hoef. Nays, none. Absent or not voting, 2: Miller and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: *SENATE FILE 172 (SSB 52), a bill for an act establishing a state fair challenge grant foundation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes. 18: Kibbie, Lloyd-Jones, Nystrom, Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Priebe, Rife, Running, Soorholtz, Vande Hoef and Welsh. Nays, none. Absent or not voting, 1: Murphy.

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 State Government Committee on Senate File 172 and they were attached to the committee report.

SUBCOMMITTEE ASSIGNMENTS

Senate File 99

LOCAL GOVERNMENT: Jensen, Chair; Miller and Szymoniak

Senate File 113

TRANSPORTATION: Gettings, Chair; Fraise and Jensen

Senate File 114

HUMAN RESOURCES: Szymoniak, Chair; Sturgeon and Tinsman

Senate File 119

LOCAL GOVERNMENT: Jensen, Chair; Fraise and Hannon

Senate File 122

LOCAL GOVERNMENT: Vande Hoef, Chair; Fraise and Miller

Senate File 126

ENVIRONMENT & ENERGY UTILITIES: Gronstal, Chair; Borlaug, Hannon, Hedge and Miller

Senate File 129

JUDICIARY: Varn, Chair; Hagerla and Rosenberg

Senate File 131

JUDICIARY: Varn, Chair; Slife and Sturgeon

Senate File 132

JUDICIARY: Rosenberg, Chair; Drake and Peterson

Senate File 133

JUDICIARY: Sturgeon, Chair; Drake, Gronstal, Rosenberg, Slife, Murphy and Hester

Senate File 136

ENVIRONMENT & ENERGY UTILITIES: Gronstal, Chair; Borlaug, Hannon, Hedge and Miller

Senate File 137

JUDICIARY: Rosenberg, Chair; Murphy and Slife

Senate File 139

JUDICIARY: Rosenberg, Chair; Gronstal and Slife

Senate File 140

JUDICIARY: Rosenberg, Chair; Hagerla and Varn

Senate File 145

JUDICIARY: Sturgeon, Chair; Slife and Varn

Senate File 148

WAYS AND MEANS: Husak, Chair; Fuhrman and Palmer

Senate File 152

JUDICIARY: Varn, Chair; Connolly and Slife

Senate File 158

LOCAL GOVERNMENT: Buhr, Chair; Borlaug and Hannon

Senate File 160

JUDICIARY: Varn, Chair; Connolly and Slife

Senate File 161

JUDICIARY: Varn, Chair; Connolly and Slife

SSB 171

LOCAL GOVERNMENT: Miller, Chair; Jensen and Vande Hoef

SSB 174

LOCAL GOVERNMENT: Miller, Chair; Fraise and Vande Hoef

SSB 175

JUDICIARY: Gronstal, Chair; Hester and Horn

SSB 176

JUDICIARY: Varn, Chair; Drake and Peterson

SSB 177

JUDICIARY: Sturgeon, Chair; Fuhrman and Peterson

SSB 178

LOCAL GOVERNMENT: Buhr, Chair; Borlaug and Fraise

AFTERNOON SESSION

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

INTRODUCTION OF BILLS

Senate File 170, by Kibbie, Taylor, Tieden, Dieleman, Boswell, Hester, Fuhrman, Miller, Priebe, Hannon, Gettings, McLaren, Drake, Rensink, Borlaug, Hedge, Hagerla and Vande Hoef, a bill for an act to permit school or school district superintendents to serve concurrently as an elementary school principal in the school or school district.

Read first time and passed on file.

Senate File 171, by committee on Agriculture, a bill for an act providing for the identification and eradication of marijuana plants.

Read first time and placed on calendar.

Senate File 172, by committee on State Government, a bill for an act establishing a state fair challenge grant foundation.

Read first time and placed on calendar.

Senate File 173, by Vande Hoef, a bill for an act relating to the establishment of certain county roads and imposing a limitations period for the commencement of actions challenging the establishment of county roads.

Read first time and passed on file.

Senate File 174, by committee on Agriculture, a bill for an act classifying the transfer of a nonpayable financial instrument to a livestock dealer or market agency as a fraudulent practice and making penalties applicable.

Read first time and placed on calendar.

Senate File 175, by committee on Ways and Means, a bill for an act extending the lower state motor fuel tax rate for motor fuel containing at least ten percent alcohol distilled from cereal grains.

Read first time and placed on Ways and Means calendar.

Senate File 176, by committee on Ways and Means, a bill for an act relating to providing an income tax exemption for payments received by persons providing in-home health-related care services to related individuals, and providing a retroactive applicability date.

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

Senate File 177, by Lloyd-Jones, Szymoniak, Rosenberg and Lind, a bill for an act prohibiting discriminatory practices based upon a person's sexual orientation.

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

QUORUM CALL

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

The vote revealed 46 present, 4 absent and a quorum present.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	156	Human Resources
S. F.	159	State Government
S. F.	162	State Government
S. F.	163	Local Government
S. F.	164	State Government
S. F.	165	Appropriations
S. F.	167	State Government
S. F.	168	Education
S. F.	169	Education
S. F.	170	Education
S. F.	173	Local Government
H. F.	129	Judiciary

SUBCOMMITTEE ASSIGNMENT**House File 129**

JUDICIARY: Gronstal, Chair; Connolly and Slife

COMMITTEE REPORT**JUDICIARY**

Final Bill Action: HOUSE FILE 129, a bill for an act to legalize the proceedings of the City Council of the City of Mason City relating to its budget and certification of taxes pertaining to the City Library.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Sturgeon, Rosenberg, Fuhrman, Connolly, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson, Slife and Varn. Nays, none. Absent or not voting, 1: Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Priebe for the remainder of the day on request of Senator Horn and Senators Kersten, McLaren and Jensen until they arrive on request of Senator Rife.

**CONSIDERATION OF BILL
(Regular Calendar)**

Senator Hutchins asked and received unanimous consent to take up for immediate consideration House File 129.

House File 129

On motion of Senator Gronstal, House File 129, a bill for an act to legalize the proceedings of the city council of the city of Mason City relating to its budget and certification of taxes pertaining to the city library, 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. 129) the vote was:

Ayes, 46:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Kibbie
Kinley	Kramer	Lind	Lloyd-Jones
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none:

Absent or not voting, 4:

Jensen	Kersten	McLaren	Priebe
--------	---------	---------	--------

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 129** be immediately messaged to the House.

UNFINISHED BUSINESS
(Deferred February 11, 1991)

Senate File 141

The Senate resumed consideration of Senate File 141, a bill for an act relating to media and education services funding for area agencies, deferred February 11, 1991.

Senator Rife asked and received unanimous consent that action on **Senate File 141** be deferred.

CONFERENCE COMMITTEE REPORT ADOPTED**Senate Concurrent Resolution 2**

Senator Hutchins called up the conference committee report on Senate Concurrent Resolution 2, a concurrent resolution relating to joint rules of the senate and house for the seventy-fourth general assembly, filed on February 12, 1991, and moved its adoption.

The motion prevailed by a voice vote and the conference committee report and the recommendations contained therein was adopted.

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

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

INTRODUCTION OF BILL

Senate Joint Resolution 4, by Horn, a joint resolution to nullify an administrative rule of the department of education relating to the grant process for programs for at-risk early elementary students, and providing an effective date.

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

APPENDIX

COMMITTEE REPORTS

WAYS AND MEANS

Final Bill Action: SENATE FILE 175 (SSB 136), a bill for an act extending the lower state motor fuel tax rate for motor fuel containing at least ten percent alcohol distilled from cereal grains.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Dieleman, Hedge, Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, Murphy, Palmer, Szymoniak and Taylor. Nays, 1: Rosenberg. Absent or not voting, 2: Husak and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 176 (SSB 135), a bill for an act relating to providing an income tax exemption for payments received by persons providing in-home health-related care services to related individuals, and providing a retroactive applicability date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Dieleman, Hedge, Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, Palmer, Rosenberg, Szymoniak and Taylor. Nays, 1: Murphy. Absent or not voting, 2: Husak and McLaren.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:00 p.m., until 9:00 a.m., Wednesday, February 13, 1991.

JOURNAL OF THE SENATE

THIRTY-FIRST CALENDAR DAY
TWENTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 13, 1991

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

Prayer was offered by the Reverend Tom Allen, pastor of the First Federated Church, Des Moines, Iowa.

The Journal of Tuesday, February 12, 1991, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators McLaren and Kersten for the day and February 14, 1991 on request of Senator Lind.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 11, 1991, passed the following bill in which the concurrence of the Senate is asked:

House File 152, a bill for an act relating to boxing and wrestling laws administered by the athletic commissioner.

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

ALSO: That the members of the **conference committee**, appointed February 12, 1991, on **House File 173**, a bill for an act relating to reductions in appropriations made for the fiscal year ending June 30, 1991, to departments and agencies of state government and to other public purposes, a supplemental appropriation, and transferring moneys from the Iowa plan fund and other funds to the general fund of the state, and providing an effective date, on the part of the House are: The Representative from Dubuque, Mr. Jochum, Chair; the Representative from

Polk, Mr. Bisignano; the Representative from Clayton, Mr. Halvorson; the Representative from Calhoun, Mr. Maulsby; the Representative from Polk, Mr. Sherzan.

INTRODUCTION OF BILLS

Senate File 178, by committee on Judiciary, a bill for an act relating to certain religious exemptions to the required provision of medical treatment, and requiring screening for metabolic diseases in newborn infants.

Read first time and placed on calendar.

Senate File 179, by committee on Judiciary, a bill for an act relating to the protection of trade secrets and providing an effective date.

Read first time and placed on calendar.

Senate File 180, by committee on Judiciary, a bill for an act to delete the requirement for personal identifying information in the collection of domestic abuse reports.

Read first time and placed on calendar.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:12 a.m., until 4:30 p.m.

APPENDIX**STUDY BILLS RECEIVED****SSB 179 Small Business & Economic Development**

Relating to the organizational structure of the Wallace technology transfer foundation and the Iowa product development corporation.

SSB 180 Small Business & Economic Development

Relating to economic development by transferring funds to the revolving fund of the rural community 2000 program, establishing time frames for the completion of the community builder program, and providing an effective date.

SSB 181 Small Business & Economic Development

Relating to economic development by creating a value-added linked investments program, changing the definition of targeted small business, modifying the use of prior year funds under the incubator programs, and providing an effective date.

SSB 182 Commerce

Creating a statewide dual party relay service system, establishing telephone utility assessments, and authorizing distribution of telecommunications devices to the deaf.

SSB 183 Commerce

Relating to the regulation of pay-per-call service and advertisements and providing for the applicability of established penalties.

SSB 184 Commerce

Relating to the regulation and licensing of a person who purchases motor vehicle retail installment contracts, prescribing the conditions under which a person may purchase motor vehicle retail installment contracts, establishing fees, and providing penalties.

SSB 185 Education

Relating to open enrollment, making changes in payment of funds for pupils who transfer from one district to another and permitting students whose former district of residence was dissolved and merged with contiguous districts, and providing effective and applicability dates.

REPORTS OF COMMITTEE MEETINGS**APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION**

Convened: February 12, 1991, 10:05 a.m.

Members Present: Peterson, Chair; Dieleman, Vice Chair and Pate, Ranking Member.

Members Absent: Slife (excused) and Welsh.

Committee Business: Discussion of out-of-state travel expense and State Treasurer Mike Fitzgerald discussed additional problems in funding.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: February 12, 1991, 10:05 a.m.

Members Present: Husak, Chair; Priebe, Vice Chair; McLaren, Ranking Member; Hester and Kibbie.

Members Absent: none.

Committee Business: Budget presentation by the Secretary of Agriculture.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 12, 1991, 10:05 a.m.

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

Members Absent: none.

Committee Business: Presentations by regents and university presidents.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 12, 1991, 10:09 a.m.

Members Present: Szymoniak, Chair; Deluhery, Vice Chair; Hagerla, Ranking Member; Fuhrman and Sturgeon.

Members Absent: none.

Committee Business: Presentation by the Department of Human Services on the child welfare system.

Adjourned: 11:59 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 12, 1991, 10:05 a.m.

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

Members Absent: none.

Committee Business: Viewed Georgia's alternatives to prison; budget clarifications by the Board of Parole.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: February 12, 1991, 10:05 a.m.

Members Present: Gettings, Chair; Doyle, Vice Chair; Kersten, Ranking Member and Jensen.

Members Absent: Connolly.

Committee Business: DOM and DOT presentations concerning transfers to the general fund.

Adjourned: 10:45 a.m.

AGRICULTURE

Convened: February 12, 1991, 8:00 a.m.

Members Present: Priebe, Chair; Peterson, Vice Chair; Soorholtz, Ranking Member; Boswell, Doyle, Fraise, Hedge, Hester, Husak, McLaren, Miller, Riordan, Rittmer and Vande Hoef.

Members Absent: Palmer.

Committee Business: Presentation by the Interstate Agricultural Grain Marketing Commission; representatives from the Secretary of Agriculture and Attorney General offices were present to receive questions concerning the grain indemnity fund and bankrupt grain elevators; approved LSB 1641 and SSB 31, as amended, as committee bills.

Adjourned: 9:25 a.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: February 12, 1991, 1:35 p.m.

Members Present: Rosenberg, Chair; Borlaug, Deluhery, Fraise, Hannon, Hedge, Kersten, Miller and Varn.

Members Absent: Gronstal, Vice Chair (excused), Jensen, Ranking Member and Soorholtz.

Committee Business: Assigned bills to subcommittees.

Adjourned: 1:37 p.m.

JUDICIARY

Convened: February 12, 1991, 3:34 p.m.

Members Present: Sturgeon, Chair; Rosenberg, Vice Chair; Fuhrman, Ranking Member; Connolly, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson, Slife and Varn.

Members Absent: none.

Committee Business: Recommended passage of House File 129; approved SSBs 142, 80 and 98.

Adjourned: 4:18 p.m.

WAYS AND MEANS

Convened: February 12, 1991, 2:37 p.m.

Members Present: Dieleman, Chair; Hedge, Ranking Member; Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Murphy, Palmer, Rosenberg, Szymoniak and Taylor.

Members Absent: Husak, Vice Chair (excused).

Committee Business: Approved SSBs 135 and 136 as committee bills; assigned bill to subcommittee.

Adjourned: 3:05 p.m.

PRESENTATION OF VISITOR

Senator Rife welcomed the Honorable Jim Leach, member of the United States House of Representatives from Iowa's First Congressional District, who was present in the Senate chamber.

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 13th day of February, 1991:

Senate File 90.

JOHN F. DWYER
Secretary of the Senate

CERTIFICATE OF RECOGNITION

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

Lucille and Earl Caauwe, Ocheyedan — In observance of their 65th wedding anniversary. Senator Vande Hoef (2-10-91).

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: SENATE FILE 178 (SSB 142), a bill for an act relating to certain religious exemptions to the required provision of medical treatment, and requiring screening for metabolic diseases in newborn infants.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Sturgeon, Fuhrman, Connolly, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson, Slife and Varn. Nays, 2: Rosenberg and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 179 (SSB 80), a bill for an act relating to the protection of trade secrets and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Sturgeon, Rosenberg, Fuhrman, Connolly, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson, Slife and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 180 (SSB 98), a bill for an act to delete the requirement for personal identifying information in the collection of domestic abuse reports.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Sturgeon, Rosenberg, Fuhrman, Connolly, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson, Slife and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS

Senate File 120

COMMERCE: Varn, Chair; Gronstal and Jensen

Senate File 123

COMMERCE: Varn, Chair; Gronstal and Jensen

Senate File 135

COMMERCE: Palmer, Chair; Priebe and Slife

Senate File 142

COMMERCE: Sturgeon, Chair; Kersten and Priebe

Senate File 143

COMMERCE: Varn, Chair; Deluhery and Tieden

Senate File 144

HUMAN RESOURCES: Hannon, Chair; Kramer and Riordan

Senate File 163

LOCAL GOVERNMENT: Vande Hoef, Chair; Miller and Szymoniak

Senate File 173

LOCAL GOVERNMENT: Vande Hoef, Chair; Fraise and Miller

SSB 155

HUMAN RESOURCES: Kramer, Chair; Buhr and Szymoniak

SSB 165

HUMAN RESOURCES: Buhr, Chair; Rittmer and Szymoniak

SSB 166

HUMAN RESOURCES: Sturgeon, Chair; Hagerla and Szymoniak

SSB 167

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

SSB 168

BUSINESS AND LABOR RELATIONS: Kinley, Chair; Peterson and Slife

SSB 169

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

SSB 179

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Kibbie, Chair; Riordan and Rittmer

SSB 180

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Riordan, Chair; Borlaug and Miller

SSB 181

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Hannon, Chair; Kramer and Running

SSB 182

COMMERCE: Deluhery, Chair; Sturgeon and Tieden

SSB 183

COMMERCE: Palmer, Chair; Deluhery and Nystrom

SSB 184

COMMERCE: Doyle, Chair; Deluhery and Lind

SSB 185

EDUCATION: Kibbie, Chair; Connolly and Tieden

AFTERNOON SESSION

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

INTRODUCTION OF BILLS

Senate File 181, 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.

Senate File 182, by committee on Local Government, a bill for an act relating to administrative rulemaking.

Read first time and placed on calendar.

Senate File 183, by committee on Commerce, a bill for an act relating to the number of presidents of a state bank which is established by merger or consolidation.

Read first time and placed on calendar.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 3, by Jensen, Boswell, Gettings, Tieden, Kersten, Kinley, Palmer, Rensink, Nystrom, Vande Hoef, Hedge, Fuhrman, McLaren, Borlaug, Rittmer, Pate, Slife, Miller, Hester, Doyle, Drake, Kramer, Taylor, Hagerla, Priebe and Husak, a concurrent resolution urging the congress of the United States to propose an amendment to the constitution of the United States granting congress and the states the power to prohibit the physical desecration of the flag of the United States.

Read first time and passed on file.

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

The Senate resumed session, President Welsh presiding.

HOUSE MESSAGE RECEIVED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has, on February 13, 1991, adopted the conference committee report and adopted Senate Concurrent Resolution 2, a concurrent resolution relating to joint rules of the senate and house for the seventy-fourth general assembly.

APPENDIX

ANNOUNCEMENT OF APPOINTMENTS

The majority and minority leaders announced the following statutory legislator appointments (terms expires February 1, 1993):

COMMISSION ON INTERSTATE COOPERATION (Code 28B)

Senator Alvin Miller, Ventura
Senator George R. Kinley, Des Moines
Senator Florence Buhr, Des Moines
Senator Jack W. Hester, Honey Creek
Senator Allen Borlaug, Waucoma

COMMITTEE REPORTS

COMMERCE

Final Bill Action: SENATE FILE 183 (SSB 48), a bill for an act relating to the number of presidents of a state bank which is established by merger or consolidation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Deluhery, Kinley, Slife, Doyle, Gettings, Gronstal, Jensen, Lind, Nystrom, Palmer, Priebe, Sturgeon, Tieden and Varn. Nays, none. Absent or not voting, 1: Kersten.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 182 (SSB 171), a bill for an act relating to administrative rulemaking.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Miller, Szymoniak, Rittmer, Borlaug, Fraise, Hannon, Jensen and Vande Hoef. Nays, none. Absent or not voting, 2: Boswell and Buhr.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: SENATE FILE 181, 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, 8: Palmer, Kibbie, Dieleman, Hedge, Priebe, Riordan, Rosenberg and Sturgeon. Nays, 3: Hester, Hagerla and Rensink. Absent or not voting, 1: Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 5, a senate resolution relating to gubernatorial appointments requiring senate confirmation.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 6: Hutchins, Welsh, Rife, Husak, Jensen and Lloyd-Jones. Nays, none. Absent or not voting, 3: Gettings, Kinley and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF RESOLUTION

Senate Resolution 5, by committee on Rules and Administration, a resolution relating to gubernatorial appointments requiring senate confirmation.

Read first time under Rule 28 and placed on calendar.

AMENDMENTS FILED

S-3039	S.F.	141	H. Kay Hedge
S-3040	S.F.	151	Richard Vande Hoef

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:05 p.m., until 9:00 a.m., Thursday, February 14, 1991.

JOURNAL OF THE SENATE

THIRTY-SECOND CALENDAR DAY
TWENTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 14, 1991

The Senate met in regular session at 9:08 a.m., President pro tempore Lloyd-Jones presiding.

Prayer was offered by the Reverend Paul R. Axness, pastor of the Luther Memorial Church, Des Moines, Iowa.

The Journal of Wednesday, February 13, 1991, was approved.

CONSIDERATION OF RESOLUTION (Regular Calendar)

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

Senate Resolution 5

On motion of Senator Rife, Senate Resolution 5, a resolution relating to gubernatorial appointments requiring senate confirmation, was taken up for consideration.

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

RECESS

On motion of Senator Horn, the Senate recessed at 9:17 a.m., until 3:30 p.m.

APPENDIX

STUDY BILLS RECEIVED

SSB 186 Transportation

Making technical Code changes relating to transportation.

SSB 187 State Government

Relating to regional and state library services and budgets.

SSB 188 State Government

Relating to state mandates.

SSB 189 Business & Labor Relations

Establishing a voluntary shared work program.

PRESENTATION OF VISITORS

Senator Riordan presented Chad Osler, 7, of Redfield who saved his grandmother's life by executing the Heimlich maneuver. Accompanying Chad were his parents, Keith and Jenny Osler; brother, Ryan; grandmother, Robin Chormley; and the substitute teacher who taught Chad the Heimlich maneuver, Mrs. Lucy Roe and her husband, Dean.

Senator Riordan presented Chad and Mrs. Roe with Senate Certificates of Recognition.

ANNOUNCEMENT OF APPOINTMENTS

The President of the Senate announced the following statutory legislator appointments to board and commissions:

COMMISSION ON CHILDREN, YOUTH AND FAMILIES (Code 601K)

Senators Beverly A. Hannon and Harry Slife, terms 1/1/91 - 1/1/93.

COMMUNICATIONS REVIEW COMMITTEE
(Code 2.35)

Senator James B. Kersten, term coincides with the convening of a new General Assembly.

ENERGY FUND DISPERSEMENT
(Code 93.11)

Senators Ralph Rosenberg and Allen Borlaug, terms coincide with the convening of a new General Assembly.

FUNCTIONAL CLASSIFICATION REVIEW BOARD
(Code 306.6)

Senator Eugene Fraise, no set term.

ADVISORY INVESTMENT BOARD RETIREMENT SYSTEM
(Code 97B)

Senator Joe J. Welsh; term 1/15/91 - 6/30/93.

RURAL HEALTH ADVISORY
(Code 135.13)

Senators Al Sturgeon and Wilmer Rensink, terms 1/15/91 - 1/14/93

IOWA HIGHWAY RESEARCH
(Code 307D.4)

Senator Richard F. Drake, term 1/15/91 - 6/30/93.

BILLS ASSIGNED TO COMMITTEE

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

S. J. R.	4	Education
S. C. R.	3	Rules & Administration
S. F.	177	Judiciary
H. F.	152	State Government

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: February 13, 1991, 9:52 a.m.

Members Present: Peterson, Chair; Dieleman, Vice Chair; Pate, Ranking Member and Slife.

Members Absent: Welsh.

Committee Business: Reports from the Fire Safety representative and the condition of the Capitol were presented; Jack Walters updated the Iowa Communications Network and Tony Crandal answered committee questions.

Adjourned: 11:53 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: February 13, 1991, 9:50 a.m.

Members Present: Husak, Chair; Priebe, Vice Chair; Hester and Kibbie.

Members Absent: McLaren, Ranking Member (excused).

Committee Business: Presentation by the DNR on household hazardous waste.

Adjourned: 11:12 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 13, 1991, 9:50 a.m.

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

Members Absent: Murphy and Nystrom (both excused).

Committee Business: Presentations by the Library Association, and representatives of the Education Department and Association of Community Colleges.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 13, 1991, 10:15 a.m.

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

Members Absent: none.

Committee Business: Budget presentation by the Department of Corrections for Fort Madison and Anamosa.

Adjourned: 11:40 a.m.

COMMERCE

Convened: February 13, 1991, 1:30 p.m.

Members Present: Deluhery, Chair; Kinley, Vice Chair; Slife, Ranking Member; Doyle, Gettings, Gronstal, Jensen, Lind, Nystrom, Palmer, Priebe, Sturgeon, Tieden and Varn.

Members Absent: Kersten (excused).

Committee Business: Assigned bills to subcommittees; approved SSB 48 as a committee bill; presentations by the Banking Division, Savings and Loan Division and the Credit Union Division of the Department of Commerce.

Adjourned: 2:10 p.m.

EDUCATION

Convened: February 13, 1991, 3:35 p.m.

Members Present: Horn, Vice Chair; Taylor, Ranking Member; Deluhery, Dieleman, Kibbie, Kramer, Lind, Murphy, Rensink, Szymoniak, Tieden, Tinsman and Varn.

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

Committee Business: Approved SSB 185 as a committee bill; presentation by the Department of Education on K-12 funding formula.

Adjourned: 4:26 p.m.

LOCAL GOVERNMENT

Convened: February 13, 1991, 2:43 p.m.

Members Present: Miller, Chair; Szymoniak, Vice Chair; Rittmer, Ranking Member; Borlaug, Fraise, Hannon, Jensen and Vande Hoef.

Members Absent: Boswell and Buhr (both excused).

Committee Business: Assigned bills to subcommittees; approved SSB 171 as a committee bill.

Adjourned: 2:51 p.m.

NATURAL RESOURCES

Convened: February 13, 1991, 2:32 p.m.

Members Present: Palmer, Chair; Kibbie, Vice Chair; Hester, Ranking Member; Dieleman, Hagerla, Hedge, Priebe, Rensink, Riordan, Rosenberg and Sturgeon.

Members Absent: Tieden.

Committee Business: Approved Senate File 98 as a committee bill; assigned bills to subcommittees.

Adjourned: 2:55 p.m.

RULES AND ADMINISTRATION

Convened: February 13, 1991, 4:40 p.m.

Members Present: Hutchins, Chair; Welsh, Vice Chair; Rife, Ranking Member; Husak, Jensen and Lloyd-Jones.

Members Absent: Gettings, Kinley and Soorholtz.

Committee Business: Approved proposed committee resolution relating to gubernatorial appointments.

Adjourned: 4:50 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: February 13, 1991, 1:35 p.m.

Members Present: Riordan, Chair; Hannon, Vice Chair; Borlaug, Ranking Member; Kibbie, Kramer, Miller, Peterson, Rittmer and Vande Hoef.

Members Absent: Boswell, Pate and Running (all excused).

Committee Business: Assigned bills to subcommittees; discussion by the Entrepreneurship Task Force and Department of Economic Development regarding task force recommendations; Director of the Department of Economic Development discussed department's reorganization plan.

Adjourned: 2:30 p.m.

CONFERENCE COMMITTEE REPORT RECEIVED
(House File 173)

A conference committee report signed by the following Senate and House members was filed February 14, 1991, on House File 173, a bill for an act relating to reductions in appropriations made for the fiscal year ending June 30, 1991, to departments and agencies of state government and to other public purposes, a supplemental appropriation, and transferring moneys from the Iowa plan fund and other funds to the general fund of the state, and providing an effective date:

On the Part of the Senate:

LEONARD L. BOSWELL, Chair
FLORENCE BUHR
JOE WELSH

On the Part of the House:

THOMAS JOCHUM, Chair
TONY BISIGNANO
ROGER HALVORSON
RUHL MAULSBY
GARY SHERZAN

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Chad Osler, 7, of Redfield — For saving his grandmother's life by executing the Heimlich maneuver. Senator Riordan (2-14-91).

Mrs. Lucy Roe, Stuart — For her ability to teach a lesson to a second grader in such a manner that he was able to use the knowledge to save a life. Senator Riordan (2-14-91).

Beverly Graves, Dubuque — For being selected as a finalist for the "Teacher of the Year". Senator Connolly (2-15-91).

Jana Hovick, Muscatine — For Amateur Athletic Union/Mars Milky Way High School All-American Award. Senator Drake (2-8-91).

Marceta Claypool, Fremont — For being named Iowa Jaycee "Outstanding Young Iowan". Senator Hedge (2-9-91).

COMMITTEE REPORT

EDUCATION

Final Bill Action: SENATE FILE 184 (SSB 185), a bill for an act relating to open enrollment, making changes in payment of funds for pupils who transfer from one district to another and permitting students whose former district of residence was dissolved and merged with contiguous districts, and providing effective and applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Horn, Taylor, Deluhery, Kibbie, Murphy, Rensink, Szymoniak and Tieden. Nays, 3: Dieleman, Kramer and Tinsman. Absent or not voting, 4: Connolly, Lind, Running and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3041	S. F.	156	Richard Running
S—3042	S. F.	178	Larry Murphy
S—3043	S. F.	23	Elaine Szymoniak Michael Gronstal
S—3044	S. F.	166	Richard Drake

SUBCOMMITTEE ASSIGNMENTS

Senate File 165

APPROPRIATIONS: Welsh, Chair; Boswell and Tieden

SSB 186

TRANSPORTATION: Dieleman, Chair; Drake and Pate

AFTERNOON SESSION

The Senate reconvened at 3:31 p.m., President Welsh presiding.

INTRODUCTION OF BILLS

Senate File 184, by committee on Education, a bill for an act relating to open enrollment, making changes in payment of funds for pupils who transfer from one district to another and permitting students whose former district of residence was dissolved and merged with contiguous districts, and providing effective and applicability dates.

Read first time and placed on calendar.

Senate File 185, by Deluhery, Drake, Boswell, Soorholtz, Varn, Borlaug, Priebe, Tinsman, Kinley, Pate, Welsh, Taylor, Lloyd-Jones, Hagerla, Murphy, Kramer, Connolly, Slife, Rosenberg, Szymoniak, Kibbie, Hannon, Gronstal, Fraise, Riordan, Husak and Dieleman, 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.

QUORUM CALL

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

The vote revealed 44 present, 6 absent and a quorum present.

HOUSE MESSAGE RECEIVED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has, on February 14, 1991, adopted the conference committee report and passed House File 173, a bill for an act relating to reductions in appropriations made for the fiscal year ending June 30, 1991, to departments and agencies of state government and to other public purposes, a supplemental appropriation, and transferring moneys from the Iowa plan fund and other funds to the general fund of the state, and providing an effective date.

CONFERENCE COMMITTEE REPORT ADOPTED

House File 173

Senator Boswell called up the conference committee report on House File 173, a bill for an act relating to reductions in appropriations made for the fiscal year ending June 30, 1991, to departments and agencies of state government and to other public purposes, a supplemental appropriation, and transferring moneys from the Iowa plan fund and other funds to the general fund of the state, and providing an effective date, filed on February 14, 1991 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 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. 173) the vote was:

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

Ayes, 27:

Boswell	Buhr	Connolly	Deluhery
Doyle	Fraise	Gettings	Gronstal
Hannon	Hester	Horn	Husak
Hutchins	Kibbie	Kinley	Lloyd-Jones
Miller	Murphy	Nystrom	Pate
Rosenberg	Running	Slife	Sturgeon
Szymoniak	Varn	Welsh	

Nays, 21:

Borlaug	Dieleman	Drake	Fuhrman
Hagerla	Hedge	Jensen	Kramer
Lind	Palmer	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Soorholtz	Taylor	Tieden	Tinsman
Vande Hoef			

Absent or not voting, 2:

Kersten

McLaren

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

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

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 175.

Senate File 175

On motion of Senator Dieleman, Senate File 175, a bill for an act extending the lower state motor fuel tax rate for motor fuel containing at least ten percent alcohol distilled from cereal grains, 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. 175) the vote was:

Ayes, 46:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Hagerla
Hannon	Hedge	Horn	Husak
Hutchins	Jensen	Kibbie	Kinley
Kramer	Lind	Lloyd-Jones	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife

Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 1:

Gronstal

Absent or not voting, 3:

Hester	Kersten	McLaren
--------	---------	---------

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

UNFINISHED BUSINESS (Deferred February, 12, 1991)

Senate File 141

The Senate resumed consideration of Senate File 141, a bill for an act relating to media and educational services funding for area education agencies, deferred February 12, 1991.

Senator Hedge offered amendment S—3039 filed by him on February 13, 1991, to page 3 and the title page of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3039 be adopted?" (S.F. 141) the vote was:

Ayes, 20:

Borlaug	Fuhrman	Hagerla	Hannon
Hedge	Jensen	Kibbie	Kramer
Lind	Pate	Peterson	Priebe
Rensink	Rife	Rittmer	Slife
Soorholtz	Taylor	Tieden	Vande Hoef

Nays, 26:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Gronstal	Horn	Husak
Hutchins	Kinley	Lloyd-Jones	Miller

Murphy	Palmer	Riordan	Rosenberg
Running	Sturgeon	Szymoniak	Tinsman
Varn	Welsh		

Absent or not voting, 4:

Hester	Kersten	McLaren	Nystrom
--------	---------	---------	---------

Amendment S—3039 lost.

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

On the question "Shall the bill pass?" (S.F. 141) the vote was:

Ayes, 43:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Horn
Husak	Hutchins	Kibbie	Kinley
Kramer	Lind	Lloyd-Jones	Miller
Murphy	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Tieden
Tinsman	Varn	Welsh	

Nays, 3:

Jensen	Taylor	Vande Hoef
--------	--------	------------

Absent or not voting, 4:

Hester	Kersten	McLaren	Nystrom
--------	---------	---------	---------

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

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 93** be referred from the Regular Calendar to committee on **Judiciary**.

APPENDIX

BILL ASSIGNED TO COMMITTEE

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

S. F. 185 State Government

PRESENTATION OF VISITORS

President Welsh welcomed the Honorable Jim Nussle, United States Congressman from Iowa's second congressional district, who was present in the Senate chamber.

President Welsh welcomed the following visitors who were present in the Senate gallery:

Members of Cub Scout Pack 90 from Woodlawn School, Des Moines. Senator Szymoniak.

AMENDMENTS FILED

S—3045	S. F.	184	Wilmer Rensink Ray Taylor
S—3046	S. F.	181	John P. Kibbie
S—3047	S. F.	184	William Dieleman Patrick J. Deluhery

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:55 p.m., until 10:00 a.m., Monday, February 18, 1990.

JOURNAL OF THE SENATE

THIRTY-SIXTH CALENDAR DAY
 TWENTY-THIRD SESSION DAY

Senate Chamber
 Des Moines, Iowa, Monday, February 18, 1991

The Senate met in regular session at 10:04 a.m., President Welsh presiding.

Prayer was offered by the Reverend Gary Clark, pastor of the Olivet Baptist Church, Des Moines, Iowa.

The Journal of Thursday, February 14, 1991, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Kinley for the day and Senators Buhr, Connolly, Rosenberg and Running until they arrive on request of Senator Hutchins; and Senator Hester until he arrives on request of Senator Jensen.

INTRODUCTION OF BILLS

Senate File 186, by Pate, Slife and Welsh, a bill for an act relating to the patents depository library within the state library.

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

Senate File 187, by Varn, a bill for an act relating to participation in athletics under open enrollment by students whose district of residence enters into a whole grade sharing agreement.

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

Senate File 188, by committee on State Government, a bill for an act relating to therapeutically certified optometrists.

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

Senate Joint Resolution 5, by Taylor, Borlaug, Boswell, Drake, Fuhrman, Hagerla, Hedge, Hester, Husak, Jensen, Kersten, Kramer, Lind, McLaren, Nystrom, Pate, Peterson, Priebe, Rensink, Rife, Riordan, Rittmer, Slife, Soorholtz, Tieden, Tinsman 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**.

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)

Senate File 138

On motion on Senator Szymoniak, Senate File 138, a bill for an act requiring the acceptance of a student's postsecondary options credits as high school academic or vocational-technical credits by a school district or accredited nonpublic school, 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. 138) the vote was:

Ayes, 44:

Borlaug	Boswell	Deluhery	Dieleman
Doyle	Drake	Fraise	Fuhrman
Gettings	Gronstal	Hagerla	Hannon
Hedge	Horn	Husak	Hutchins
Jensen	Kersten	Kibbie	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife

Riordan
Sturgeon
Tinsman

Rittmer
Szymoniak
Vande Hoef

Slife
Taylor
Varn

Soorholtz
Tieden
Welsh

Nays, none:

Absent or not voting, 6:

Buhr
Rosenberg

Connolly
Running

Hester

Kinley

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

President pro tempore Lloyd-Jones took the chair at 10:22 a.m.

Senate File 151

On motion of Senator Vande Hoef, Senate File 151, a bill for an act relating to peer review of certain certified public accountants, and providing an effective date, with report of committee on State Government recommending passage, was taken up for consideration.

Senator Vande Hoef offered amendment S—3040 filed by him on February 13, 1991, to pages 1-3 and the title page of the bill and moved its adoption.

Amendment S—3040 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. 151) the vote was:

Ayes, 44:

Borlaug
Doyle
Gettings
Hedge
Jensen
Lind
Murphy
Peterson
Riordan
Sturgeon

Boswell
Drake
Gronstal
Horn
Kersten
Lloyd-Jones
Nystrom
Priebe
Rittmer
Szymoniak

Deluhery
Fraise
Hagerla
Husak
Kibbie
McLaren
Palmer
Rife
Slife
Taylor

Dieleman
Fuhrman
Hannon
Hutchins
Kramer
Miller
Pate
Rife
Soorholtz
Tieden

Tinsman	Vande Hoef	Varn	Welsh
---------	------------	------	-------

Nays, none:

Absent or not voting, 6:

Buhr	Connolly	Hester	Kinley
Rosenberg	Running		

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

Senate File 38

On motion of Senator Murphy, Senate File 38, a bill for an act to establish a supercomputer commission responsible for the planning, development, and implementation of a statewide supercomputer network system, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Murphy offered amendment S—3025 filed by the committee on State Government on February 8, 1991, to pages 1-3 of the bill and moved its adoption.

Amendment S—3025 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. 38) the vote was:

Ayes, 44:

Borlaug	Boswell	Buhr	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gronstal	Hagerla	Hannon
Hedge	Horn	Husak	Hutchins
Jensen	Kersten	Kibbie	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 6:

Connolly
Rosenberg

Gettings
Running

Hester

Kinley

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

Senate File 42

On motion of Senator Riordan, Senate File 42, a bill for an act relating to the authority of physician assistants to prescribe and supply prescription drugs and controlled substances, with report of committee recommending passage, was taken up for consideration.

Senator Running took the chair at 10:47 a.m.

Senator Gronstal offered amendment S—3048 filed by Senators Gronstal and Hagerla from the floor to pages 1 and 2 of the bill.

President pro tempore Lloyd-Jones took the chair at 11:05 a.m.

Senator Gronstal moved the adoption of amendment S—3048.

A non record roll call was requested.

The ayes were 15, nays 30.

Amendment S—3048 lost.

Senator Varn offered amendment S—3049 filed by him from the floor to page 2 of the bill.

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

The Senate resumed session, President pro tempore Lloyd-Jones presiding.

Senator Varn withdrew amendment S—3049.

Senator Varn offered amendment S—3050 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—3050 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. 42) the vote was:

Ayes, 40:

Borlaug	Boswell	Buhr	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Hannon	Hedge	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Palmer	Pate	Priebe	Rensink
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Varn	Welsh

Nays, 7:

Fuhrman	Gronstal	Hagerla	Peterson
Rife	Tinsman	Vande Hoef	

Absent or not voting, 3:

Connolly	Hester	Kinley
----------	--------	--------

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

WITHDRAWN

Senator Boswell asked and received unanimous consent that **Senate File 124** be withdrawn from further consideration of the Senate.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 181** be referred from the Regular Calendar to committee on **State Government**.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 13, 1991, passed the following bill in which the concurrence of the Senate is asked:

House File 199, a bill for an act relating to repayment of loans by local development corporations and providing an effective date.

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

INTRODUCTION OF BILL

Senate File 189, by Murphy, a bill for an act relating to the establishment of a division of corrections within the department of human services to replace the department of corrections.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:46 a.m., until 4:30 p.m.

APPENDIX**STUDY BILLS RECEIVED****SSB 190 Business & Labor Relations**

Relating to a voluntary shared work program for unemployment compensation benefits to be administered by the department of employment services and providing an effective date.

SSB 191 State Government

Relating to drugs administered to horses engaged in racing.

SSB 192 State Government

Relating to the administration of care provided to horses engaged in racing.

SSB 193 Natural Resources

Relating to rural water districts.

REPORTS OF COMMITTEE MEETINGS**APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION**

Convened: February 14, 1991, 10:00 a.m.

Members Present: Dieleman, Vice Chair; Pate, Ranking Member and Slife.

Members Absent: Peterson, Chair and Welsh (both excused).

Committee Business: Jack Walters, General Services, reviewed billing services and vehicle and Capitol expenses.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 12, 1991, 10:05 a.m.

Members Present: Riordan, Chair; Kramer, Ranking Member; Borlaug and Lloyd-Jones.

Members Absent: Boswell, Vice Chair (excused).

Committee Business: Budget presentation of the financial assistance division by the Department of Economic Development.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 13, 1991, 9:50 a.m.

Members Present: Riordan, Chair; Kramer, Ranking Member; Borlaug and Lloyd-Jones.

Members Absent: Boswell, Vice Chair (excused).

Committee Business: Presentation by the Entrepreneurship Task Force.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 14, 1991, 9:55 a.m.

Members Present: Riordan, Chair and Borlaug.

Members Absent: Boswell, Vice Chair; Kramer, Ranking Member and Lloyd-Jones (all excused).

Committee Business: Departmental reorganization presentation by the Department of Economic Development.

Adjourned: 11:38 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES

Convened: February 14, 1991, 10:02 a.m.

Members Present: Szymoniak, Chair; Deluhery, Vice Chair; Hagerla, Ranking Member; Fuhrman and Sturgeon.

Members Absent: none.

Committee Business: Presentations by AIDS Task Force, Social Services Block Grant, Gamblers Assistance, DUR.

Adjourned: 11:51 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 14, 1991, 10:00 a.m.

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

Members Absent: Rosenberg (excused).

Committee Business: DOC budget requests for Newton, Mt. Pleasant, Rockwell City, Clarinda and Mitchellville correctional facilities.

Adjourned: 11:50 a.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: February 13, 1991, 1:35 p.m.

Members Present: Riordan, Chair; Hannon, Vice Chair; Borlaug, Ranking Member; Kibbie, Kramer, Miller, Peterson, Rittmer and Vande Hoef.

Members Absent: Boswell, Pate and Running (all excused).

Committee Business: Presentation by the Iowa Entrepreneurship Task Force and the Department of Economic Development on the final report of the task force; departmental reorganization presentation by the Department of Economic Development.

Adjourned: 2:30 p.m.

STATE GOVERNMENT

Convened: February 14, 1991, 2:37 p.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, Murphy, Priebe, Rife, Running, Soorholtz, Vande Hoef and Welsh.

Members Absent: McLaren (excused).

Committee Business: Assigned bills to subcommittees; amended and approved SSB 133 as a committee bill.

Adjourned: 2:47 p.m.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on February 15, 1991, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 90 — Making nonsubstantive changes in the Iowa small business new jobs training act.

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Sixty fifth grade students from Underwood Elementary School, Underwood, Iowa, accompanied by Patrick Girard. Senator Hester.

Norma Leticia Munguioi Canales of Honduras; Kattia Maria Aguilar Delgado of Costa Rica; Laia Persiva Martinez and Marina Diaz Jimenez of Spain. Senator Jensen.

EXPLANATION OF VOTES

MR. PRESIDENT: I was absent from the Senate chamber on February 18 when the votes were taken on Senate Files 138 and 151.

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

FLORENCE BUHR

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 138 passed the Senate on February 18, 1991.

RICHARD J. VARN

PETITION

The following petition was presented and placed on file by:

Senator Soorholtz from four hundred twenty residents of Marshall and Jasper Counties opposing the Governor's proposed budget because it is harmful to Iowa's resources and unfairly eliminates needed conservation programs.

COMMITTEE REPORT

STATE GOVERNMENT

Final Bill Action: *SENATE FILE 188 (SSB 133), a bill for an act relating to therapeutically certified optometrists.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes. 18: Kibbie, Lloyd-Jones, Nystrom, Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, Murphy, Priebe, Rife, Running, Soorholtz, Vande Hoef and Welsh. Nays, none. Absent or not voting, 1: McLaren.

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 State Government Committee on Senate File 188 and they were attached to the committee report.

SUBCOMMITTEE ASSIGNMENTS

Senate File 101

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

Senate File 153

STATE GOVERNMENT: Horn, Chair; Kibbie and Rife

Senate File 155

BUSINESS AND LABOR RELATIONS: Sturgeon, Chair; Rensink and Running

Senate File 156

HUMAN RESOURCES: Sturgeon, Chair; Buhr and Kramer

Senate File 157

STATE GOVERNMENT: Buhr, Chair; Running and Soorholtz

Senate File 159

STATE GOVERNMENT: Lloyd-Jones, Chair; Doyle and Kramer

Senate File 162

STATE GOVERNMENT: Soorholtz, Chair; Priebe and Welsh

Senate File 164

STATE GOVERNMENT: Gronstal, Chair; Dieleman and Vande Hoef

Senate File 167

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

Senate File 181

STATE GOVERNMENT: Kibbie, Chair; Priebe and Soorholtz

Senate File 185

STATE GOVERNMENT: Murphy, Chair; Drake and Priebe

House File 152

STATE GOVERNMENT: Soorholtz, Chair; Horn and Nystrom

SSB 187

STATE GOVERNMENT: Priebe, Chair; Horn and Soorholtz

SSB 188

STATE GOVERNMENT: Murphy, Chair; Buhr and McLaren

SSB 189

BUSINESS AND LABOR RELATIONS: Buhr, Chair; Peterson and Slife

SSB 190

BUSINESS AND LABOR RELATIONS: Buhr, Chair; Peterson and Slife

SSB 191

STATE GOVERNMENT: Doyle, Chair; Priebe and Soorholtz

SSB 192

STATE GOVERNMENT: Doyle, Chair; Priebe and Soorholtz

AMENDMENTS FILED

S—3048	S.F.	42	Michael E. Gronstal Mark R. Hagerla
S—3049	S.F.	42	Richard J. Varn
S—3050	S.F.	42	Richard J. Varn

AFTERNOON SESSION

The Senate reconvened at 4:36 p.m., President Welsh presiding.

INTRODUCTION OF BILLS

Senate File 190, by Rosenberg, a bill for an act relating to windshields and windows of motor vehicles and making penalties applicable.

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

Senate File 191, by Nystrom, a bill for an act providing counties with authority to establish and enforce requirements relating to the disposal of solid waste, and creating penalties.

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

Senate File 192, by Administrative Rules Review Committee, a bill for an act relating to the omission of nullified administrative rules from the Iowa administrative code.

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

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S.F.	186	State Government
S.F.	187	Education
S.F.	190	Transportation
S.F.	191	Judiciary
H.F.	199	Small Business & Economic Development

COMMITTEE REPORTS

STATE GOVERNMENT

Final Bill Action: SENATE FILE 102, a bill for an act eliminating the requirement that the clerk of the district court file an annual report with the treasurer of state on certain fines, penalties, forfeitures, and recognizances.

Recommendation: DO PASS.

Final Vote: Ayes. 19: Kibbie, Lloyd-Jones, Nystrom, Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Rife, Running, Soorholtz, Vande Hoef and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 162, a bill for an act relating to the use of topical external applications on horses and dogs engaged in racing.

Recommendation: DO PASS.

Final Vote: Ayes. 14: Kibbie, Nystrom, Buhr, Doyle, Gronstal, Horn, Kramer, Lind, McLaren, Priebe, Rife, Running, Soorholtz and Welsh. Nays, 3: Dieleman, Murphy and Vande Hoef. Absent or not voting, 2: Lloyd-Jones and Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 42 passed the Senate on February 18, 1991.

JOE J. WELSH

AMENDMENTS FILED

S-3051	S.F.	91	Berl E. Priebe
S-3052	S.F.	91	Berl E. Priebe

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:39 p.m., until 9:00 a.m., Tuesday, February 19, 1991.

JOURNAL OF THE SENATE

THIRTY-SEVENTH CALENDAR DAY
TWENTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 19, 1991

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

Prayer was offered by the Reverend James Van Roekel, minister of Congregational Care of the Third Reformed Church, Pella, Iowa.

The Journal of Monday, February 18, 1991, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Pate until he arrives on request of Senator Hagerla.

INTRODUCTION OF BILL

Senate File 193, by committee on State Government, 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, providing for a temporary waiver of certain licensing requirements, and providing other properly related matters.

Read first time and placed on calendar.

MOTIONS TO RECONSIDER WITHDRAWN

Senate File 42

Senator Welsh withdrew the motion to reconsider Senate File 42, a bill for an act relating to the authority of physician assistants

to prescribe and supply prescription drugs and controlled substances, filed by him on February 18, 1991, and found on page 358 of the Senate Journal.

Senator Riordan withdrew the following motion to reconsider filed by him from the floor:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 42 passed the Senate on February 18, 1991.

Senator Hutchins asked and received unanimous consent that Senate File 42 be immediately messaged to the House.

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:

June 22, 1990

Teree L. Caldwell-Johnson, Ames, Story County, for appointment to the State Health Facilities Council pursuant to Section 135.62 to fulfill an unexpired term beginning immediately and ending April 30, 1995.

June 28, 1990

Jim D. Davis, Bettendorf, Scott County, for appointment to the Council on Human Services pursuant to Section 217.2 to fulfill an unexpired term beginning immediately and ending April 30, 1991.

June 29, 1990

Sandra A. Thompson, Marshalltown, Marshall County, for appointment to the Campaign Finance Disclosure Commission pursuant to Section 56.9 to fulfill an unexpired term beginning immediately, and ending April 30, 1995.

For appointment to the Chiropractic Examining Board pursuant to Section 147.14(8):

Ronald C. Evans, DC, Waukegan, Dallas County, to fulfill an unexpired term beginning immediately and ending April 30, 1992; and Janis P. Rowedder, Lake View, Sac County, for a term beginning immediately and ending April 30, 1993.

James R. Tabor, West Des Moines, Polk County, for appointment as the Superintendent of Savings and Loan Associations pursuant to Section 534.401(1) to fulfill an unexpired term beginning immediately and ending April 30, 1994.

July 1, 1990

For appointment to the State Board of Education pursuant to Section 256.3:

Carlton W. Callison, Burlington, Des Moines County, for a term beginning July 1, 1990, and ending April 30, 1992; and Marcia Dudden, Reinbeck, Grundy County, for a term beginning July 1, 1990, and ending April 30, 1996.

July 19, 1990

Tom Dorr, Marcus, Cherokee County, for appointment to the Wallace Technology Transfer Foundation of Iowa pursuant to Section 28.154 to fulfill an unexpired term beginning immediately and ending April 30, 1994.

September 25, 1990

For appointment to the Higher Education Strategic Planning Council pursuant to Section 260B.1 for terms beginning immediately and ending April 30, 1994:

Marcia Dudden, Reinbeck, Grundy County; Gene Gardner, West Burlington, Des Moines County; Barbara Gentry, Des Moines, Polk County; Doug Gross, Des Moines, Polk County; John V. Hartung, Des Moines, Polk County; Marvin Pomerantz, Des Moines, Polk County; and Mary C. Williams, Davenport, Scott County.

October 2, 1990

For appointment to the State Foster Care Review Board pursuant to Section 237.16:

Lorenzo Jasso, Des Moines, Polk County, to fulfill an unexpired term beginning immediately, and ending April 30, 1991; and Thomas Lee Lippert, Cedar Rapids, Linn County, to fulfill an unexpired term beginning immediately, and ending April 30, 1992.

October 26, 1990

Drucilla M. Straub, Des Moines, Polk 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.

November 1, 1990

For appointment to the Commission on Community Action Agencies pursuant to Section 601K.92A:

Allan L. Axeen, Coralville, Johnson County, and Bonnie B. Dull, LeMars, Plymouth County, for terms beginning immediately and ending April 30, 1991.

Lois H. Eichacker, Fort Madison, Lee County; Hubert M. Houser, Carson, Pottawattamie County; and Stephanie A. Stebens, Davenport, Scott County, for terms beginning immediately and ending April 30, 1992.

Danny C. Carroll, Grinnell, Poweshiek County; Sandra G. Evans, Des Moines, Polk County; and Thomas F. Nugent, Marion, Linn County, for terms beginning immediately and ending April 30, 1993.

November 21, 1990

David J. Lyons, Des Moines, Polk County, for appointment as Commissioner of Insurance pursuant to Section 505.2 to fulfill an unexpired term beginning immediately and ending April 30, 1991.

December 21, 1990

Allan Thoms, West Des Moines, Polk County, for appointment as Director of the Iowa Department of Economic Development pursuant to Section 15.105 for a term beginning immediately and to serve at the pleasure of the Governor.

January 28, 1991

Richard J. Witham, Cedar Falls, Black Hawk County, for appointment to the Iowa Economic Development Board pursuant to Section 15.103 to fulfill an unexpired term beginning immediately and ending April 30, 1993.

Sincerely,
TERRY E. BRANSTAD
Governor

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:09 a.m., until 4:30 p.m.

APPENDIX

STUDY BILLS RECEIVED

SSB 194 Business & Labor Relations

Including within the scope of collective bargaining negotiations insurance coverage for early retirees.

SSB 195 Business & Labor Relations

Relating to collective bargaining.

SSB 196 Agriculture

Providing for a wildlife nuisance management program, and providing financing for the program.

SSB 197 Agriculture

Relating to the confidentiality of information identifying inert ingredients in pesticides, and providing retroactive applicability and effective dates.

SSB 198 Agriculture

Providing a program to finance projects using corn products, providing for an assessment, and making a penalty applicable.

SSB 199 Agriculture

Establishing a program to finance the production of corn products, by providing for administration of the program, establishing a fund to support the program, and providing an assessment on the purchase of corn, and providing a penalty.

SSB 200 Judiciary

Relating to alimony.

SSB 201 Transportation

Requiring certain traffic signs posted on private roads or driveways to conform with the manual on uniform traffic-control devices.

SSB 202 Local Government

Relating to motor vehicle title and registration fees.

SSB 203 Education

Relating to accredited schools and school districts, making changes in the department of education's biennial report on the condition of schools, changing the requirements for certain pilot projects, setting a deadline for board resolutions to participate in an instructional support program, and changing the district in which shared-time pupils are counted under the postsecondary enrollment options Act.

SSB 204 Education

To establish a math and science grant program under the administration of the department of education and creating a math and science account.

SSB 205 Education

Relating to the provision of transportation by receiving district school buses for transporting pupils under open enrollment.

SSB 206 Education

Relating to the accreditation process for schools and school districts.

SSB 207 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 208 Transportation

Relating to tinted windows and making penalties applicable.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: February 18, 1991, 4:45 p.m.

Members Present: Boswell, Chair; Welsh, Vice Chair; Tieden, Ranking Member; Connolly, Gettings, Gronstal, Hagerla, Husak, Kersten, Lind, McLaren, Peterson, Rensink, Running and Szymoniak.

Members Absent: Buhr, Lloyd-Jones, Pate, Riordan, Tinsman and Varn (all excused).

Committee Business: Assigned a bill to subcommittee.

Adjourned: 4:50 p.m.

STATE GOVERNMENT

Convened: February 18, 1991, 1:31 p.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Rife, Running, Soorholtz, Vande Hoef and Welsh.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate Files 162 and 102; approved SSB 124 as a committee bill.

Adjourned: 3:05 p.m.

TRANSPORTATION

Convened: February 18, 1991, 3:35 p.m.

Members Present: Fraise, Chair; Connolly, Vice Chair; Drake, Ranking Member; Dieleman, Gettings, Jensen, Kersten, Lloyd-Jones, Nystrom, Pate and Welsh.

Members Absent: Kinley (excused).

Committee Business: Assigned bills to subcommittees; presentation by the DOT on the road need study.

Adjourned: 4:36 p.m.

The following communications were received and placed on file in the office of the Secretary of the Senate during the 1990 legislative interim:

DEPARTMENT OF ECONOMIC DEVELOPMENT

A report on "Evaluation of Iowa Welcome Centers" pursuant to Chapter 1262, Section 1(26), 1990 Acts of the 73rd General Assembly.

DEPARTMENT OF EDUCATION

A report on the financing of special education in Iowa, pursuant to Chapter 1272, Sec. 8, 1990 Acts of the 73rd General Assembly.

A report on "Conflict Resolution in Iowa Schools" pursuant to Chapter 319, Section 11, 1989 Acts of the 73rd General Assembly.

A status report on establishing nutritional guidelines for food and beverages sold on public school grounds, pursuant to Chapter 1152, Section 1, 1990 Acts of the 73rd General Assembly.

DEPARTMENT OF GENERAL SERVICES

The Annual Report for FY90, pursuant to Chapter 17.3(12), Code of Iowa.

DEPARTMENT OF HUMAN SERVICES

A report of the 5 Year Residential and Services Development Plan, pursuant to Chapter 1270, Sec. 29(8), 1990 Acts of the 73rd General Assembly.

DEPARTMENT OF MANAGEMENT

The 1990 Annual Report, pursuant to Chapter 8.6, Code of Iowa.

A report regarding life cycle cost analysis, pursuant to Chapter 1252, Section 5(3), 1990 Acts of the 73rd General Assembly.

A report on "Results of Telecommuting Survey" pursuant to Chapter 1252, Sec. 52, 1990 Acts of the 73rd General Assembly.

DEPARTMENT OF NATURAL RESOURCES

Annual Report of the Hazardous Waste Remedial Fund and Abandoned or Uncontrolled Disposal Sites, pursuant to Chapter 455B.425 and Chapter 455B.427, Code of Iowa.

The Annual Report on Toxic Cleanup Days, pursuant to Chapter 455F.8, Code of Iowa.

A report on "Appliance Standards for Iowa: Are They Needed?" pursuant to Chapter 1252, Sec. 48, 1990 Acts of the 73rd General Assembly.

A report on "Tailpipe Emissions Standards" pursuant to Chapter 1252, Section 56, 1990 Acts of the 73rd General Assembly.

DEPARTMENT OF PERSONNEL

A report on the Pilot Study of Four Ten-Hour Day Workweeks in State Government, pursuant to Chapter 298, Sec. 15, 1989 Acts of the 73rd General Assembly.

1990 Annual Report, pursuant to Chapter 19A.7, Code of Iowa. DEPARTMENT OF PUBLIC SAFETY

The Annual Report for FY 1990, pursuant to Chapter 7E.3(4), Code of Iowa.

DEPARTMENT OF REVENUE & FINANCE

Annual Report for fiscal year 1990, pursuant to Chapter 17.3(1), Code of Iowa.

Auditor's reports, financial statements and supplemental information for the fiscal year ending June 30, 1990.

DEPARTMENT OF TRANSPORTATION

1990 Iowa Airport Sufficiency Ratings, pursuant to Chapter 328.12, Code of Iowa.

The 1990 Quadrennial Need Study, pursuant to Chapter 307A, Code of Iowa.

GOVERNOR'S PLANNING COUNCIL FOR DEVELOPMENTAL DISABILITIES

A report on preliminary findings of Iowa's Family Support Subsidy Program, pursuant to Chapter 225c.42, Code of Iowa.

IOWA DEPARTMENT FOR THE BLIND

The 1990 Annual Report, pursuant to Chapter 601L, Code of Iowa.

IOWA HEALTH DATA COMMISSION

The first Annual Report of the Health Care Utilization Task Force, pursuant to Chapter 304, Section 1002(2)(b)(3), 1989 Acts of the 73rd General Assembly.

IOWA HIGHWAY RESEARCH BOARD

The first Annual Report, pursuant to Chapter 307D, Code of Iowa.

IOWA LAW ENFORCEMENT ACADEMY

Annual Report for FY 1990, pursuant to Chapter 7E.3(4) and 80B.10, Code of Iowa.

IOWA UTILITIES BOARD

1989 Annual Report, pursuant to Chapters 17.10 and 476.16, Code of Iowa.

CERTIFICATE OF RECOGNITION

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

Teresa Kilborn, Marshalltown — For being the 1991 State Ambassador for the Easter Seal Society of Iowa. Senator Soorholtz (2-19-91).

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 130, a bill for an act establishing a grazing land tax credit fund, providing a tax credit, making an appropriations, and providing effective and applicability dates.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3057.

Final Vote: Ayes, 15: Priebe, Peterson, Soorholtz, Boswell, Doyle, Fraise, Hedge, Hester, Husak, McLaren, Miller, Palmer, Riordan, Rittmer and Vande Hoef. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 200, a bill for an act relating to soil conservation by providing for protection of land subject to a public interest.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Priebe, Peterson, Soorholtz, Boswell, Doyle, Fraise, Hedge, Hester, Husak, McLaren, Miller, Palmer, Riordan, Rittmer and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 193, 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, providing for a temporary waiver of certain licensing requirements, and providing other properly related matters.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes. 12: Kibbie, Nystrom, Dieleman, Doyle, Drake, Horn, Lind, McLaren, Murphy, Running, Soorholtz, and Welsh. Nays. 7: Lloyd-Jones, Buhr, Gronstal, Kramer, Priebe, Rife and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on February 18.

Had I been present, I would have voted "aye" on Senate Files 138, 151, 38 and 42.

MIKE CONNOLLY

SUBCOMMITTEE ASSIGNMENTS**Senate File 93**

JUDICIARY: Sturgeon, Chair; Hester and Varn

Senate File 177

JUDICIARY: Murphy, Chair; Rosenberg and Slife

Senate File 190

TRANSPORTATION: Gettings, Chair; Kinley and Pate

Senate File 191

JUDICIARY: Rosenberg, Chair; Pate and Peterson

SSB 93
(Reassigned)

JUDICIARY: Sturgeon, Chair; Gronstal, Murphy, Pate and Slife

SSB 170

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

SSB 194

BUSINESS & LABOR RELATIONS: Running, Chair; Buhr and Rensink

SSB 195

BUSINESS & LABOR RELATIONS: Running, Chair; Buhr and Rensink

SSB 196

AGRICULTURE: Hedge, Chair; Boswell and Peterson

SSB 197

AGRICULTURE: McLaren, Chair; Fraise and Miller

SSB 199

AGRICULTURE: Riordan, Chair; Hester and Peterson

SSB 198

AGRICULTURE: Riordan, Chair; Hester and Peterson

SSB 200

JUDICIARY: Peterson, Chair; Deluhery and Slife

SSB 201

TRANSPORTATION: Drake, Chair; Kinley and Welsh

SSB 202

LOCAL GOVERNMENT: Borlaug, Chair; Boswell and Fraise

SSB 208

TRANSPORTATION: Gettings, Chair; Kinley and Pate

LSB 1831

APPROPRIATIONS: Boswell, Chair; Husak, Rensink, Tieden and Varn

AMENDMENTS FILED

S—3053	S.F.	91	Mark R. Hagerla
S—3054	S.F.	176	Elaine Szymoniak
S—3055	S.F.	184	Richard Varn
S—3056	S.F.	182	Alvin Miller
S—3057	S.F.	130	Agriculture

AFTERNOON SESSION

The Senate reconvened at 4:32 p.m., President pro tempore Lloyd-Jones presiding.

INTRODUCTION OF BILLS

Senate File 194, by Boswell, a bill for an act to establish a pharmaceutical assistance program for the elderly in the department of elder affairs, and providing a penalty.

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

Senate File 195, by Murphy, a bill for an act providing for a percentage of lottery revenues collected in each city and county of the state to be returned to the city and county to be used for any lawful purpose.

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

Senate File 196, by Murphy, a bill for an act prohibiting the release of a membership list or other information identifying the consumers served by a person engaged in the business of providing videotapes for personal use for a fee.

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

Senate File 197, by Szymoniak and Riordan, a bill for an act relating to the sterilization of dogs and cats, and providing for the creation and appropriation of moneys in a fund and the imposition of fees and civil penalties.

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

Senate File 198, by Priebe, a bill for an act relating to the establishment of restrictions on the use of emergency room services.

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

Senate File 199, by Administrative Rules Review Committee, a bill for an act requiring the state department of transportation to adopt administrative rules relating to damage to highways and highway structures.

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

Senate File 200, by committee on Agriculture, a bill for an act relating to soil conservation by providing for protection of land subject to a public interest.

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

Senate File 201, by Horn, a bill for an act relating to the purchase of pistols, holsters, and magazine holders by the department of public safety.

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

Senate File 202, by Horn, Tieden and Lind, a bill for an act relating to the sale of alcoholic liquor, wine, and beer on Sunday.

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

Senate File 203, by Fuhrman, a bill for an act relating to the authority of a mutual insurance association.

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

Senate File 204, by Hagerla, a bill for an act to define the term adjacent district or adjacent territory for purposes of reorganization of a school district.

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

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	194	Human Resources
S. F.	195	Appropriations
S. F.	196	Commerce
S. F.	197	Appropriations
S. F.	198	Human Resources
S. F.	201	Transportation
S. F.	202	State Government

COMMITTEE REPORT

BUSINESS AND LABOR RELATIONS

Final Bill Action: SENATE CONCURRENT RESOLUTION 4 (SSB 167), a concurrent resolution protesting the withholding of Federal Unemployment Tax Act (FUTA) funds by the federal government.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 8: Running, Sturgeon, Fuhrman, Buhr, Palmer, Peterson, Rensink and Taylor. Nays, none. Absent or not voting, 2: Kinley and Slife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 4, by committee on Business and Labor Relations, a concurrent resolution protesting the withholding of Federal Unemployment Tax Act (FUTA) funds by the federal government.

Read first time under Rule 28 and placed on calendar.

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:35 p.m., until 9:00 a.m., Wednesday, February 20, 1991.

JOURNAL OF THE SENATE

THIRTY-EIGHTH CALENDAR DAY
TWENTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 20, 1991

The Senate met in regular session at 9:01 a.m., President Welsh presiding.

Prayer was offered by the Honorable Ray Taylor, member of the Senate from Hardin County, Steamboat Rock, Iowa.

The Journal of Tuesday, February 19, 1991, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Deluhery until he arrives and Senator Kinley for the day on request of Senator Hutchins.

INTRODUCTION OF BILLS

Senate File 205, by Fraise, a bill for an act relating to residency requirements for commercial mussel fishers and providing an effective date.

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

Senate File 206, by Running, a bill for an act to provide that candidates for seats in the general assembly may volunteer to abide by certain spending and contribution limits and qualify some of their contributors for an income tax credit.

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

Senate File 207, by Running, a bill for an act relating to the elimination of the district offices of the department of human services.

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

- **Senate File 208**, by Fuhrman, a bill for an act providing for a public hearing prior to the filing of an application to condemn land.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:06 a.m., until 4:30 p.m.

APPENDIX**STUDY BILLS RECEIVED****SSB 209 Education**

To require school buses to be powered by compressed natural gas.

SSB 210 Education

Relating to the educational excellence program, providing for minimum salary increases, increases in salaries for experienced teachers, supplemental funds for additional teacher contract work days, and the development of a statewide administrator staff development program.

SSB 211 Environment & Energy Utilities

Relating to waste tire abatement, and imposing a fee.

SSB 212 Commerce

Creating a statewide dual party relay service system, establishing telephone utility assessments, and authorizing distribution of telecommunications devices to the deaf.

SSB 213 Commerce

Relating to the method of deregulation and the reimposition of regulation of communication services and facilities, certificated exchange boundaries for local exchange utilities, and incentive regulation for utilities furnishing communication services.

SSB 214 Small Business/Economic Development

Relating to the establishment of a small business advisory council.

SSB 215 Small Business/Economic Development

Relating to the promotion of Iowa crafts by the department of economic development.

CERTIFICATES OF RECOGNITION

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

Thomas J. Miller — For dedicated service to the State of Iowa during his twelve years as Attorney General. Senators Welsh and Connolly (2-16-91).

Ryan Kauffman, Wayland — For attaining the coveted rank of Eagle Scout. Senator Hagerla (2-18-91).

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 19, 1991, 9:48 a.m.

Members Present: Riordan, Chair; Kramer, Ranking Member; Borlaug and Lloyd-Jones.

Members Absent: Boswell, Vice Chair (excused).

Committee Business: Budget presentation by the Community Progress Division.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 19, 1991, 9:45 a.m.

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

Members Absent: none.

Committee Business: Discussed college formulas and student loans.

Adjourned: 10:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 19, 1991, 9:42 a.m.

Members Present: Szymoniak, Chair; Deluhery, Vice Chair; Hagerla, Ranking Member; Fuhrman and Sturgeon.

Committee Business: Overview and explanation from MediPass, HMOs, field operations and district offices of the DHS.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 19, 1991, 9:45 a.m.

Members Present: Gronstal, Chair; Fraise, Vice Chair; Vande Hoef, Ranking Member and Rosenberg.

Members Absent: Taylor.

Committee Business: 1st, 2nd, 3rd and 4th districts community based corrections budget requests.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: February 19, 1991, 10:35 a.m.

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

Members Absent: Palmer, Vice Chair and Kinley.

Committee Business: Reviewed FY 1992 requests and recommendations as presented by LFB.

Adjourned: 11:52 a.m.

AGRICULTURE

Convened: February 19, 1991, 8:00 a.m.

Members Present: Priebe, Chair; Peterson, Vice Chair; Soorholtz, Ranking Member; Boswell, Doyle, Fraise, Hedge, Hester, Husak, McLaren, Miller, Palmer, Riordan, Rittmer and Vande Hoef.

Members Absent: none.

Committee Business: Presentation by the Department of Agriculture on predator losses in the sheep industry; assigned bills to subcommittees; recommended passage of Senate File 130 as amended; approved LSB 1542 as a committee bill.

Adjourned: 8:30 a.m.

APPROPRIATIONS

Convened: February 19, 1991, 2:35 p.m.

Members Present: Boswell, Chair; Welsh, Vice Chair; Tieden, Ranking Member; Buhr, Connolly, Gettings, Gronstal, Hagerla, Husak, Kersten, Lind, Lloyd-Jones, McLaren, Pate, Peterson, Rensink, Running, Szymoniak and Tinsman.

Members Absent: Riordan and Varn (both excused).

Committee Business: Amended LSB 1831 and ordered redrafted for final approval as a committee bill.

Adjourned: 3:25 p.m.

BUSINESS AND LABOR RELATIONS

Convened: February 19, 1991, 1:30 p.m.

Members Present: Running, Chair; Sturgeon, Vice Chair; Fuhrman, Ranking Member; Buhr, Palmer, Peterson, Rensink and Taylor.

Members Absent: Kinley and Slife.

Committee Business: Approved SSB 167 as a committee bill.

Adjourned: 1:45 p.m.

HUMAN RESOURCES

Convened: February 19, 1991, 3:38 p.m.

Members Present: Hannon, Chair; Buhr, Vice Chair; Hagerla, Ranking Member; Kramer, Riordan, Rittmer, Sturgeon, Szymoniak, Taylor and Tinsman.

Members Absent: Horn and Murphy (both excused).

Committee Business: Assigned a bill to a subcommittee; presentation on SSB 130 by the DD Council; deferred action on Senate File 85.

Adjourned: 4:40 p.m.

JUDICIARY

Convened: February 19, 1991, 3:38 p.m.

Members Present: Sturgeon, Chair; Rosenberg, Vice Chair; Fuhrman, Ranking Member; Connolly, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson, Slife and Varn.

Members Absent: none.

Committee Business: Approved SSBs 175 and 101 as committee bills; approved SSB 55 as a committee bill as amended.

Adjourned: 4:45 p.m.

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 February 20, 1991:

COMMERCE

James R. Tabor—Superintendent of Savings and Loan Associations.

David J. Lyons—Commissioner of Insurance.

EDUCATION

Mary C. Williams, Marvin Pomerantz, John V. Hartung, Doug Gross, Barbara Gentry, Marcia Dudden and Gene Gardner — Higher Education Strategic Planning Council.

Carlton W. Callison and Marcia Dudden—State Board of Education.

HUMAN RESOURCES

Allan L. Axeen, Danny C. Carroll, Bonnie B. Dull, Lois H. Eichacker, Sandra G. Evans, Hubert M. Houser, Thomas F. Nugent and Stephanie A. Stebens—Commission on Community Action Agencies.

Lorenzo Jasso and Thomas Lee Lippert—State Foster Care Review Board.

Teree L. Caldwell-Johnson—State Health Facilities Council.

Jim D. Davis—Council on Human Services.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Allan Thoms—Director of the Iowa Department of Economic Development.

Richard J. Witham—Iowa Economic Development Board.

Tom Dorr—Wallace Technology Transfer Foundation of Iowa.

STATE GOVERNMENT

Ronald C. Evans and Janis P. Rowedder—Chiropractic Examining Board.

Sandra A. Thompson—Campaign Finance Disclosure Commission.

Drucilla M. Straub—State Board of Examiners for Nursing Home Administrators.

BILL HUTCHINS, Chair

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 209, a bill for an act relating to and making supplemental appropriations for the remainder of the fiscal year ending June 30, 1991, to the department of human services, national conference of state legislatures, department of general services, department of revenue and finance, department of public safety, department of inspections and appeals, college student aid commission, board of regents institutions, office of lieutenant governor, department of transportation, pioneer lawmakers, the office of the state public defender, department of human rights, Iowa finance authority, department of economic development, department of corrections, and extending ethanol fuel project, and increasing the court civil penalty surcharge, and providing effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Boswell, Tieden, Buhr, Connolly, Gettings, Gronstal, Hagerla, Husak, Kersten, Lloyd-Jones, McLaren, Peterson, Rensink, Riordan and Varn. Nays, 1: Tinsman. Absent or not voting, 5: Welsh, Lind, Pate, Running and Szymoniak.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: SENATE FILE 46, a bill for an act relating to aboveground petroleum tanks and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3058.

Final Vote: Ayes, 10: Rosenberg, Gronstal, Jensen, Borlaug, Fraise, Hannon, Hedge, Kersten, Miller and Soorholtz. Nays, none. Absent or not voting, 2: Deluhery and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 210 (SSB 175), a bill for an act relating to agreements by physicians restricting professional practices, providing that such agreements violate public policy, and providing effective date and retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Sturgeon, Rosenberg, Fuhrman, Connolly, Deluhery, Drake, Gronstal, Horn, Murphy, Peterson, Slife and Varn. Nays, 3: Hagerla, Hester and Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 211 (SSB 101), a bill for an act relating to crimes against the elderly and disabled persons by creating a cause of action, creating a special fund, and providing a civil penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Sturgeon, Rosenberg, Fuhrman, Connolly, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson, Slife and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 213 (SSB 55), a bill for an act relating to probate code provisions with respect to testamentary trusts, investments by fiduciaries, conservatorships, and the distribution of decedents' property by affidavit.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Sturgeon, Rosenberg, Fuhrman, Connolly, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Pate, Peterson, Slife and Varn. Nays, none. Absent or not voting, 1: Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: SENATE FILE 47, a bill for an act to prohibit the shooting of shotguns across a public highway and subjecting violators to a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Palmer, Hester, Hagerla, Hedge, Priebe, Rensink, Riordan and Tieden. Nays, none. Absent or not voting, 4: Kibbie, Dieleman, Rosenberg and Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

**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 20, 1991, to investigate the appointment of the following Governor's appointees:

COMMERCE

As Commissioner of Insurance:

DAVID J. LYONS: Gronstal, Chair; Doyle, Jensen, Palmer and Slife.

As Superintendent of Savings and Loan Associations:

JAMES R. TABOR: Slife, Chair; Palmer and Kinley

EDUCATION

As members of the Higher Education Strategic Planning Council:

MARCIA DUDDEN: Tinsman, Chair; Kibbie and Szymoniak

GENE GARDNER: Dieleman, Chair; Lind and Deluhery

BARBARA GENTRY: Szymoniak, Chair; Dieleman and Kramer

DOUG GROSS: Varn, Chair; Deluhery and Kramer

JOHN V. HARTUNG: Connolly, Chair; Murphy and Rensink

MARVIN POMERANTZ: Varn, Chair; Kibbie and Tieden

MARY C. WILLIAMS: Deluhery, Chair; Horn and Kramer

As members of the State Board of Education:

CARLTON W. CALLISON: Running, Chair; Taylor and Horn

MARCIA DUDDEN: Tinsman, Chair; Kibbie and Szymoniak

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

As Director of the Iowa Department of Economic Development:

ALLAN THOMS: Riordan, Chair; Hannon and Kramer

As a member of the Iowa Economic Development Board:

RICHARD J. WITHAM: Hannon, Chair; Pate and Peterson

As a member of the Wallace Technology Transfer Foundation of Iowa:

TOM DORR: Kibbie, Chair; Running and Vande Hoef.

SUBCOMMITTEE ASSIGNMENTS**Senate Joint Resolution 4**

EDUCATION: Horn, Chair; Lind and Running

Senate File 106

EDUCATION: Kibbie, Chair; Murphy and Taylor

Senate File 107

EDUCATION: Horn, Chair; Rensink and Varn

Senate File 117

EDUCATION: Horn, Chair; Murphy and Rensink

Senate File 128

EDUCATION: Horn, Chair; Deluhery and Kramer

Senate File 146

EDUCATION: Varn, Chair; Horn and Lind

Senate File 147

EDUCATION: Horn, Chair; Kibbie and Tinsman

Senate File 149

EDUCATION: Horn, Chair; Kibbie and Tinsman

Senate File 168

EDUCATION: Kibbie, Chair; Tieden and Varn

Senate File 169

EDUCATION: Kibbie, Chair; Tieden and Varn

Senate File 170

EDUCATION: Kibbie, Chair; Murphy and Rensink

Senate File 187

EDUCATION: Varn, Chair; Connolly and Taylor

Senate File 195

APPROPRIATIONS: Boswell, Chair; Tieden and Welsh

Senate File 196

COMMERCE: Varn, Chair; Deluhery and Lind

House File 199SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Running, Chair;
Peterson and Vande Hoef**SSB 203**

EDUCATION: Murphy, Chair; Horn and Tinsman

SSB 204

EDUCATION: Horn, Chair; Kramer and Varn

SSB 205

EDUCATION: Running, Chair; Connolly and Kramer

SSB 206

EDUCATION: Szymoniak, Chair; Dieleman and Tinsman

SSB 207SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Riordan, Chair;
Boswell and Kramer

SSB 209

EDUCATION: Connolly, Chair; Szymoniak and Tieden

SSB 210

EDUCATION: Connolly, Chair; Horn, Murphy, Tieden and Tinsman

SSB 212

COMMERCE: Deluhery, Chair; Nystrom and Palmer

SSB 213

COMMERCE: Deluhery, Chair; Nystrom and Palmer

SSB 214

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Borlaug, Chair;
Miller and Pate

SSB 215

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Riordan, Chair;
Kibbie and Rittmer

AFTERNOON SESSION

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

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 18, 1991, passed the following bills in which the concurrence of the Senate is asked:

House Joint Resolution 4, a joint resolution proposing an amendment of the Constitution of the State of Iowa removing the disqualification from office for parties to a duel.

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

House File 73, a bill for an act relating to the definition of vacancy in office for elected county officers.

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

House File 110, a bill for an act relating to collateral acceptable to secure a loan or other transaction with a state bank.

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

House File 198, a bill for an act relating to nonsubstantive code and act corrections.

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

House File 200, a bill for an act relating to the minutes required to be maintained by governmental bodies.

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

ALSO: That the House has on reconsideration failed to pass Section 1101 unnumbered paragraph 4 to House File 173, the objections of the Governor notwithstanding on February 20, 1991 and has, therefore, on this date indefinitely postponed the bill and returned the bill to the Secretary of State for deposit.

INTRODUCTION OF BILLS

Senate File 209, by committee on Appropriations, a bill for

an act relating to and making supplemental appropriations for the remainder of the fiscal year ending June 30, 1991; to the department of human services, national conference of state legislatures, department of general services, department of revenue and finance, department of public safety, department of inspections and appeals, college student aid commission, board of regents institutions, office of lieutenant governor, department of transportation, pioneer lawmakers, the office of the state public defender, department of human rights, Iowa finance authority, department of economic development, department of corrections, and extending ethanol fuel project, and increasing the court civil penalty surcharge, and providing effective dates.

Read first time and placed on Appropriations Calendar.

Senate File 210, by committee on Judiciary, a bill for an act relating to agreements by physicians restricting professional practices, providing that such agreements violate public policy, and providing effective date and retroactive applicability provisions.

Read first time and placed on calendar.

Senate File 211, by committee on Judiciary, a bill for an act relating to crimes against the elderly and disabled persons by creating a cause of action, creating a special fund, and providing a civil penalty.

Read first time and placed on calendar.

Senate File 212, by Taylor, a bill for an act relating to terms of confinement for persons convicted of unlawfully distributing controlled substances, simulated controlled substances, or counterfeit substances within drug free zones.

Read first time and passed on file.

Senate File 213, by committee on Judiciary, a bill for an act relating to probate code provisions with respect to testamentary trusts, investments by fiduciaries, conservatorships, and the distribution of decedents' property by affidavit.

Read first time and placed on calendar.

Senate File 214, by Lind, a bill for an act relating to the assessment of a surcharge against the maker of a negotiable instrument who unjustifiably stops payment on such instrument.

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

Senate File 215, by Lind, a bill for an act eliminating the service tax on test laboratories for animals.

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

Senate File 216, by Welsh, a bill for an act relating to requirements for insulation in housing projects assisted under the rental assistance programs of the United States department of housing and urban development and providing a five-year grace period for owners of existing housing projects.

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

QUORUM CALL

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

The vote revealed 46 present, 4 absent and a quorum present.

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

The Senate resumed session, President Welsh presiding.

INTRODUCTION OF BILLS

Senate File 217, by Borlaug and Husak, a bill for an act authorizing nonambulatory persons to use all-terrain vehicles for hunting on private land and subjecting violators to a penalty.

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

Senate File 218, by committee on Education, a bill for an act relating to the formula used to calculate part-time student financial aid awards under the tuition grant program.

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

Senate File 219, by committee on Commerce, a bill for an act relating to the reservation of a bank name.

Read first time and placed on calendar.

Senate File 220, by committee on Local Government, a bill for an act relating to motor vehicle title and registration fees.

Read first time and placed on calendar.

Senate File 221, by committee on Local Government, a bill for an act relating to amending or repealing city ordinances.

Read first time and placed on calendar.

QUORUM CALL

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

The vote revealed 43 present, 7 absent and a quorum present.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Husak asked and received unanimous consent to take up for consideration Senate File 209.

Senate File 209

On motion of Senator Boswell, Senate File 209, a bill for an act relating to and making supplemental appropriations for the remainder of the fiscal year ending June 30, 1991, to the department of human services, national conference of state legislatures, department of general services, department of revenue and finance, department of public safety, department of inspections and appeals, college student aid commission, board of regents institutions, office of lieutenant governor, department of transportation, pioneer lawmakers, the office of the state public defender, department of human rights, Iowa finance authority, department of economic development, department of corrections, and extending ethanol fuel project, and increasing the court civil penalty surcharge, and providing effective dates, was taken up for consideration.

Senator Gronstal offered amendment S—3060 filed by him from the floor to page 6 and the title page of the bill and moved its adoption.

Amendment S—3060 was adopted by a voice vote.

Senator Gronstal offered amendment S—3059 filed by Senators Gronstal and Doyle from the floor to page 7 of the bill and moved its adoption.

Amendment S—3059 was adopted by a voice vote.

Senator Boswell offered amendment S—3062 filed by him from the floor to pages 3 and 4 of the bill and moved its adoption.

Amendment S—3062 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. 209) the vote was:

Ayes, 44:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Rensink	Rife	Riordan	Rittmer
Running	Slife	Soorholtz	Sturgeon
Szymoniak	Tieden	Vande Hoef	Welsh

Nays, 2:

Taylor	Tinsman
--------	---------

Absent or not voting, 4:

Kinley	Priebe	Rosenberg	Varn
--------	--------	-----------	------

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

Senator Hutchins asked and received unanimous consent that **Senate File 209** be immediately messaged to the House.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 130** be referred from the Regular Calendar to committee on **Ways and Means**.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. J. R.	5	Rules and Administration
S. F.	189	State Government
S. F.	192	State Government
S. F.	197	Ways & Means (Reassigned)
S. F.	199	Transportation
S. F.	203	Commerce
S. F.	204	Education
S. F.	205	Environment & Energy Utilities
S. F.	206	State Government
S. F.	207	State Government
S. F.	208	Judiciary
S. F.	212	Judiciary
H. J. R.	4	State Government
H. F.	73	Local Government
H. F.	110	Commerce
H. F.	198	Judiciary
H. F.	200	State Government

COMMITTEE REPORTS

COMMERCE

Final Bill Action: SENATE FILE 219 (SSB 49), a bill for an act relating to the reservation of a bank name.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Deluhery, Slife, Doyle, Gettings, Kersten, Lind, Palmer, Priebe, Sturgeon, Tieden and Varn. Nays, none. Absent or not voting, 4: Kinley, Gronstal, Jensen and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 170, a bill for an act to permit school or school district superintendents to serve concurrently as an elementary school principal in the school or school district.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Connolly, Horn, Taylor, Dieleman, Kibbie, Kramer, Lind, Murphy, Rensink, Running, Szymoniak, Tieden and Tinsman. Nays, none. Absent or not voting, 2: Deluhery and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 218 (SSB 105), a bill for an act relating to the formula used to calculate part-time student financial aid awards under the tuition grant program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Connolly, Horn, Taylor, Deluhery, Dieleman, Kibbie, Kramer, Lind, Murphy, Rensink, Running, Szymoniak, Tieden, Tinsman and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 99, a bill for an act relating to reimbursement for law enforcement officer training costs.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3063.

Final Vote: Ayes, 8: Miller, Szymoniak, Rittmer, Borlaug, Buhr, Fraise, Jensen and Vande Hoef. Nays, none. Absent or not voting, 2: Boswell and Hannon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 119, a bill for an act to provide a law enforcement training course for part-time law enforcement officers.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Miller, Szymoniak, Rittmer, Borlaug, Buhr, Fraise, Hannon, Jensen and Vande Hoef. Nays, none. Absent or not voting, 1: Boswell.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 122, a bill for an act requiring that an instrument recorded by a county recorder contain the name and signature of the person preparing the instrument.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3061.

Final Vote: Ayes, 9: Miller, Szymoniak, Rittmer, Borlaug, Buhr, Fraise, Hannon, Jensen and Vande Hoef. Nays, none. Absent or not voting, 1: Boswell.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 163, a bill for an act relating to proposed city public improvements which require sealed competitive bids.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Miller, Szymoniak, Rittmer, Borlaug, Buhr, Fraise, Hannon, Jensen and Vande Hoef. Nays, none. Absent or not voting, 1: Boswell.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 220 (SSB 202), a bill for an act relating to motor vehicle title and registration fees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Miller, Szymoniak, Rittmer, Borlaug, Buhr, Fraise, Hannon and Vande Hoef. Nays, 1: Jensen. Absent or not voting, 1: Boswell.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 221 (SSB 178), a bill for an act relating to amending or repealing city ordinances.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Miller, Szymoniak, Rittmer, Borlaug, Buhr, Fraise, Hannon, Jensen and Vande Hoef. Nays, none. Absent or not voting, 1: Boswell.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3058	S. F.	46	Environment & Energy Utilities
S—3059	S. F.	209	Michael Gronstal Donald Doyle
S—3060	S. F.	209	Michael Gronstal
S—3061	S. F.	122	Local Government
S—3062	S. F.	209	Leonard Boswell
S—3063	S. F.	99	Local Government

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:56 p.m., until 9:00 a.m., Thursday, February 21, 1991.

JOURNAL OF THE SENATE

THIRTY-NINTH CALENDAR DAY
TWENTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 21, 1991

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

Prayer was offered by the Honorable Mary E. Kramer, member of the Senate from Polk County, West Des Moines, Iowa.

The Journal of Wednesday, February 20, 1991, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Kinley for the day on request of Senator Hutchins.

INTRODUCTION OF BILL

Senate File 222, by Fuhrman, Lind, Tieden, Kramer, Pate, Hagerla, Hedge, Rensink, Tinsman and Kersten, a bill for an act relating to the limitation on general fund expenditures during a fiscal year and requiring the governor's budget not to be in excess of that limit, and providing an applicability date.

Read first time and passed on file.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:25 a.m., until 2:30 p.m.

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

Convened: February 20, 1991, 9:43 a.m.

Members Present: Husak, Chair; Priebe, Vice Chair; McLaren, Ranking Member; Hester and Kibbie.

Members Absent: none.

Committee Business: Stream degradation program presentation.

Adjourned: 10:38 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 20, 1991, 9:50 a.m.

Members Present: Riordan, Chair; Kramer, Ranking Member; Borlaug and Lloyd-Jones.

Members Absent: Boswell, Vice Chair (excused).

Committee Business: Presentation by the Iowa Association of Regional Councils of Governments.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 20, 1991, 9:45 a.m.

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

Members Absent: none.

Committee Business: Budget requests by 5th, 6th, 7th and 8th districts for community based corrections.

Adjourned: 11:35 a.m.

APPROPRIATIONS

Convened: February 20, 1991, 9:25 a.m.

Members Present: Boswell, Chair; Welsh, Vice Chair; Tieden, Ranking Member; Buhr, Connolly, Gettings, Gronstal, Hagerla, Husak, Kersten, Lloyd-Jones, McLaren, Peterson, Rensink, Riordan, Tinsman and Varn.

Members Absent: Lind, Pate, Running and Szymoniak (all excused).

Committee Business: Approved LSB 1831 as amended as a committee bill.

Adjourned: 9:30 a.m.

COMMERCE

Convened: February 20, 1991, 1:30 p.m.

Members Present: Deluhery, Chair; Slife, Ranking Member; Doyle, Gettings, Gronstal, Kersten, Lind, Nystrom, Palmer, Priebe, Sturgeon, Tieden and Varn.

Members Absent: Kinley, Vice Chair and Jensen (both excused).

Committee Business: Assigned bills and governor's appointees to subcommittees; approved SSB 49 as a committee bill; testimony by the Attorney General's office regarding SSB 183, pay-per-call phone service.

Adjourned: 2:15 p.m.

EDUCATION

Convened: February 20, 1991, 3:34 p.m.

Members Present: Connolly, Chair; Horn, Vice Chair; Taylor, Ranking Member; Deluhery, Dieleman, Kibbie, Kramer, Lind, Murphy, Rensink, Running, Szymoniak, Tieden, Tinsman and Varn.

Members Absent: none.

Committee Business: Assigned bills and governor's appointees to subcommittees; approved SSB 105 as a committee bill; recommended passage of Senate File 170; deferred action on SSB 104.

Adjourned: 3:47 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: February 20, 1991, 1:39 p.m.

Members Present: Rosenburg, Chair; Gronstal, Vice Chair; Jensen, Ranking Member; Borlaug, Fraise, Hannon, Hedge, Kersten, Miller and Soorholtz.

Members Absent: Deluhery and Varn.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 46 as amended.

Adjourned: 1:50 p.m.

LOCAL GOVERNMENT

Convened: February 20, 1991, 2:35 p.m.

Members Present: Miller, Chair; Szymoniak, Vice Chair; Rittmer, Ranking Member; Borlaug, Buhr, Fraise, Hannon, Jensen and Vande Hoef.

Members Absent: Boswell (excused).

Committee Business: Assigned bill to subcommittee; recommended passage of Senate Files 99 and 122 as amended; recommended passage of Senate Files 119 and 163; approved SSBs 178 and 202 as committee bills.

Adjourned: 3:15 p.m.

NATURAL RESOURCES

Convened: February 20, 1991, 2:32 p.m.

Members Present: Palmer, Chair; Hester, Ranking Member; Hagerla, Hedge, Priebe, Rensink, Riordan and Tieden.

Members Absent: Kibbie, Vice Chair; Dieleman, Rosenberg (excused) and Sturgeon.

Committee Business: Assigned bill to subcommittee; recommended passage of Senate File 47.

Adjourned: 2:34 p.m.

RULES AND ADMINISTRATION

Convened: February 20, 1991, 9:10 a.m.

Members Present: Hutchins, Chair; Welsh, Vice Chair; Rife, Ranking Member; Gettings, Husak, Jensen, Kinley, Lloyd-Jones and Soorholtz.

Members Absent: none.

Committee Business: Assigned resolution to a subcommittee; assigned governor's appointees to standing committees.

Adjourned: 9:20 a.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: February 20, 1991, 1:30 p.m.

Members Present: Riordan, Chair; Hannon, Vice Chair; Borlaug, Ranking Member; Kibbie, Kramer, Miller, Pate, Peterson, Rittmer, Running and Vande Hoef.

Members Absent: Boswell (excused).

Committee Business: Assigned bills and governor's appointees to subcommittees; presentation of legislative priorities by the Department of Economic Development.

Adjourned: 2:15 p.m.

CERTIFICATE OF RECOGNITION

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

Lezlie Lemar, Iowa City — For being the 1991 Adult Ambassador for the Easter Seal Society of Iowa, Inc. Senator Drake (2-19-91).

PRESENTATION OF VISITORS

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

Seventy high school students from Union High School, La Porte City, Iowa, accompanied by Bruce Wigg. Senator Husak.

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 21, 1991, to investigate the appointment of the following Governor's appointees:

STATE GOVERNMENT

As a member of the Campaign Finance Disclosure Commission:

SANDRA A. THOMPSON: Gronstal, Chair; Rife and Welsh

As members of the Chiropractic Examining Board:

RONALD C. EVANS: Buhr, Chair; Kramer and Nystrom

JANIS P. ROWEDDER: Doyle, Chair; Priebe and McLaren

As a member of the State Board of Examiners for Nursing Home Administrators:

DRUCILLA M. STRAUB: Nystrom, Chair; Lloyd-Jones and Dieleman

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 3

RULES AND ADMINISTRATION: Lloyd-Jones, Chair; Jensen and Welsh

Senate File 186

STATE GOVERNMENT: Nystrom, Chair; Kramer and Welsh

Senate File 189

STATE GOVERNMENT: Murphy, Chair; Priebe and Vande Hoef

Senate File 192

STATE GOVERNMENT: Priebe, Chair; Doyle and Rife

Senate File 202

STATE GOVERNMENT: Horn, Chair; Buhr and Lind

Senate File 206

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

Senate File 207

STATE GOVERNMENT: Running, Chair; Doyle and Kramer

House Joint Resolution 4

STATE GOVERNMENT: Nystrom, Chair; Priebe and Soorholtz

House File 200

STATE GOVERNMENT: Murphy, Chair; Horn and Nystrom

AFTERNOON SESSION

The Senate reconvened at 2:35 p.m., President Welsh presiding.

INTRODUCTION OF BILLS

Senate File 223, by Pate and Hedge, a bill for an act relating to packaging by establishing a package review board and an advisory committee to the board.

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

Senate File 224, by Kersten, Vande Hoef and Rife, a bill for an act relating to delegates to the Iowa congress on resource enhancement and protection.

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

QUORUM CALL

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

The vote revealed 43 present, 7 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Rensink for the remainder of the day on request of Senator Vande Hoef.

UNFINISHED BUSINESS
(Deferred February 11, 1991)**Senate File 23**

The Senate resumed consideration of Senate File 23, a bill for

an act relating to the teaching of American sign language in accredited schools, deferred on February 11, 1991.

Senator Szymoniak offered amendment S—3016 filed by the committee on Education on February 6, 1991, to page 1 of the bill and moved its adoption.

Amendment S—3016 was adopted by a voice vote.

With the adoption of amendment S—3016, the Chair ruled amendment S—3005 filed by Senator Szymoniak on January 21, 1991, to page 1 of the bill, out of order.

Senator Szymoniak offered amendment S—3043 filed by Senators Szymoniak and Gronstal on February 14, 1991, to page 2 of the bill and moved its adoption.

Amendment S—3043 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. 23) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Kinley Rensink

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

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senate File 176

On motion of Senator Szymoniak, Senate File 176, a bill for an act relating to providing an income tax exemption for payments received by persons providing in-home health-related care services to related individuals, and providing a retroactive applicability date, was taken up for consideration.

Senator Szymoniak offered amendment S—3054 filed by her on February 19, 1991, to page 1 of the bill and moved its adoption.

Amendment S—3054 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. 176) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rife	Riordan	Rittmer	Rosenberg
Running	Slife	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none:

Absent or not voting, 3:

Kinley	Kramer	Rensink
--------	--------	---------

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

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 166

On motion of Senator Jensen, Senate File 166, a bill for an act restricting the burning of vegetation or debris within rights-of-way of public roads and providing a penalty, was taken up for consideration.

Senator Drake offered amendment S—3044 filed by him on February 14, 1991, to page 2 of the bill and moved its adoption.

Amendment S—3044 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?" (S.F. 166) the vote was:

Ayes, 40:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Gronstal	Hagerla	Hannon
Hester	Horn	Husak	Hutchins
Jensen	Kibbie	Kramer	Lind
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Pate	Priebe	Rife
Riordan	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tinsman	Vande Hoef	Varn	Welsh

Nays, 8:

Borlaug	Fuhrman	Hedge	Kersten
McLaren	Peterson	Rittmer	Tieden

Absent or not voting, 2:

Kinley	Rensink
--------	---------

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

Senate File 172

On motion of Senator Soorholtz, Senate File 172, a bill for an act establishing a state fair challenge grant foundation, 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. 172) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rife	Riordan	Rittmer	Rosenberg
Running	Slife	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none:

Absent or not voting, 3:

Hannon	Kinley	Rensink
--------	--------	---------

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Sturgeon for the remainder of the day on request of Senator Hutchins.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 174

On motion of Senator Boswell, Senate File 174, a bill for an act classifying the transfer of a nonpayable financial instrument to a livestock dealer or market agency as a fraudulent practice and making penalties applicable, was taken up for consideration.

Senator Peterson offered amendment S—3068 filed by him from the floor to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3068 be adopted?" (S.F. 174) the vote was:

Ayes, 11:

Connolly	Doyle	Horn	Hutchins
Lind	Palmer	Pate	Peterson
Rife	Rosenberg	Running	

Nays, 36:

Borlaug	Boswell	Buhr	Deluhery
Dieleman	Drake	Fraise	Fuhrman
Gettings	Gronstal	Hagerla	Hannon
Hedge	Hester	Husak	Jensen
Kersten	Kibbie	Kramer	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Priebe	Riordan	Rittmer	Slife
Soorholtz	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Absent or not voting, 3:

Kinley	Rensink	Sturgeon
--------	---------	----------

Amendment S—3068 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. 174) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal

Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none:

Absent or not voting, 3:

Kinley Rensink Sturgeon

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

Senate File 184

On motion of Senator Kibbie, Senate File 184; a bill for an act relating to open enrollment, making changes in payment of funds for pupils who transfer from one district to another and permitting students whose former district of residence was dissolved and merged with contiguous districts, and providing effective and applicability dates, was taken up for consideration.

Senator Dieleman offered amendment S—3047 filed by Senators Dieleman and Deluhery on February 14, 1991, to page 1 and the title page of the bill.

Senator Buhr took the chair at 3:29 p.m.

Senator Jensen asked unanimous consent that action on amendment S—3047 and Senate File 184 be deferred.

Senator Jensen withdrew his request.

Senator Dieleman moved the adoption of amendment S—3047.

A non record roll call was requested.

The ayes were 13, nays 34.

Amendment S—3047 lost.

Senator Kibbie offered amendment S—3066 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3066 was adopted by a voice vote.

Senator Taylor asked and received unanimous consent that action on amendment S—3045 filed by Senators Rensink and Taylor on February 14, 1991, to page 1 and 2 of the bill be deferred.

Senator Taylor offered amendment S—3069 filed by Senators Taylor, Fuhrman and Murphy from the floor to page 1 and 2 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3069 be adopted?" (S.F. 184) the vote was:

Ayes, 21:

Buhr	Doyle	Drake	Fuhrman
Hagerla	Horn	Hutchins	Kersten
Lind	McLaren	Murphy	Pate
Peterson	Priebe	Rife	Riordan
Running	Slife	Szymoniak	Taylor
Vande Hoef			

Nays, 26:

Borlaug	Boswell	Connolly	Deluhery
Dieleman	Fraise	Gettings	Gronstal
Hannon	Hedge	Hester	Husak
Jensen	Kibbie	Kramer	Lloyd-Jones
Miller	Nystrom	Palmer	Rittmer
Rosenberg	Soorholtz	Tieden	Tinsman
Varn	Welsh		

Absent or not voting, 3:

Kinley	Rensink	Sturgeon
--------	---------	----------

Amendment S—3069 lost.

The Senate resumed consideration of amendment S—3045 by Senators Rensink and Taylor to pages 1 and 2 of the bill, previously deferred.

Senator Connolly raised the point of order that amendment S—3045 was not germane to the bill.

Senator Connolly withdrew his point of order.

Senator Taylor moved the adoption of amendment S—3045 and requested a record roll call.

On the question "Shall amendment S—3045 be adopted?" (S.F. 184) the vote was:

Ayes, 15:

Buhr	Drake	Fuhrman	Hagerla
Horn	Lind	McLaren	Murphy
Pate	Rife	Riordan	Running
Slife	Szymoniak	Taylor	

Nays, 31:

Borlaug	Boswell	Connolly	Deluhery
Dieleman	Doyle	Fraise	Gettings
Gronstal	Hannon	Hedge	Hester
Husak	Hutchins	Jensen	Kersten
Kibbie	Kramer	Lloyd-Jones	Miller
Nystrom	Palmer	Priebe	Rittmer
Rosenberg	Soorholtz	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Absent or not voting, 4:

Kinley	Peterson	Rensink	Sturgeon
--------	----------	---------	----------

Amendment S—3045 lost.

Senator Varn offered amendment S—3055 filed by him on February 19, 1991, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3055 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. 184) the vote was:

Ayes, 40:

Borlaug	Boswell	Buhr	Connolly
Doyle	Drake	Fraise	Fuhrman
Gettings	Hagerla	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Palmer	Pate	Priebe	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Szymoniak	Taylor
Tieden	Vande Hoef	Varn	Welsh

Nays, 6:

Deluhery	Dieleman	Gronstal	Hannon
Kramer	Tinsman		

Absent or not voting, 4:

Kinley	Peterson	Rensink	Sturgeon
--------	----------	---------	----------

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

Senator Hutchins asked and received unanimous consent that **Senate File 184** be immediately messaged to the House.

INTRODUCTION OF BILLS

Senate File 225, by Murphy, a bill for an act relating to the development, within the department of economic development, of programs to promote the production and use of products containing recycled materials.

Read first time and passed on file.

Senate File 226, by Miller, a bill for an act relating to requirements for notice to an underground facility operator by a person planning certain excavation activities near the underground facility, establishing procedures, and providing for civil liability and injunctive relief.

Read first time and passed on file.

Senate File 227, by Szymoniak and Miller, a bill for an act relating to the assessing of a service charge in lieu of property taxes for the providing of police and fire protection by a city for real property which is totally or partially exempt from property tax, including government-owned real property, and providing an applicability date.

Read first time and passed on file.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS FOR APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committees on February 21, 1991, to investigate the appointment of the following Governor's appointees:

HUMAN RESOURCES

As members of the Commission on Community Action Agencies:

ALLAN L. AXEEN: Murphy, Chair; Riordan and Kramer
 DANNY C. CARROLL: Riordan, Chair; Tinsman and Szymoniak
 BONNIE B. DULL: Szymoniak, Chair; Hannon and Taylor
 LOIS H. EICHACKER: Horn, Chair; Murphy and Hagerla
 SANDRA G. EVANS: Kramer, Chair; Buhr and Murphy
 HUBERT M. HOUSER: Rittmer, Chair; Riordan and Sturgeon
 THOMAS F. NUGENT: Taylor, Chair; Szymoniak and Buhr
 STEPHANIE A. STEBENS: Tinsman, Chair; Horn and Hannon

As a member of the Council on Human Services:

JIM D. DAVIS: Riordan, Chair; Tinsman and Szymoniak

As members of the State Foster Care Review Board:

LORENZO JASSO: Buhr, Chair; Szymoniak and Taylor
 THOMAS LEE LIPPERT: Hagerla, Chair; Szymoniak and Murphy

As a member of the State Health Facilities Council:

TEREE L. CALDWELL-JOHNSON: Hannon, Chair; Riordan and Kramer

STUDY BILLS RECEIVED

SSB 216 State Government

Relating to the simultaneous telecasting of pari-mutuel dog and horse races.

SSB 217 State Government

Authorizing interstate combined wagering pools for horse or dog racing.

SSB 218 State Government

Relating to excursion boat gambling.

SSB 219 State Government

Relating to corrective changes to Iowa's election laws.

SSB 220 State Government

Relating to the establishment of a gamblers assistance program, creating an advisory committee, and specifying the powers and duties of director of the department of human services and the advisory committee.

SSB 221 State Government

Relating to the reorganization of the disaster services division of the department of public defense by renaming the division, providing for financial assistance, renaming local emergency management commissions and managers, making administrative changes, and making other amendments relevant to the reorganization.

SSB 222 State Government

Relating to the department of human rights commission of Latino affairs and commission on the status of blacks.

SUBCOMMITTEE ASSIGNMENTS**House File 73**

LOCAL GOVERNMENT: Rittmer, Chair; Borlaug and Miller

SSB 216

STATE GOVERNMENT: Horn, Chair; Murphy and Soorholtz

SSB 217

STATE GOVERNMENT: Horn, Chair; Murphy and Soorholtz

SSB 218

STATE GOVERNMENT: Murphy, Chair; Horn and Rife

SSB 219

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

SSB 220

STATE GOVERNMENT: Dieleman, Chair; Horn and Kramer

SSB 221

STATE GOVERNMENT: Nystrom, Chair; Kibbie and Lind

SSB 222

STATE GOVERNMENT: Lloyd-Jones, Chair; Buhr and Kramer

BILLS ASSIGNED TO COMMITTEE

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

S. F.	214	Commerce
S. F.	215	Ways and Means
S. F.	216	Environment & Energy Utilities
S. F.	217	Natural Resources
S. F.	222	Appropriations
S. F.	223	Environment & Energy Utilities
S. F.	224	State Government

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 166 passed the Senate on February 21, 1991.

LARRY MURPHY

AMENDMENTS FILED

S-3064	S. F.	210	Linn Fuhrman
S-3065	S. F.	211	Linn Fuhrman
S-3066	S. F.	184	John Kibbie
S-3067	S. F.	19	Berl E. Priebe
S-3068	S. F.	174	John A. Peterson
S-3069	S. F.	184	Ray Taylor

Linn Fuhrman
Larry Murphy

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:00 p.m., until 10:00 a.m., Monday, February 25, 1991.

JOURNAL OF THE SENATE

FORTY-THIRD CALENDAR DAY
TWENTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 25, 1991

The Senate met in regular session at 10:07 a.m., President Welsh presiding.

Prayer was offered by the Reverend Gerald Zeman, pastor of the Sacred Heart Church, Ayrshire and Ruthven, Iowa.

The Journal of Thursday, February 21, 1991, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Pate until he arrives on request of Senator Jensen; Senator Hannon for the day and Senator Doyle for the week on request of Senator Hutchins.

INTRODUCTION OF BILL

Senate File 228, by Kibbie, a bill for an act relating to primary election ballot vacancies.

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

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 180

On motion of Senator Peterson, Senate File 180, a bill for an act to delete the requirement for personal identifying information in the collection of domestic abuse reports, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 180) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kersten	Kibbie
Kinley	Kramer	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Palmer	Peterson	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Running	Slife	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none:

Absent or not voting, 3:

Doyle	Hannon	Pate
-------	--------	------

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

Senate File 182

On motion of Senator Miller, Senate File 182, a bill for an act relating to administrative rulemaking, was taken up for consideration.

Senator Miller offered amendment S—3056 filed by him on February 19, 1991, to page 1 of the bill and moved its adoption.

Amendment S—3056 was adopted by a voice vote.

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. 182) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kersten	Kibbie
Kinley	Kramer	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Palmer	Peterson	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Running	Slife	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none:

Absent or not voting, 3:

Doyle	Hannon	Pate
-------	--------	------

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

Senate File 102

On motion of Senator Lloyd-Jones, Senate File 102, a bill for an act eliminating the requirement that the clerk of the district court file an annual report with the treasurer of state on certain fines, penalties, forfeitures, and recognizances, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 102) the vote was:

Ayes, 46:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kersten	Kibbie
Kinley	Lind	Lloyd-Jones	McLaren
Miller	Murphy	Nystrom	Palmer
Peterson	Priebe	Rensink	Rife

Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none:

Absent or not voting, 4:

Doyle	Hannon	Kramer	Pate
-------	--------	--------	------

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

Senate File 178

On motion of Senator Fuhrman, Senate File 178, a bill for an act relating to certain religious exemptions to the required provision of medical treatment, and requiring screening for metabolic diseases in newborn infants, was taken up for consideration.

Senator Dieleman offered amendment S—3075 filed by him from the floor to pages 1-3 of the bill.

Senator Hutchins asked and received unanimous consent that action on amendment S—3075 and **Senate File 178** be deferred.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 5, by Lloyd-Jones, Boswell, Hagerla, Kramer, Rife and Szymoniak, a concurrent resolution relating to the recognition of the thirtieth anniversary of Iowa's sister state relationship with Yamanashi prefecture, Japan.

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

INTRODUCTION OF BILLS

Senate File 229, by Kersten, Rensink, Vande Hoef, Borlaug, McLaren, Nystrom, Taylor, Lind, Kramer, Pate, Hagerla, Hedge, Hester, Tieden, Slife and Rittmer, a bill for an act subjecting state departments and agencies to zero-based budgeting every six years on a rotation basis and providing an effective date.

Read first time and passed on file.

Senate File 230, by Taylor and Vande Hoef, a bill for an act relating to the violation of operating a motor vehicle while under the influence of an alcoholic beverage by reducing by one-half the per se alcohol concentration level.

Read first time and passed on file.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:37 a.m., until 4:00 p.m.

APPENDIX**STUDY BILLS RECEIVED****SSB 223 Environment & Energy Utilities**

Relating to infectious waste treatment and disposal facilities by extending the moratorium on the construction or operation of commercial infectious waste treatment or disposal facilities, requiring operating permits, providing for emission limitations or standards, and providing an effective date.

SSB 224 Environment & Energy Utilities

Relating to the imposition of an increased solid waste tonnage fee.

SSB 225 Environment & Energy Utilities

Relating to the control of soil erosion and sedimentation, and providing penalties.

SSB 226 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 227 Ways and Means

Relating to the franchise tax on financial institutions and providing an effective date.

SSB 228 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 and providing a retroactive effective date.

SSB 229 Agriculture

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 providing effective dates and dates of applicability.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 21, 1991, 9:50 a.m.

Members Present: Riordan, Chair; Kramer, Ranking Member; Borlaug and Lloyd-Jones.

Members Absent: Boswell, Vice Chair (excused).

Committee Business: Presentation by the Department of Economic Development on international marketing; presentation on Iowa International Development Foundation by Marvin Pomerantz.

Adjourned: 11:34 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 21, 1991, 9:50 a.m.

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

Members Absent: none.

Committee Business: Department of Corrections Administration budget requests.

Adjourned: 11:15 a.m.

STATE GOVERNMENT

Convened: February 21, 1991, 1:37 p.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer (arrived 2:05 p.m.), Lind, McLaren, Murphy, Priebe, Rife, Running, Soorholtz, Vande Hoef and Welsh.

Members Absent: none.

Committee Business: Assigned bills and governor's appointees to subcommittees; recommended passage of Senate Joint Resolution 3 and Senate File 181 as amended.

Adjourned: 2:30 p.m.

COMMITTEE REPORTS

STATE GOVERNMENT

Final Bill Action: SENATE JOINT RESOLUTION 3, a bill for a joint resolution proposing an amendment to the Constitution of the State of Iowa to increase the term of office for a member of the House of Representatives to four years and for a member of the Senate to six years.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3072.

Final Vote: Ayes, 12: Kibbie, Lloyd-Jones, Nystrom, Buhr, Dieleman, Doyle, Gronstal, Horn, Murphy, Priebe, Running and Welsh. Nays, 6: Drake, Lind, McLaren, Rife, Soorholtz and Vande Hoef. Absent or not voting, 1: Kramer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 74, a bill for an act relating to the funds which may be set aside for debt retirement, capital improvements, and certain other purposes by pari-mutuel nonprofit corporation licensees.

Recommendation: DO PASS.

Final Vote: Ayes, 17: Kibbie, Lloyd-Jones, Nystrom, Buhr, Dieleman, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Rife, Running, Vande Hoef and Welsh. Nays, none. Absent or not voting, 2: Doyle and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 181, 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 AS PROVIDED IN AMENDMENTS S—3070 and 3071.

Final Vote: Ayes, 12: Kibbie, Lloyd-Jones, Buhr, Dieleman, Doyle, Gronstal, Horn, Murphy, Priebe, Running, Soorholtz and Welsh. Nays, 6: Nystrom, Drake, Lind, McLaren, Rife and Vande Hoef. Absent or not voting, 1: Kramer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 192, a bill for an act relating to the omission of nullified administrative rules from the Iowa administrative code.

Recommendation: DO PASS.

Final Vote: Ayes. 17: Kibbie, Lloyd-Jones, Nystrom, Buhr, Dieleman, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Rife, Running, Vande Hoef and Welsh. Nays, none. Absent or not voting, 2: Doyle and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS

Senate File 154

STATE GOVERNMENT: Buhr, Chair; Horn and Nystrom

Senate File 194

HUMAN RESOURCES: Hannon, Chair; Buhr and Rittmer

Senate File 198

HUMAN RESOURCES: Horn, Chair; Kramer and Szymoniak

Senate File 199

TRANSPORTATION: Dieleman, Chair; Drake and Lloyd-Jones

Senate File 201

TRANSPORTATION: Connolly, Chair; Gettings and Kersten

Senate File 222

APPROPRIATIONS: Welsh, Chair; Riordan and Tieden

Senate File 224

STATE GOVERNMENT: Priebe, Chair; Murphy and Vande Hoef

SSB 229

AGRICULTURE: Fraise, Chair; Boswell, Husak, Rittmer and Soorholtz

AMENDMENTS FILED

S-3070	S.F.	181	State Government
S-3071	S.F.	181	State Government
S-3072	S.J.R.	3	State Government
S-3073	S.F.	178	Larry Murphy
S-3074	S.F.	119	Florence Buhr John W. Jensen
S-3075	S.F.	178	William W. Dieleman

AFTERNOON SESSION

The Senate reconvened at 4:09 p.m., President Welsh presiding.

INTRODUCTION OF BILLS

Senate File 231, by Horn, a bill for an act allowing the issuance of personalized collegiate registration plates for motor vehicles.

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

Senate File 232, by Running, a bill for an act relating to statutory provisions for a constitutional convention following the approval of a convention by the voters.

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

CONSIDERATION OF BILLS

(Regular Calendar)

Senate File 188

On motion of Senator Running, Senate File 188, a bill for an act relating to therapeutically certified optometrists, 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. 188) the vote was:

Ayes, 46:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Running	Slife	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none:

Absent or not voting, 4:

Doyle

Pate

Peterson

Soorholtz

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

Senator Hutchins asked and received unanimous consent that **Senate File 188** 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 Welsh presiding.

Senator Husak asked and received unanimous consent to take up for consideration Senate File 181.

Senate File 181

On motion of Senator Kibbie, Senate File 181, 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 amendments and passage, was taken up for consideration.

Senator Kibbie offered amendment S—3071 filed by the committee on State Government from the floor to pages 4 and 17 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 27, nays 18.

Amendment S—3071 was adopted.

Senator Kibbie offered amendment S—3070 filed by the committee on State Government from the floor to pages 22 and 24 of the bill and moved its adoption.

Amendment S—3070 was adopted by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Lloyd-Jones for the remainder of the day on request of Senator Hutchins.

BUSINESS PENDING

Senate File 181

The Senate resumed consideration of Senate File 181.

With the adoption of amendment S—3070, the Chair ruled amendment S—3046 filed by Senator Kibbie on February 14, 1991, to pages 22 and 24 of the bill, out of order.

Senator Rensink offered amendment S—3077 filed by him from the floor to pages 4 and 17 of the bill and moved its adoption.

A non record roll call was requested.

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

The ayes were 20, nays 25.

Amendment S—3077 lost.

Senator Kersten offered amendment S—3078 filed by Senators Kersten, et al., from the floor to pages 1, 3, 16 and 17 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3078 be adopted?" (S.F. 181) the vote was:

Ayes, 20:

Borlaug	Deluhery	Drake	Fuhrman
Hagerla	Hester	Jensen	Kersten
Kramer	Lind	McLaren	Nystrom
Rensink	Rife	Rittmer	Slife
Taylor	Tieden	Tinsman	Vande Hoef

Nays, 26:

Boswell	Buhr	Connolly	Dieleman
Fraise	Gettings	Gronstal	Hannon
Hedge	Horn	Husak	Hutchins
Kibbie	Kinley	Miller	Murphy
Palmer	Peterson	Priebe	Riordan
Rosenberg	Running	Sturgeon	Szymoniak
Varn	Welsh		

Absent or not voting, 4:

Doyle	Lloyd-Jones	Pate	Soorholtz
-------	-------------	------	-----------

Amendment S—3078 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. 181) the vote was:

Ayes, 26:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Fraise	Gettings	Gronstal
Hannon	Horn	Husak	Hutchins
Kibbie	Kinley	Miller	Murphy
Palmer	Peterson	Priebe	Riordan
Rosenberg	Running	Sturgeon	Szymoniak
Varn	Welsh		

Nays, 20:

Borlaug	Drake	Fuhrman	Hagerla
Hedge	Hester	Jensen	Kersten
Kramer	Lind	McLaren	Nystrom
Rensink	Rife	Rittmer	Slife
Taylor	Tieden	Tinsman	Vande Hoef

Absent or not voting, 4:

Doyle	Lloyd-Jones	Pate	Soorholtz
-------	-------------	------	-----------

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 233, by Szymoniak and Murphy, a bill for an act relating to appeals from school board action under open enrollment, providing discretionary authority to the state board of education in hearing appeals, and providing for rulemaking.

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

Senate File 234, by Running, Hannon, Kibbie, Szymoniak, Miller, Varn, Doyle, Sturgeon, Murphy, Gronstal, Welsh and Horn, a bill for an act relating to the creation of a taxpayers' bill of rights and privileges, and an office of taxpayer ombudsman within the department of revenue and finance.

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

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. C. R.	5	Rules & Administration
S. F.	225	Environment & Energy Utilities
S. F.	226	Commerce
S. F.	227	Local Government
S. F.	228	State Government
S. F.	229	Appropriations
S. F.	230	Judiciary
S. F.	231	Transportation

AMENDMENTS FILED

S-3076	S. F.	193	Michael Gronstal
S-3077	S. F.	181	Wilmer Rensink
S-3078	S. F.	181	Jim Kersten
			Jack Hester
			Allen Borlaug
			Maggie Tinsman

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:28 p.m., until 9:00 a.m., Tuesday, February 26, 1991.

JOURNAL OF THE SENATE

FORTY-FOURTH CALENDAR DAY
TWENTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 26, 1991

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

Prayer was offered by the Reverend Dave Holmes, pastor of the Central United Methodist Church, Oskaloosa, Iowa.

The Journal of Monday, February 25, 1991, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Pate for the day on request of Senator Vande Hoef.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 21, 1991, passed the following bill in which the concurrence of the House was asked:

Senate File 89, a bill for an act relating to requiring county recorders to submit monthly reports of trade name statements or certificates of change filed during the preceding month.

ALSO: That the House has on February 21, 1991, passed the following bills in which the concurrence of the Senate is asked:

House File 20, a bill for an act to exclude Sunday and all legal public holidays as banking days for purposes of determining a bank's midnight deadline.

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

House File 220, a bill for an act to create a lien against aircraft and certain aircraft equipment in favor of persons who have installed the equipment in the aircraft and providing priority of the lien against prior lienholders of record.

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

House File 231, a bill for an act relating to the number of presidents of a state bank which is established by merger or consolidation.

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

House File 252, a bill for an act relating to exempting certain cargo tank motor vehicles from hazardous materials transportation regulations.

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

House File 253, a bill for an act relating to the disposal of solid waste and providing penalties.

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

INTRODUCTION OF BILL

Senate File 235, by Tieden, a bill for an act relating to vehicle roadblocks conducted to enforce compliance with prohibitions against operating while under the influence of alcohol or a drug.

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

Senator Lind took the chair at 9:12 a.m.

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.

President Welsh took the chair at 9:15 a.m.

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 46

On motion of Senator Gronstal, Senate File 46, a bill for an act relating to aboveground petroleum tanks and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gronstal offered amendment S—3058 filed by the committee on Environment and Energy Utilities on February 20, 1991, to page 1 of the bill.

Senator Husak asked and received unanimous consent that action on amendment S—3058 and **Senate File 46** be deferred.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:40 a.m., until 4:30 p.m.

APPENDIX**STUDY BILLS RECEIVED****SSB 230 Business & Labor Relations**

Relating to collective bargaining.

SSB 231 Local Government

Relating to the fees for publication of public notices.

SSB 232 Local Government

Relating to counties, amending county recorders' filing provisions, including parcel number designations on plats of survey, amending the procedure for late filing of homestead and military property tax credits, amending the real estate transfer tax exemption, requiring both the county auditor and treasurer to submit tax dedication documentation for participation in the resource enhancement and protection program, and establishing constructive notice of right-of-way easements in drainage districts.

SSB 233 Environment & Energy Utilities

Relating to petroleum underground storage tanks by raising the maximum use taxes deposited in the Iowa comprehensive underground storage tank fund and adjusting the diminution cost factor, establishing monitoring certificates, requiring certain corrective action rules, defining free product, providing for double-walled tanks as a corrective action cost, providing for payment of corrective action costs for certain not-for-profit organizations, establishing requirements for assessment plans, changing copayment schedules for remedial action, extending property liens, limiting cleanup payments, extending loan maturity dates and offering a special interest rate buy-down, extending upgrade dates, offering insurance coverage for certified tank installers and for property transfers, limiting rights of recovery and subrogation under the insurance account, requiring certification and registration of groundwater professionals, and imposing an environmental damage offset.

SSB 234 Judiciary

Relating to the requirements for financing statements pursuant to the uniform commercial code.

SSB 235 Judiciary

Relating to the assignment of indigent criminal and juvenile cases to the state public defender.

SSB 236 Judiciary

Relating to possession of a device for stimulating or depressing a horse or dog during a race, and providing for or increasing penalties.

SSB 237 Judiciary

Relating to distribution of controlled substances and increasing penalties.

SSB 238 Judiciary

Relating to providing interpreters for hearing impaired persons impaneled as jurors.

SSB 239 Judiciary

Relating to unfair and discriminatory practices in employment of persons with disabilities and providing an effective date.

SSB 240 Judiciary

Relating to unfair or discriminatory practices in housing and real estate, providing civil remedies, and a criminal penalty.

SSB 241 Judiciary

Relating to unfair or discriminatory practices in housing and real estate, providing civil remedies, and a criminal penalty.

REPORTS OF COMMITTEE MEETINGS**APPROPRIATIONS SUBCOMMITTEE ON REGULATION**

Convened: February 21, 1991, 10:05 a.m.

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

Members Absent: Palmer, Vice Chair and Kinley (excused).

Committee Business: Discussion of uncollected billings, fees and fines by various regulated departments.

Adjourned: 11:35 a.m.

HUMAN RESOURCES

Convened: February 25, 1991, 2:40 p.m.

Members Present: Hannon, Chair; Buhr, Vice Chair; Hagerla, Ranking Member; Horn, Kramer, Murphy, Riordan, Rittmer, Sturgeon, Szymoniak, Taylor and Tinsman.

Members Absent: none.

Committee Business: Assigned governor's appointees and bills to subcommittees; amended and approved SSB 131 as a committee bill; recommended passage of Senate File 114; SSB 73 failed committee approval as a committee bill.

Adjourned: 3:36 p.m.

STATE GOVERNMENT

Convened: February 25, 1991, 1:35 p.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Buhr, Dieleman, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Rife, Running, Vande Hoef and Welsh.

Members Absent: Doyle (excused) and Soorholtz.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate Files 74 and 192.

Adjourned: 1:52 p.m.

TRANSPORTATION

Convened: February 25, 1991, 2:35 p.m.

Members Present: Fraise, Chair; Connolly, Vice Chair; Drake, Ranking Member; Dieleman, Gettings, Jensen, Kersten, Kinley, Lloyd-Jones and Nystrom.

Members Absent: Pate and Welsh (both excused).

Committee Business: Assigned bills to subcommittees; presentations by: Director of the DOT on roads, bridges and air cargo; representatives from the tinted glass window industry; and Iowa Troopers Association.

Adjourned: 4:07 p.m.

CERTIFICATE OF RECOGNITION

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

Dainna Jellings, Fayette, Iowa — For selection as the 1991 Iowa Pork Queen. Senator Murphy (2-24-91).

SUBCOMMITTEE ASSIGNMENTS

Senate File 130

WAYS AND MEANS: Husak, Chair; Drake and Hedge

Senate File 197

WAYS AND MEANS: Szymoniak, Chair; McLaren and Rosenberg

Senate File 208

JUDICIARY: Fuhrman, Chair; Deluhery and Varn

Senate File 212

JUDICIARY: Rosenberg, Chair; Murphy and Pate

Senate File 215

WAYS AND MEANS: Husak, Chair; Connolly and Taylor

Senate File 227

LOCAL GOVERNMENT: Szymoniak, Chair; Buhr, Miller, Rittmer and Vande Hoef

Senate File 230

JUDICIARY: Peterson, Chair; Gronstal and Hagerla

House File 198

JUDICIARY: Sturgeon, Chair; Connolly and Pate

SSB 227

WAYS AND MEANS: Palmer, Chair; Drake and Fuhrman

SSB 228

WAYS AND MEANS: Dieleman, Chair; Drake and Szymoniak

SSB 230

BUSINESS AND LABOR RELATIONS: Running, Chair; Buhr and Rensink

SSB 231

LOCAL GOVERNMENT: Miller, Chair; Jensen and Vande Hoef

SSB 232

LOCAL GOVERNMENT: Fraise, Chair; Borlaug and Rittmer

SSB 234

JUDICIARY: Slife, Chair; Drake and Varn

SSB 235

JUDICIARY: Varn, Chair; Hester and Horn

SSB 236

JUDICIARY: Deluhery, Chair; Hagerla and Horn

SSB 237

JUDICIARY: Rosenberg, Chair; Drake and Murphy

SSB 238

JUDICIARY: Murphy, Chair; Gronstal and Pate

SSB 239

JUDICIARY: Gronstal, Chair; Fuhrman and Peterson

SSB 240

JUDICIARY: Gronstal, Chair; Fuhrman and Peterson

SSB 241

JUDICIARY: Gronstal, Chair; Fuhrman and Peterson

COMMITTEE REPORT**HUMAN RESOURCES**

Final Bill Action: SENATE FILE 114, a bill for an act relating to the definition of a physician for the purpose of the practice of nursing.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Hannon, Buhr, Hagerla, Horn, Kramer, Murphy, Riordan, Rittmer, Sturgeon, Szymoniak, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3079	S. F.	197	Elaine Szymoniak
S—3080	S. F.	46	Jim Kersten Ray Taylor

AFTERNOON SESSION

The Senate reconvened at 4:34 p.m., President Welsh presiding.

QUORUM CALL

Senator Drake 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:

Senator Riordan for the remainder of the day on request of Senator Husak and Senator Tieden for the remainder of the day on request of Senator Rife.

BUSINESS PENDING

Senate File 46

The Senate resumed consideration of Senate File 46, a bill for an act relating to aboveground petroleum tanks and providing an effective date, and amendment S—3058 by the committee on Environment and Energy Utilities to page 1 of the bill, previously deferred.

Senator Kersten asked and received unanimous consent to withdraw amendment S—3080 filed by Senators Kersten and Taylor from the floor to amendment S—3058.

Senator Gronstal moved the adoption of amendment S—3058, which motion prevailed by 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. 46) the vote was:

Ayes, 46:

Borlaug
Deluhery

Boswell
Dieleman

Buhr
Drake

Connolly
Fraise

Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Peterson	Priebe
Rensink	Rife	Rittmer	Rosenberg
Running	Slife	Soorholtz	Sturgeon
Szymoniak	Taylor	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none:

Absent or not voting, 4:

Doyle	Pate	Riordan	Tieden
-------	------	---------	--------

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

Senator Husak asked and received unanimous consent that **Senate File 46** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senator Husak asked and received unanimous consent to take up for consideration Senate File 74.

Senate File 74

On motion of Senator Horn, Senate File 74, a bill for an act relating to the funds which may be set aside for debt retirement, capital improvements, and certain other purposes by pari-mutuel nonprofit corporation licensees, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 74) the vote was:

Ayes, 46:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fraise

Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Peterson	Priebe
Rensink	Rife	Rittmer	Rosenberg
Running	Slife	Soorholtz	Sturgeon
Szymoniak	Taylor	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none:

Absent or not voting, 4:

Doyle	Pate	Riordan	Tieden
-------	------	---------	--------

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

Senator Husak asked and received unanimous consent that Senate File 74 be immediately messaged to the House.

UNFINISHED BUSINESS (Deferred February 25, 1991)

Senate File 178

The Senate resumed consideration of Senate File 178, a bill for an act relating to certain religious exemptions to the required provision of medical treatment, and requiring screening for metabolic diseases in newborn infants, and amendment S—3075 by Senator Dieleman to pages 1-3 of the bill, deferred on February 25, 1991.

Senator Dieleman moved the adoption of amendment S—3075.

A non record roll call was requested.

The ayes were 23, nays 23.

Amendment S—3075 lost.

Senator Hutchins asked and received unanimous consent that action on Senate File 178 be deferred.

INTRODUCTION OF RESOLUTION

Senate Resolution 6, by Dieleman, Hutchins, Horn, Miller, Riordan, Kibbie, Gronstal, Fraise, Peterson, Doyle, Kersten, Running, Boswell, Taylor, Tieden, Hester, Jensen, Vande Hoef, Drake, Nystrom, Hedge, Soorholtz, Lind, Kramer, Hagerla, McLaren, Connolly, Deluhery, Borlaug, Slife, Tinsman, Rosenberg, Pate, Varn, Priebe, Palmer, Rittmer and Kinley, a Senate resolution supporting military personnel in the Persian Gulf.

Read first time and passed on file.

INTRODUCTION OF BILLS

Senate File 236, by Fuhrman, a bill for an act relating to the submission of an estimate of the total expenditure requirements of the judicial department.

Read first time and passed on file.

Senate File 237, by Peterson, a bill for an act relating to the disposal of baled solid waste at a sanitary landfill.

Read first time and passed on file.

Senate File 238, by Taylor, 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 239, by Riordan, Dieleman, Taylor, Jensen, Rensink, Peterson and Kersten, a bill for an act to permit private instruction of a child of compulsory attendance age by a parent, guardian, or custodian upon provision of notice to the clerk of the district court in the child's district of residence.

Read first time and passed on file.

Senate File 240, by Hester, a bill for an act relating to contemporary community standards in the rental or sale of hardcore pornography.

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

Senate File 241, by Running, a bill for an act relating to medical assistance eligibility determinations involving spousal resources for certain institutionalized individuals.

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

Senate File 242, by Hester, a bill for an act relating to the official language of the state of Iowa.

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

Senate File 243, by Hester, 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, preventing the issuance of temporary restricted licenses, providing penalties, and providing for other properly related matters.

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

Senate File 244, by Lloyd-Jones, a bill for an act relating to the historical resource development program.

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

Senate File 245, by Borlaug, a bill for an act providing immunity from liability for volunteers.

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

Senate File 246, by Fuhrman and Lind, a bill for an act relating to tinted windows and increasing the applicable scheduled violation fines.

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

Senate File 247, by Kersten, 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.**

Senate File 248, by Taylor, a bill for an act relating to regional and state library services and budgets.

Read first time and passed on file.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S.F.	232	State Government
S.F.	233	Education
S.F.	234	State Government
S.F.	235	Judiciary
S.F.	236	Appropriations
S.F.	237	Environment & Energy Utilities
S.F.	238	Judiciary
S.F.	239	Education
S.F.	240	Judiciary
S.F.	241	Human Resources
S.F.	242	State Government
S.F.	243	Judiciary
H.F.	20	Commerce
H.F.	220	Transportation
H.F.	253	Environment & Energy Utilities

AMENDMENT FILED

S-3081 S.F. 183 Berl E. Priebe

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:26 p.m., until 9:00 a.m., Wednesday, February 27, 1991.

JOURNAL OF THE SENATE

FORTY-FIFTH CALENDAR DAY
TWENTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 27, 1991

The Senate met in regular session at 9:00 a.m., President pro tempore Lloyd-Jones presiding.

Prayer was offered by the Reverend Harvey Calsbeek, assistant pastor of the Sibley First Reformed Church, Sibley, Iowa.

The Journal of Tuesday, February 26, 1991, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Pate for the day on request of Senator Borlaug and Senator Rosenberg until he arrives on request of Senator Hutchins.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 25, 1991, passed the following bills in which the concurrence of the Senate is asked:

House File 109, a bill for an act to prohibit the shooting of a firearm across a public highway and subjecting violators to a penalty.

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

House File 233, a bill for an act relating to the hunter safety and ethics education program, and providing a penalty for violations.

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

House File 254, a bill for an act relating to corn shellers and feed grinders and special mobile equipment.

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

INTRODUCTION OF BILLS

Senate File 249, by Horn and Pate, a bill for an act relating to providing funeral and cemetery products and services by establishing a consumer protection fund and a fee on the filing of death certificates.

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

Senate File 250, by Tieden and Vande Hoef, a bill for an act relating to child support by establishing a support obligation for a grandparent under certain conditions.

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

Senate File 251, by Tieden, a bill for an act relating to a voluntary shared work program for unemployment compensation benefits to be administered by the department of employment services and providing an effective date.

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.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 200

On motion of Senator Peterson, **Senate File 200**, a bill for an act relating to soil conservation by providing for protection of land subject to a public interest, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 200) the vote was:

Ayes, 38:

Boswell,	Buhr	Connolly	Deluhery
Dieleman	Drake	Fraise	Gettings
Gronstal	Hannon	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Miller	Murphy	Nystrom	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Running	Soorholtz	Sturgeon
Szymoniak	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 7:

Borlaug	Fuhrman	Hagerla	Hedge
McLaren	Slife	Taylor	

Absent or not voting, 5:

Doyle	Kinley	Palmer	Pate
Rosenberg			

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

Senate File 183

On motion of Senator Priebe, Senate File 183, a bill for an act relating to the number of presidents of a state bank which is established by merger or consolidation, was taken up for consideration.

Senator Priebe offered amendment S—3081 filed by him on February 26, 1991, to page 1 of the bill and moved its adoption.

Amendment S—3081 was adopted by a voice vote.

Senator Priebe asked and received unanimous consent that House File 231 be substituted for Senate File 183 as amended.

House File 231

On motion of Senator Priebe, House File 231, a bill for an act relating to the number of presidents of a state bank which is established by merger or consolidation, 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. 231) the vote was:

Ayes, 45:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 5:

Doyle	Kinley	Palmer	Pate
Rosenberg			

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

Senator Priebe asked and received unanimous consent that **Senate File 183** be **withdrawn** from further consideration of the Senate.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:35 a.m., until 4:30 p.m.

APPENDIX**STUDY BILLS RECEIVED****SSB 242 Appropriations**

Appropriating federal funds made available from federal block grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated or if categorical grants are consolidated into new or existing block grants and providing effective dates.

SSB 243 Appropriations

Relating to and making appropriations to the department of agriculture and land stewardship and the department of natural resources and increasing the solid waste tonnage fee.

SSB 244 State Government

Relating to state mandates.

SSB 245 State Government

To permit the sale of disposable containers for the consumption of beer or wine by wholesalers to retailers for one-time use by retail customers on the premises of licensed establishments.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: February 26, 1991, 9:52 a.m.

Members Present: Peterson, Chair; Dieleman, Vice Chair; Slife and Welsh.

Members Absent: Pate, Ranking Member (excused).

Committee Business: Discussed FY92 budget targets.

Adjourned: 10:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: February 26, 1991, 9:55 a.m.

Members Present: Husak, Chair; McLaren, Ranking Member; Hester and Kibbie.

Members Absent: Priebe, Vice Chair (excused).

Committee Business: Presentation by Jim Lindsay (AGP) on ethanol fuel.

Adjourned: 10:33 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 26, 1991, 10:00 a.m.

Members Present: Riordan, Chair; Kramer, Ranking Member; Borlaug and Lloyd-Jones.

Members Absent: Boswell, Vice Chair (excused).

Committee Business: Presentations on boundaries used by different entities economic development by Allan Thoms, and Ron Manning regarding small business development centers; overview of Iowa Peace Institute programs and progress by Ambassador John McDonald and Robert Anderson.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 26, 1991, 9:50 a.m.

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

Members Absent: none.

Committee Business: Presentation by United Students of Iowa.

Adjourned: 10:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 26, 1991, 10:00 a.m.

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

Members Absent: none.

Committee Business: Budget review of courts, Attorney General and Board of Parole.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: February 26, 1991, 9:50 a.m.

Members Present: Running, Chair; Palmer, Vice Chair; Rensink, Ranking Member; Hedge and Kinley.

Members Absent: none.

Committee Business: Discussed FY92 budget targets.

Adjourned: 10:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: February 26, 1991, 9:52 a.m.

Members Present: Gettings, Chair; Kersten, Ranking Member; Connolly and Jensen.

Members Absent: Doyle, Vice Chair (excused).

Committee Business: Hearing on the State Medical Examiner; budget presentation by Iowa Law Enforcement (FY 1992 reductions).

Adjourned: 11:09 a.m.

AGRICULTURE

Convened: February 26, 1991, 8:00 a.m.

Members Present: Priebe, Chair; Peterson, Vice Chair; Soorholtz, Ranking Member; Boswell, Fraise, Hedge, Hester, Husak, Miller, Palmer, Riordan, Rittmer and Vande Hoef.

Members Absent: Doyle (excused) and McLaren.

Committee Business: Assigned SSB 229 to a subcommittee.

Adjourned: 8:18 a.m.

BUSINESS AND LABOR RELATIONS

Convened: February 26, 1991, 1:30 p.m.

Members Present: Running, Chair; Fuhrman, Ranking Member; Buhr, Kinley, Palmer, Peterson, Rensink and Slife.

Members Absent: Sturgeon, Vice Chair and Taylor.

Committee Business: Assigned SSB 230 to a subcommittee.

Adjourned: 1:45 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: February 26, 1991, 1:32 p.m.

Members Present: Rosenburg, Chair; Gronstal, Vice Chair; Jensen, Ranking Member; Borlaug, Deluhery, Fraise, Hannon, Hedge, Kersten, Miller, Soorholtz and Varn.

Members Absent: none.

Committee Business: Assigned bills to subcommittees.

Adjourned: 1:37 p.m.

JUDICIARY

Convened: February 26, 1991, 3:39 p.m.

Members Present: Sturgeon, Chair; Fuhrman, Ranking Member; Connolly, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Peterson and Varn.

Members Absent: Rosenberg, Vice Chair (excused); Murphy, Pate (excused) and Varn (excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 3:40 p.m.

WAYS AND MEANS

Convened: February 26, 1991, 2:38 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hedge, Ranking Member; Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Palmer, Rosenberg, Szymoniak and Taylor.

Members Absent: Murphy.

Committee Business: Assigned bills to subcommittees; explanation by Revenue & Finance regarding SSB 227.

Adjourned: 3:00 p.m.

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 27th day of February, 1991:

Senate File 89.

JOHN F. DWYER
Secretary of the Senate

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 181, the following correction was made:

1. Page 25, line 12, the words "sections 1 through 37" were changed to the words "sections 1 through 38".

JOHN F. DWYER
Secretary of the Senate

SUBCOMMITTEE ASSIGNMENTS

Senate File 100

EDUCATION: Horn, Chair; Connolly and Taylor

Senate File 203

COMMERCE: Palmer, Chair; Doyle, Gronstal, Jensen and Slife

Senate File 204

EDUCATION: Deluhery, Chair; Rensink and Running

Senate File 205

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

Senate File 214

COMMERCE: Kinley, Chair; Lind and Varn

Senate File 216

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

Senate File 226

COMMERCE: Deluhery, Chair; Gronstal, Jensen, Sturgeon and Tieden

Senate File 231

TRANSPORTATION: Lloyd-Jones, Chair; Connolly and Pate

Senate File 233

EDUCATION: Szymoniak, Chair; Lind and Murphy

Senate File 239

EDUCATION: Connolly, Chair; Murphy and Tieden

House File 20

COMMERCE: Kinley, Chair; Lind and Varn

House File 110

COMMERCE: Kinley, Chair; Lind and Varn

SSB 211

ENVIRONMENT & ENERGY UTILITIES: Fraise, Chair; Hannon and Kersten

SSB 223

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

SSB 224

ENVIRONMENT & ENERGY UTILITIES: Rosenberg, Chair; Deluhery, Hannon, Jensen and Kersten

SSB 225

ENVIRONMENT & ENERGY UTILITIES: Hannon, Chair; Fraise and Hedge

SSB 226

EDUCATION: Szymoniak, Chair; Deluhery and Lind

SSB 233

ENVIRONMENT & ENERGY UTILITIES: Gronstal, Chair; Borlaug, Hannon, Hedge and Miller

SSB 242

APPROPRIATIONS: Boswell, Chair; Riordan and Tieden

SSB 243

APPROPRIATIONS: Husak, Chair; Rensink and Riordan

LEGISLATIVE COUNCIL RESOLUTION

Pursuant to Senate Concurrent Resolution 1, the following resolution relating to the compensation of central legislative staff agencies was adopted by the legislative council on February 26, 1991:

1 LEGISLATIVE COUNCIL RESOLUTION**2 A Resolution relating to the compensation****3 of employees of the central legislative staff agencies****4 for the Seventy-fourth General Assembly.****5 WHEREAS, past Senate Concurrent Resolutions of the****6 General Assembly have provided that it is the intent****7 of the General Assembly that the Legislative Council****8 adopt a resolution to provide for the compensation and****9 benefits of all central legislative staff agency****10 employees, and that the resolution be adopted as soon****11 as practicable after the convening of each new General****12 Assembly, NOW THEREFORE,****13 BE IT RESOLVED BY THE LEGISLATIVE COUNCIL, That the****14 compensation of the central legislative staff agency****15 employees of the Seventy-fourth General Assembly shall****16 be set, effective from January 14, 1991, until January****17 11, 1993, in accordance with the following salary****18 schedule:**

19 #8	#9	#10	#11	#12
20 \$10,753.60	\$11,273.60	\$11,856.00	\$12,459.20	\$13,083.20
21 5.17	5.42	5.70	5.99	6.29

22

23	#13	#14	#15	#16	#17
24	\$13,728.00	\$14,456.00	\$15,204.80	\$15,953.60	\$16,702.40
25	6.60	6.95	7.31	7.67	8.03
26					
27	#18	#19	#20	#21	#22
28	\$17,513.60	\$18,324.80	\$19,260.80	\$20,134.40	\$21,132.80
29	8.42	8.81	9.26	9.68	10.16
30					

Page 2

1	#23	#24	#25	#26	#27
2	\$22,152.00	\$23,171.20	\$24,315.20	\$25,459.20	\$26,686.40
3	10.65	11.14	11.69	12.24	12.83
4					
5	#28	#29	#30	#31	#32
6	\$27,976.00	\$29,328.00	\$30,721.60	\$32,240.00	\$33,716.80
7	13.45	14.10	14.77	15.50	16.21
8					
9	#33	#34	#35	#36	#37
10	\$35,401.60	\$37,065.60	\$38,833.60	\$40,705.60	\$42,681.60
11	17.02	17.82	18.67	19.57	20.52
12					
13	#38	#39	#40	#41	#42
14	\$44,720.00	\$46,883.20	\$49,150.40	\$51,500.80	\$53,976.00
15	21.50	22.54	23.63	24.76	25.95
16					
17	#43	#44	#45	#46	#47
18	\$56,534.40	\$59,280.00	\$62,129.60	\$65,083.20	\$68,203.20
19	27.18	28.50	29.87	31.29	32.79

20 In this schedule, each numbered block shall be the
 21 yearly and hourly compensation for the pay grade of
 22 the number heading the block. Within each grade there
 23 shall be six steps numbered "1" through "6". In the
 24 above schedule the steps for all grades are determined
 25 in the following manner. Each numbered block is
 26 counted as the "1" step for that grade. The next
 27 higher block is counted as the "2" step; the next
 28 higher block is the "3" step; the next higher block is
 29 the "4" step; the next higher block is the "5" step;
 30 and the next higher block is the "6" step.

Page 3

1 All employees shall be available to work daily
 2 until completion of the needed work of the central
 3 legislative staff agencies. The directors of the
 4 central legislative staff agencies shall schedule all
 5 employees' working hours to, as far as possible,
 6 maintain regular working hours.

7 All employees, other than those designated "part-
 8 time" and those on leave without pay, shall generally
 9 be compensated for 40 hours of work in a one-week pay
 10 period. Except for the personnel designated to the
 11 contrary in this resolution, employees who are
 12 required to work in excess of 40 hours in a one-week
 13 pay period shall either be compensated at a rate of
 14 pay equal to one and one-half times the hourly pay
 15 provided in this resolution or be allowed compensatory
 16 time off at a rate of one and one-half hours for each
 17 hour of overtime as provided in the personnel
 18 guidelines for central legislative staff agencies
 19 adopted by the Legislative Council.

20 BE IT FURTHER RESOLVED, That, notwithstanding the
 21 above salary schedule, the compensation for the
 22 following agency directors for the period commencing
 23 January 14, 1991, and ending January 11, 1993, shall
 24 be within the following ranges:

25 Computer Support Bureau Director	\$42,681.60 to \$58,056.44
26 Legislative Fiscal Bureau Director	\$49,150.40 to \$67,860.00
27 Legislative Service Bureau Director	\$49,150.40 to \$67,860.00
28 Citizens' Aide/Ombudsman	\$40,705.60 to \$57,212.22

29 Within the indicated ranges, the exact compensation
 30 shall be set or adjusted by the Service Committee and

Page 4

1 the Legislative Council.
 2 The following personnel shall not be paid an
 3 overtime premium:

- 4 CITIZENS' AIDE/OMBUDSMAN
- 5 Citizens' Aide/Ombudsman
- 6 Deputy Citizens' Aide/Ombudsman
- 7 Legal Counsel
- 8 All Assistants

- 9 COMPUTER SUPPORT BUREAU
- 10 Director
- 11 Software Analyst
- 12 Mapper Coordinator
- 13 Microcomputer Manager
- 14 All Microcomputer Support Analysts
- 15 Run Designer

- 16 LEGISLATIVE FISCAL BUREAU
- 17 Director
- 18 Deputy Director
- 19 All Principal Legislative Analysts
- 20 All Legislative Analysts
- 21 All Run Designers
- 22 All Software Analysts

- 23 LEGISLATIVE SERVICE BUREAU

- 24 Director
- 25 Deputy Director
- 26 Iowa Code Editor
- 27 Deputy Iowa Code Editor
- 28 Administrative Code Editor
- 29 Legal Services Administrator
- 30 Committee Services Administrator

Page 5

- 1 Legislative Information Office Director
- 2 Senior Finance Officer
- 3 All Legal Counsels
- 4 All Research Analysts
- 5 BE IT FURTHER RESOLVED, That session-only and part-
- 6 time employees shall be compensated at the scheduled
- 7 hourly rate for their pay grade and step.
- 8 BE IT FURTHER RESOLVED, That compensatory time off
- 9 shall be granted to employees not eligible for the
- 10 overtime premium in a uniform manner for all
- 11 legislative employees as determined by the Legislative
- 12 Council.
- 13 BE IT FURTHER RESOLVED, That in the event the
- 14 salary schedule for employees of the State of Iowa as
- 15 promulgated by the Personnel Commission pursuant to
- 16 section 19A.9, subsection 2, Code 1991, is revised
- 17 upward at any time during the Seventy-fourth General
- 18 Assembly, such revised schedule shall simultaneously
- 19 be adopted for the compensation of the central
- 20 legislative staff agency employees of the Seventy-
- 21 fourth General Assembly assigned a grade by this
- 22 resolution. The pay ranges of those positions
- 23 specifically listed on page three of this resolution
- 24 shall be automatically adjusted to reflect any cost of
- 25 living increases granted to those employees not
- 26 included in the collective bargaining agreements made
- 27 final under Iowa Code chapter 20 or to reflect any
- 28 increases provided by the Legislative Council.
- 29 BE IT FURTHER RESOLVED, That changes in pay grades
- 30 authorized for positions listed in this resolution and

Page 6

- 1 authorizations for new central legislative staff
- 2 agency positions may be made through an annual interim
- 3 review of all legislative employees. Such review
- 4 shall be conducted by a legislative committee made up
- 5 of members of the Service Committee of the Legislative
- 6 Council and the appropriate salary subcommittees of
- 7 the Senate and House. Only one such review may be

8 conducted in any fiscal year and changes or
 9 authorizations proposed by such a review for central
 10 legislative staff agency positions must be approved by
 11 the Service Committee and Legislative Council.
 12 BE IT FURTHER RESOLVED, That the central
 13 legislative staff agency employees of the Seventy-
 14 fourth General Assembly be placed in the following pay
 15 grades:

16 CITIZENS' AIDE/OMBUDSMAN OFFICE	
17 <u>Position Classification</u>	<u>Pay Grade</u>
18 Deputy Citizens' Aide/Ombudsman	35
19 Assistant III	33
20 Legal Counsel	31
21 Assistant II	30
22 Assistant I	27
23 Executive Secretary	23
24 Administrative Secretary	21
25 Citizens' Aide/Ombudsman Secretary	19
26 COMPUTER SUPPORT BUREAU	
27 <u>Position Classification</u>	<u>Pay Grade</u>
28 Software Analyst II	36
29 Mapper Coordinator II	35
30 Software Analyst I	34

Page 7

1 Microcomputer Manager I	33
2 Mapper Coordinator I	32
3 Run Designer III	30
4 Microcomputer Support Analyst II	30
5 Run Designer II	27
6 Microcomputer Support Analyst I	27
7 Computer Operator II	24
8 Run Designer I	24
9 Executive Secretary	23
10 Administrative Secretary	21
11 Computer Operator I	21
12 Computer Operator (Session Only)	21
13 LEGISLATIVE FISCAL BUREAU	
14 <u>Position Classification</u>	<u>Pay Grade</u>
15 Deputy Director	39
16 Principal Legislative Analyst	36
17 Senior Legislative Analyst	35
18 Software Analyst I	34
19 Legislative Analyst III	33
20 Legislative Analyst II	30
21 Run Designer III	30
22 Legislative Analyst I	27
23 Run Designer II	27
24 Run Designer I	24

25	Executive Secretary	23
26	Administrative Secretary	21
27	Page	Minimum Wage
28	LEGISLATIVE SERVICE BUREAU	
29	<u>Position Classification</u>	<u>Pay Grade</u>
30	Deputy Director	39

Page 8

1	Iowa Code Editor	38
2	Administrative Code Editor	38
3	Legal Services Administrator	37
4	Committee Services Administrator	36
5	Senior Legal Counsel	36
6	Senior Research Analyst	35
7	Deputy Iowa Code Editor	33
8	Legal Counsel II	33
9	Research Analyst III	33
10	Senior Finance Officer	31
11	Legal Counsel I	30
12	Research Analyst II	30
13	Legislative Information Office Director	30
14	Legislative Text Processor Supervisor	28
15	Assistant Editor II	27
16	Research Analyst I	27
17	Senior Legislative Librarian	27
18	Finance Officer II	27
19	Confidential Secretary	26
20	Senior Legislative Text Processor	25
21	Finance Officer I	24
22	Assistant Editor I	24
23	Legislative Librarian	24
24	Chief Indexer	24
25	Executive Administrator	23
26	Executive Secretary	23
27	Legislative Information Officer	22
28	Legislative Text Processor II	22
29	Assistant Librarian	22
30	Indexer	21

Page 9

1	Publication Coordinator	21
2	Administrative Secretary	21
3	Assistant Finance Officer	21
4	Administrative Assistant	20
5	Legislative Text Processor I	19
6	Assistant Indexer	18
7	Legislative Proofreader Coordinator	18
8	Senior Bill Clerk	18

9	Session Legislative Information Assistant	18
10	Proofreader-Indexer	17
11	Legislative Proofreader	16
12	Code Proofreader	15
13	Capitol Tour Guide Coordinator	14
14	Bill Clerk	13
15	Capitol Tour Guide	12
16	Page	Minimum Wage
17	BE IT FURTHER RESOLVED, That there shall be four	
18	classes of appointments as employees of the central	
19	legislative staff agencies:	
20	A "permanent full-time" or "permanent part-time"	
21	employee is one who is employed year round and	
22	eligible to receive state benefits.	
23	An "exempt full-time" employee is one who is	
24	employed for the period of the session with extensions	
25	post-session and pre-session as scheduled. This class	
26	is eligible to receive state benefits as provided in	
27	section 2.40.	
28	A "session-only" employee is one who is employed	
29	for only a portion of the year, usually the	
30	legislative session. This class is not eligible for	

Page 10

- 1 state benefits, except IPERS.
- 2 A temporary "part-time" employee is one who is
- 3 employed to work less than 40 hours per week and is
- 4 not employed year round. This class is not eligible
- 5 for state benefits, except IPERS if eligible.
- 6 BE IT FURTHER RESOLVED, That the exact
- 7 classification for individuals in a job series created
- 8 by this resolution shall be set or changed by the
- 9 agency directors subject to the review of the Service
- 10 Committee and Legislative Council. The agency
- 11 directors shall base the classification upon all of
- 12 the following factors:
- 13 1. The extent of formal education required of the
- 14 position.
- 15 2. The extent of the responsibilities to be
- 16 assigned to the position.
- 17 3. The amount of supervision placed over the
- 18 position.
- 19 4. The number of persons the position is assigned
- 20 to supervise and skill and responsibilities of those
- 21 positions supervised.
- 22 The agency directors shall report the exact
- 23 classifications assigned to each individual to the
- 24 Service Committee of the Legislative Council.
- 25 Recommendations for a pay grade for a new position

26 shall be developed in accordance with the factor
27 scores in the comparable worth report. Every four
28 years the Senate Rules and Administration Committee,
29 the House Administration Committee, and the
30 Legislative Council shall review all positions in the

Page 11

1 legislative branch to assure conformity to comparable
2 worth.

3 BE IT FURTHER RESOLVED, That employees of the
4 central legislative staff agencies of the General
5 Assembly may be eligible for promotion within a job
6 series and increases within a pay grade as provided in
7 the personnel guidelines for central legislative staff
8 agencies adopted by the Legislative Council.

9 BE IT FURTHER RESOLVED, That the entrance salary
10 for central legislative staff employees of the General
11 Assembly shall be at step 1 in the grade of the
12 position held. Such employee may be hired above the
13 entrance step if possessing outstanding and unusual
14 experience for the position, provided that the
15 entrance is not beyond step 3. Such employee who is
16 hired above the entrance step shall be mobile above
17 that step in the same period of time as other
18 employees in that same step. An employee who is moved
19 to another position may be considered for partial or
20 full credit for their experience in the former
21 position in determining the step in the new grade.

22 The entry level for the position of Analyst shall
23 be Legislative Analyst I, or Research Analyst I,
24 unless extraordinary conditions justify increasing
25 that entry level; however, that entry level shall not
26 be increased beyond Legislative Analyst II or Research
27 Analyst II. An Analyst must have shown knowledge of
28 legislative rules and procedures as well as the Code
29 of Iowa to be considered at any level above a
30 Legislative Analyst I or Research Analyst I. The

Page 12

1 entry level for the position of Legal Counsel shall be
2 Legal Counsel I unless extraordinary conditions
3 justify increasing that entry level; however, that
4 entry level shall not be increased beyond Legal
5 Counsel II. A Legal Counsel shall be a person who has
6 graduated from an accredited school of law. A Legal
7 Counsel must have shown knowledge of legislative rules
8 and procedures as well as the Code of Iowa to be
9 considered at any level above a Legal Counsel I.

10 BE IT FURTHER RESOLVED, That a pay increase for
11 exceptionally meritorious service may be made in
12 accordance with the personnel guidelines for central
13 legislative staff agencies adopted by the Legislative
14 Council.

15 BE IT FURTHER RESOLVED, That each agency director
16 shall receive applications for employment, arrange for
17 any necessary examinations and contacting of
18 references, and make hirings. The agency director
19 shall report the names of those hired for the filling
20 of any vacancies.

21 On the legislative day following the adoption of
22 this resolution, the director of each central
23 legislative staff agency shall submit to the Service
24 Committee of the Legislative Council and the
25 Legislative Council the list of names, titles,
26 classifications, and pay grade and step for each
27 employee. The Legislative Council shall publish the
28 lists in the journals of both houses.

29 BE IT FURTHER RESOLVED, That permanent central
30 legislative staff employees of the General Assembly

Page 13

1 shall receive those vacation allowances, sick leave,
2 health and accident insurance, life insurance, and
3 disability income insurance as are provided for full-
4 time, permanent state employees, and as provided in
5 the personnel guidelines for central legislative staff
6 agencies adopted by the Legislative Council. The
7 computations shall be maintained by each central
8 legislative staff agency and coordinated with the
9 department of revenue and finance.

10 BE IT FURTHER RESOLVED, That should any central
11 legislative staff employee have a grievance concerning
12 their compensation, hours of work, performance of
13 work, or other matter, the grievance shall be resolved
14 as provided by procedures determined by the
15 Legislative Council pursuant to section 2.42,
16 subsection 14, Code 1991 and the personnel guidelines
17 for central legislative staff agencies adopted by the
18 Legislative Council.

REPORT FROM THE LEGISLATIVE COUNCIL

MR. PRESIDENT: Pursuant to the pay resolution adopted by the legislative council on February 26, 1991, the Iowa legislative council submits the following names of employees of the central legislative staff agencies, and their respective classifications, grades and steps:

MR. PRESIDENT: Pursuant to the pay resolution adopted by the legislative council on February 26, 1991, the Iowa legislative council submits the following names of employees of the central legislative staff agencies, and their respective classifications, grades and steps:

		<u>Class</u>	<u>Grade</u>	<u>Step</u>
<u>CITIZENS' AIDE/OMBUDSMAN</u>				
Citizens' Aide	William P. Angrick, II	P-FT	\$57,212.22 annual	
Deputy	Ruth L. Mosher	P-FT	35	6
Legal Counsel	Ruth H. Cooperrider	P-FT	31	2
Assistant III	Randy A. Meline	P-FT	33	4
Assistant II	Michael J. Ferjak	P-FT	30	3
Assistant I	Tina M. Eick	P-FT	27	2
Assistant I	Connie L. Bencke	P-FT	27	2
Assistant I	Wendy L. Sheetz	P-FT	27	1
Assistant I	Judi A. Stageberg	P-FT	27	1
Executive Secretary	Judy Green	P-FT	23	6
Administrative Secretary	Pat Nett	P-FT	21	6
CAO Secretary	Maureen Kennedy	P-FT	19	3

LEGISLATIVE COMPUTER SUPPORT BUREAU

Director	Sanford Scharf	P-FT	\$58,056.44 annual	
Microcomputer Manager I	Ed Damman	P-FT	33	1
Microcomputer Support Analyst	Bryan Boyd	P-FT	27	1
Microcomputer Support Analyst	Roel Campos	P-FT	27	1
Mapper Coordinator II	Kay Evans	P-FT	35	3
Run Designer II	Cheryl Porath	P-FT	27	3
Software Analyst I	Roger Murtfeld	P-FT	34	2
Administrative Secretary	Sherry Frederick	P-FT	21	4
Computer Operator I	Steven Nelson	P-FT	21	1
Computer Operator	Pat Shepherd	S-O	21	1

LEGISLATIVE FISCAL BUREAU

Director	Dennis Prouty	P-FT	\$67,860.00 annual	
Deputy Director	Tim Faller	P-FT	39	6
Legislative Analyst I	Jon Studer	P-FT	27	2
Legislative Analyst I	David Reynolds	P-FT	27	2
Legislative Analyst I	Pam Shipman	P-FT	27	2
Legislative Analyst I	Mary Shipman	P-FT	27	2
Legislative Analyst I	Leroy McGarity	P-FT	27	2
Legislative Analyst I	Larry Sigel	P-FT	27	2
Legislative Analyst II	Paul Durant	P-FT	30	3
Legislative Analyst II	John Hawley	P-FT	30	3
Legislative Analyst II	Beth Lenstra	P-FT	30	3

Legislative Analyst II	Carter Hawley	P-FT	30	3
Legislative Analyst II	Alice Wisner	P-FT	30	3
Legislative Analyst II	Jeff Robinson	P-FT	30	3
Legislative Analyst III	Robert Snyder	P-FT	33	3
Legislative Analyst III	Susan Lerdal	P-FT	33	3
Senior Legislative Analyst	Jon Neiderbach	P-FT	35	3
Principal Legislative Analyst	Doug Wulf	P-FT	36	6
Principal Legislative Analyst	Holly Lyons	P-FT	36	5
Principal Legislative Analyst	Dwayne Ferguson	P-FT	36	4
Principal Legislative Analyst	Glen Dickinson	P-FT	36	5
Run Designer II	Cynthia Dufty	P-FT	27	3
Software Analyst I	Raymond Knapp	P-FT	34	4
Administrative Secretary	Nicole Navara	P-FT	21	1
Executive Secretary	Lynn Sevedge	P-FT	23	5
Executive Secretary	Charlotte Mosher	P-FT	23	2
Page	Katharine Foubert	S-O		Minimum Wage

LEGISLATIVE SERVICE BUREAU

Director	Diane Bolender	P-FT	\$67,860.00 annual	
Deputy Director	Richard Johnson	P-FT	39	4
Iowa Code Editor	JoAnn Brown	P-FT	38	6
Administrator Code Editor	Phyllis Barry	P-FT	38	3
Committee Services Administrator	John Pollak	P-FT	36	1
Deputy Iowa Code Editor	Janet Wilson	P-FT	33	6
Senior Legal Counsel	Michael Goedert	P-FT	36	5
Senior Legal Counsel	Gary Kaufman	P-FT	36	4
Senior Research Analyst	Thane Johnson	P-FT	35	6
Legal Counsel II	Douglas Adkisson	P-FT	33	4
Legal Counsel II	Mark Johnson	P-FT	33	3
Legal Counsel II	Leslie Workman	P-FT	33	4
Legal Counsel I	Aida Audeh	P-FT	30	3
Legal Counsel I	Mary Carr	P-FT	30	2
Legal Counsel I	Julie Smith Craggs	P-FT	30	2
Legal Counsel I	Susan Crowley	P-FT	30	1
Legal Counsel I	Michael Kuehn	P-FT	30	1
Research Analyst II	Patricia Funaro	P-FT	30	4
Research Analyst I	Andrew Karl	P-FT	27	2
Research Analyst I	Gary Rudicil	P-FT	27	3
Research Analyst I	Kathleen Hanlon	P-FT	27	1
Legislative Information Office Director	Julie Livers	P-FT	30	2
Legislative Librarian	Jonetta Douglas	P-FT	24	2
Assistant Librarian	Ruth McGhee	P-FT	22	1
Legislative Information Officer	Lucinda Parker	P-FT	22	2
Legislative Information Officer	Gary Thompson	P-FT	22	2
Capitol Tour Guide Coordinator	Henrietta Macaulay	P-FT	14	x
Capitol Tour Guide	Joan Arnett	P-FT	12	6

Capitol Tour Guide	Kathryn Farrell	P-FT	12	6
Capitol Tour Guide	Karen Nichols	P-FT	12	6
Capitol Tour Guide	Susan Wallace	P-FT	12	1
Capitol Tour Guide	Scott Robinson	P-FT	12	1
Assistant Editor II	Loanne Dodge	P-FT	27	5
Assistant Editor II	Donna Waters	P-FT	27	6
Assistant Editor I	Kathleen Bates	P-FT	24	4
Assistant Editor I	Joyann Benoit	P-FT	24	5
Assistant Editor I	Peter Dubec	P-FT	24	4
Publication Coordinator	Rosemary Drake	P-FT	21	3
Publication Coordinator	Bonnie King	P-FT	21	6
Iowa Code Indexer	Richard Schulze	P-FT	24	6
Administrative Code Indexer	Pamela Worden	P-FT	24	6
Indexer	Sarah Cartwright	P-FT	21	4
Indexer	Doris Stoner	P-FT	21	4
Assistant Indexer	Patricia Fetters	P-FT	18	6
Assistant Indexer	Mary Ann Scott	P-FT	18	3
Administrative Assistant	Alice Gossett	P-FT	20	3
Senior Finance Officer	Marge Knudsen	P-FT	31	4
Confidential Secretary	Donna Greenwood	P-FT	26	6
Executive Administrator	Kathaleen Miklus	P-FT	23	5
Assistant Finance Officer	K'Ann Brandt	P-FT	21	2
Legislative Text Processor Supervisor	Jean Wyer	P-FT	28	5
Senior Legislative Text Processor	Sarah Craig	P-FT	25	5
Senior Legislative Text Processor	Chris Fisher	P-FT	25	5
Legislative Text Processor II	Jody Jorgensen	P-FT	22	1
Legislative Text Processor II	Susan Weddell	P-FT	22	2
Legislative Text Processor I	Marva Cross	P-FT	19	3
Senior Bill Clerk	Bridget McNerney	P-FT	18	3
Bill Clerk	Julie Garrison	S-O	13	1
Bill Clerk	Nichole Graziano	S-O	13	1
Proofreader Coordinator	Andrea Meier	P-FT	18	4
Proofreader	Catherine Young	P-FT	16	3
Proofreader	Diane Young	P-FT	16	4
Proofreader	Neal Baedke	P-FT	16	1
Proofreader	Sue Fetters	S-O	16	1
Code Proofreader	Betty Snuggs	P-FT	15	6
Code Proofreader	Donna Munzenmaier	P-FT	15	3
Page	Chad Nowels	S-O		Minimum Wage
Page	Linda Burbridge	S-O		Minimum Wage

AFTERNOON SESSION

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

INTRODUCTION OF BILLS

Senate File 252, by Rensink, a bill for an act relating to area education agencies and providing effective dates.

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

Senate File 253, 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**.

Senate File 254, by committee on Small Business and Economic Development, a bill for an act relating to economic development by transferring funds to the revolving fund of the rural community 2000 program, establishing time frames for the completion of the community builder program, and providing an effective date.

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

Senate File 255, by Pate, a bill for an act increasing excessive speeding violation fines and court costs for scheduled violations.

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

Senate File 256, by Pate, a bill for an act relating to the operation of a watercraft by a person who is intoxicated, including implied consent for chemical testing, and providing penalties.

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

Senate File 257, by committee on Small Business and Economic Development, a bill for an act changing the definition of targeted small business and providing an effective date.

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

QUORUM CALL

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

The vote revealed 49 present, 1 absent and a quorum present.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 211

On motion of Senator Sturgeon, Senate File 211, a bill for an act relating to crimes against the elderly and disabled persons by creating a cause of action, creating a special fund, and providing a civil penalty, was taken up for consideration.

Senator Fuhrman offered amendment S—3065 filed by him on February 21, 1991, to page 2 of the bill and moved its adoption.

Amendment S—3065 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 211) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Kersten	Kibbie
Kinley	Kramer	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Rensink
Rife	Riordan	Rittmer	Rosenberg
Running	Slife	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 2:

Jensen	Priebe
--------	--------

Absent or not voting, 1

Doyle

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 258, by Lind, a bill for an act relating to the time within which reimbursement under a policy or contract of accident and sickness insurance shall be made for services provided by a licensed dentist.

Read first time and passed on file.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued certificates of recognition to each of the following Iowa residents:

Rusty Buttercase, Sidney; Tony Eitzmann, Sidney; Chad Johnson, Farragut; Valerie Moore, Hamburg; and Chris Willingham, Sidney — For Academic Excellence MATHCOUNTS. Senator McLaren (2-23-91).

Carma McLaren, Farragut — For Coach of Educational Excellence MATHCOUNTS. Senator McLaren (2-23-91).

BILLS ASSIGNED TO COMMITTEE

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

S. R.	6	Rules and Administration
S. F.	244	State Government
S. F.	245	Judiciary
S. F.	246	Transportation
S. F.	247	Judiciary
S. F.	249	Commerce
S. F.	250	Judiciary
S. F.	251	Business & Labor Relations
S. F.	252	Education
H. F.	233	Natural Resources
H. F.	254	Transportation

COMMITTEE REPORTS

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 4, a bill for an act relating to consideration of voluntary and involuntary annexation petitions which concern the same territory or city.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3082.

Final Vote: Ayes, 7: Miller, Rittmer, Borlaug, Fraise, Hannon, Jensen and Vande Hoef. Nays, 2: Szymoniak and Buhr. Absent or not voting, 1: Boswell.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 259 (SSB 232), a bill for an act relating to counties, amending county recorders' filing provisions, including parcel number designations on plats of survey, amending the procedure for late filing of homestead and military property tax credits, amending the real estate transfer tax exemption, requiring both the county auditor and treasurer to submit tax dedication documentation for participation in the resource enhancement and protection program, and establishing constructive notice of right-of-way easements in drainage districts.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Miller, Szymoniak, Rittmer, Borlaug, Buhr, Fraise, Hannon, Jensen and Vande Hoef. Nays, none. Absent or not voting, 1: Boswell.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 260, 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 for real and personal property and providing an applicability date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Miller, Szymoniak, Rittmer, Borlaug, Fraise, Hannon, Jensen and Vande Hoef. Nays, 1: Buhr. Absent or not voting, 1: Boswell.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 73, a bill for an act relating to the definition of vacancy in office for elected county officers.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Miller, Szymoniak, Rittmer, Borlaug, Buhr, Fraise, Hannon, Jensen and Vande Hoef. Nays, none. Absent or not voting, 1: Boswell.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: SENATE FILE 253 (SSB 207), 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, 9: Riordan, Hannon, Kibbie, Kramer, Miller, Peterson, Rittmer, Running and Vande Hoef. Nays, none. Absent or not voting, 3: Borlaug, Boswell and Pate.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 254 (SSB 180), a bill for an act relating to economic development by transferring funds to the revolving fund of the rural community 2000 program, establishing time frames for the completion of the community builder program, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Riordan, Hannon, Borlaug, Kibbie, Kramer, Miller, Peterson, Rittmer, Running and Vande Hoef. Nays, none. Absent or not voting, 2: Boswell and Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 257 (SSB 181), a bill for an act relating to economic development by creating a value-added linked investments program, changing the definition of targeted small business, modifying the use of prior year funds under the incubator programs, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Riordan, Hannon, Borlaug, Kibbie, Kramer, Peterson, Rittmer, Running and Vande Hoef. Nays, none. Absent or not voting, 3: Boswell, Miller and Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 199, a bill for an act relating to repayment of loans by local development corporations and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Riordan, Hannon, Borlaug, Kibbie, Peterson, Rittmer, Running and Vande Hoef. Nays, none. Absent or not voting, 4: Boswell, Kramer, Miller and Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 259, by committee on Local Government, a bill for an act relating to counties, amending county recorders' filing provisions, including parcel number designations on plats of survey, amending the procedure for late filing of homestead and military property tax credits, amending the real estate transfer tax exemption, requiring both the county auditor and treasurer to submit tax dedication documentation for participation in the resource enhancement and protection program, and establishing constructive notice of right-of-way easements in drainage districts.

Read first time under Rule 28 and placed on calendar.

Senate File 260, by committee on Local Government, 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 for real and personal property and providing an applicability date.

Read first time under Rule 28 and placed on calendar.

AMENDMENT FILED

S-3082 S.F. 4 Local Government

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:09 p.m., until 9:00 a.m., Thursday, February 28, 1991.

JOURNAL OF THE SENATE

FORTY-SIXTH CALENDAR DAY
THIRTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 28, 1991

The Senate met in regular session at 9:04 a.m., President Welsh presiding.

Prayer was offered by the Reverend Christy Smith, pastor of the St. Mark's Episcopal Church, Des Moines, Iowa.

The Journal of Wednesday, February 27, 1991, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Rosenberg for the morning on request of Senator Hutchins and Senator Lind for the morning of request of Senator Rife.

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)

Senate File 170

On motion of Senator Kibbie, Senate File 170, a bill for an act to permit school or school district superintendents to serve concurrently as an elementary school principal in the school or school district, 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. 170) the vote was:

Ayes, 39:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Husak
Hutchins	Jensen	Kersten	Kibbie
Kinley	Kramer	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Priebe	Rensink	Rife	Rittmer
Slife	Soorholtz	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	

Nays, 8:

Horn	Lloyd-Jones	Peterson	Riordan
Running	Sturgeon	Varn	Welsh

Absent or not voting, 3:

Doyle	Lind	Rosenberg
-------	------	-----------

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

Senate File 218

On motion of Senator Horn, Senate File 218, a bill for an act relating to the formula used to calculate part-time student financial aid awards under the tuition grant program, 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. 218) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fraise

Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Running	Slife	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none:

Absent or not voting, 3:

Doyle

Lind

Rosenberg

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 261, by Hagerla, a bill for an act to permit former out-of-state students, who use open enrollment procedures to attend school immediately after moving to Iowa, to participate in interscholastic sports during each year of enrollment in the receiving district and providing an effective date.

Read first time and passed on file.

HOUSE MESSAGE RECEIVED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 26, 1991, passed the following bill in which the concurrence of the House was asked:

Senate File 34, a bill for an act relating to the sale, offer for sale, or distribution of purple loosestrife.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:30 a.m., until 2:30 p.m.

APPENDIX

REPORT OF THE COMMITTEE ON MEMORIAL RESOLUTIONS

MR. 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:

STANLEY M. HEABERLIN: Dieleman, Chair; Peterson and Hedge

WALLY E. HORN
H. KAY HEDGE
SHELDON RITTMER

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 February 27, 1991, and recommended the appointees be confirmed:

John V. Hartung as a member of the Higher Education Strategic Planning Council.

Carlton W. Callison as a member of the State Board of Education.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: February 27, 1991, 9:50 a.m.

Members Present: Husak, Chair; Priebe, Vice Chair; McLaren, Ranking Member; Hester and Kibbie.

Members Absent: none.

Committee Business: Center for health effects of environmental contamination.

Adjourned: 10:28 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 27, 1991, 9:50 a.m.

Members Present: Riordan, Chair; Kramer, Ranking Member; Borlaug and Lloyd-Jones.

Members Absent: Boswell, Vice Chair (excused).

Committee Business: Presentation by the Wallace Technology Transfer Foundation.

Adjourned: 11:26 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 27, 1991, 9:50 a.m.

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

Members Absent: none.

Committee Business: Presentation by community college representatives.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 27, 1991, 9:45 a.m.

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

Members Absent: none.

Committee Business: Budget review of Department of Corrections.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: February 27, 1991, 9:52 a.m.

Members Present: Gettings, Chair; Kersten, Ranking Member; Connolly and Jensen.

Members Absent: Doyle, Vice Chair (excused).

Committee Business: Budget presentations by the Department of Public Defense and Department of Public Safety.

Adjourned: 11:32 a.m.

COMMERCE

Convened: February 27, 1991, 1:30 p.m.

Members Present: Deluhery, Chair; Slife, Ranking Member; Gettings, Gronstal, Jensen, Kersten, Lind, Palmer, Priebe, Sturgeon, Tieden and Varn.

Members Absent: Kinley, Vice Chair; Doyle and Nystrom.

Committee Business: Assigned bills to subcommittees; deferred action on SSB 12 as amended.

Adjourned: 2:00 p.m.

EDUCATION

Convened: February 27, 1991, 3:35 p.m.

Members Present: Connolly, Chair; Horn, Vice Chair; Taylor, Ranking Member; Deluhery, Dieleman, Kibbie, Kramer, Lind, Murphy, Rensink, Running, Szymoniak, Tieden, Tinsman and Varn.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended confirmation of governor's appointees; presentation by Department of Education; amended SSB 104 and ordered redrafted as a committee bill.

Adjourned: 4:31 p.m.

LOCAL GOVERNMENT

Convened: February 27, 1991, 2:32 p.m.

Members Present: Miller, Chair; Szymoniak, Vice Chair; Rittmer, Ranking Member; Borlaug, Buhr, Fraise, Hannon, Jensen and Vande Hoef.

Members Absent: Boswell (excused).

Committee Business: Assigned bills to subcommittees; approved Senate File 50 as a committee bill; recommended passage of Senate File 4 as amended; approved SSB 232 as a committee bill; recommended passage of House File 73.

Adjourned: 3:18 p.m.

NATURAL RESOURCES

Convened: February 27, 1991, 2:30 p.m.

Members Present: Palmer, Chair; Kibbie, Vice Chair; Hester, Ranking Member; Dieleman, Hagerla, Hedge, Priebe, Rensink, Riordan, Sturgeon and Tieden.

Members Absent: Rosenberg (excused).

Committee Business: Assigned bills to subcommittees; discussed SSBs 173 and 116.

Adjourned: 2:45 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: February 27, 1991, 1:35 p.m.

Members Present: Riordan, Chair; Hannon, Vice Chair; Borlaug, Ranking Member; Kibbie, Kramer, Miller, Peterson, Rittmer, Running and Vande Hoef.

Members Absent: Boswell and Pate (both excused).

Committee Business: Approved SSBs 181, 180 and 207 as committee bills; recommended passage of House File 199.

Adjourned: 2:18 p.m.

COMMITTEE REPORT

EDUCATION

Final Bill Action: SENATE FILE 268 (SSB 104), a bill for an act establishing the arts and cultural enhancement and endowment program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Connolly, Horn, Taylor, Deluhery, Dieleman, Kibbie, Kramer, Lind, Murphy, Rensink, Running, Szymoniak, Tieden, Tinsman and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS

Senate File 228

STATE GOVERNMENT: Kibbie, Chair; Drake and Gronstal

Senate File 232

STATE GOVERNMENT: Running, Chair; Drake and Gronstal

Senate File 234

STATE GOVERNMENT: Running, Chair; Kramer and Murphy

Senate File 242

STATE GOVERNMENT: McLaren, Chair; Dieleman and Lind

Senate File 244

STATE GOVERNMENT: Lloyd-Jones, Chair; Kramer and Murphy

Senate File 246

TRANSPORTATION: Gettings, Chair; Kinley and Pate

Senate File 249

COMMERCE: Varn, Chair; Deluhery and Tieden

House File 220

TRANSPORTATION: Connolly, Chair; Jensen and Lloyd-Jones

House File 254

TRANSPORTATION: Jensen, Chair; Fraise and Welsh

SSB 244

STATE GOVERNMENT: Murphy, Chair; Drake and Priebe

SSB 245

STATE GOVERNMENT: Horn, Chair; Drake and Murphy

AFTERNOON SESSION

The Senate reconvened at 2:30 p.m., President Welsh 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 Murphy for the remainder of the day on request of Senator Hutchins.

President pro tempore Lloyd-Jones took the chair at 2:38 p.m.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 99

On motion of Senator Jensen, Senate File 99, a bill for an act relating to reimbursement for law enforcement officer training costs, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Jensen offered amendment S—3063 filed by the committee on Local Government on February 20, 1991, to page 1 of the bill and moved its adoption.

Amendment S—3063 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?" (S.F. 99) the vote was:

Ayes, 46:

Borlaug
Deluhery

Boswell
Dieleman

Buhr
Drake

Connolly
Fraise

Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Nystrom
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none:

Absent or not voting, 4:

Doyle Murphy Peterson Running

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

Senate Concurrent Resolution 4

On motion of Senator Fuhrman, Senate Concurrent Resolution 4, a concurrent resolution protesting the withholding of Federal Unemployment Tax Act (FUTA) funds by the federal government, was taken up for consideration.

Senator Fuhrman moved the adoption of Senate Concurrent Resolution 4 which motion prevailed by a voice vote and the resolution was adopted.

Senate File 119

On motion of Senator Jensen, Senate File 119, a bill for an act to provide a law enforcement training course for part-time law enforcement officers, with report of committee recommending passage, was taken up for consideration.

Senator Buhr offered amendment S—3074 filed by Senators Buhr and Jensen on February 25, 1991, to page 1 of the bill and moved its adoption.

Amendment S—3074 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?" (S.F. 119) the vote was:

Ayes, 45:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Jensen	Kersten	Kibbie
Kinley	Kramer	Lind	Lloyd-Jones
McLaren	Miller	Nystrom	Palmer
Pate	Riebe	Rensink	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 5:

Doyle	Hutchins	Murphy	Peterson
Rife			

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

Senate File 122

On motion of Senator Vande Hoef, Senate File 122, a bill for an act requiring that an instrument recorded by a county recorder contain the name and signature of the person preparing the instrument, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Vande Hoef offered amendment S—3061 filed by the committee on Local Government on February 20, 1991, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3061 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. 122) the vote was:

Ayes, 45:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Fraise	Fuhrman
Gettings	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Jensen	Kersten	Kibbie	Kinley
Kramer	Lind	Lloyd-Jones	McLaren
Miller	Nystrom	Palmer	Pate
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 5:

Doyle	Drake	Hutchins	Murphy
Peterson			

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

Senate File 163

On motion of Senator Vande Hoef, Senate File 163, a bill for an act relating to proposed city public improvements which require sealed competitive bids, with report of committee recommending passage, was taken up for consideration.

Senator Lind asked and received unanimous consent that action on **Senate File 163** be **deferred**.

Senate File 162

On motion of Senator Soorholtz, Senate File 162, a bill for an act relating to the use of topical external applications on horses and dogs engaged in racing, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 162) the vote was:

Ayes, 37:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Drake	Fuhrman	Gronstal
Hagerla	Hester	Horn	Husak
Hutchins	Jensen	Kersten	Kibbie
Kinley	Kramer	Lind	Lloyd-Jones
McLaren	Miller	Nystrom	Palmer
Pate	Peterson	Priebe	Riordan
Rittmer	Rosenberg	Running	Soorholtz
Sturgeon	Szymoniak	Tieden	Tinsman
Welsh			

Nays, 9:

Dieleman	Fraise	Gettings	Hannon
Hedge	Rensink	Taylor	Vande Hoef
Varn			

Absent or not voting, 4:

Doyle	Murphy	Rife	Slife
-------	--------	------	-------

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 262, by Kibbie, Fraise, Husak, Gettings, Tieden, Rensink, Jensen, Palmer, Running, Priebe, Dieleman, Taylor, Borlaug, Doyle, Welsh, Nystrom, Kinley, Murphy, Lind, Peterson, Kersten, Vande Hoef, Hedge, Hagerla, McLaren and Pate, a bill for an act relating to the notification of one parent, the guardian, or the custodian prior to the performance of an abortion on a minor, and providing a penalty.

Read first time and passed on file.

Senate File 263, by Rittmer, a bill for an act increasing the penalties for wanton neglect of a resident of a health care facility.

Read first time and passed on file.

Senate File 264, by Kersten, McLaren and Priebe, a bill for an act to prohibit the obstruction of a person who is lawfully hunting, fishing, or trapping, and providing a penalty.

Read first time and passed on file.

Senate File 265, by Kersten, a bill for an act relating to civil service rights, standards, and requirements for a chief of police.

Read first time and passed on file.

Senate File 266, by Taylor, Tieden, Hedge, Jensen, Slife, Kersten and Hagerla, a bill for an act decreasing salaries for members of the general assembly.

Read first time and passed on file.

Senate File 267, by Vande Hoef, a bill for an act relating to the use, possession, delivery, manufacture, or advertisement of objects commonly used or intended for use in connection with an illegal use of a controlled substance and providing penalties.

Read first time and passed on file.

Senate File 268, by committee on Education, a bill for an act establishing and allocating moneys to the arts and cultural enhancement and endowment program.

Read first time and placed on calendar.

Senate File 269, by Buhr, a bill for an act regulating transient food service establishments and providing for licensing fees.

Read first time and passed on file.

Senate File 270, by Taylor, a bill for an act relating to the separation of yard waste from other solid waste for acceptance by a sanitary landfill.

Read first time and passed on file.

BILL REFERRED TO COMMITTEE

Senator Husak asked and received unanimous consent that **Senate File 253** be referred from the Regular Calendar to committee on **Ways and Means**.

APPENDIX

STUDY BILL RECEIVED

SSB 246 Commerce

Relating to assignment of benefits payable under an individual or group accident and sickness insurance policy or health service contract.

REPORT OF COMMITTEE MEETING

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: February 27, 1991, 9:30 a.m.

Members Present: Peterson, Chair; Dieleman, Vice Chair; Slife and Welsh.

Members Absent: Pate, Ranking Member (excused).

Committee Business: Discussed FY92 budget.

Adjourned: 10:50 a.m.

SUBCOMMITTEE ASSIGNMENT

SSB 246

COMMERCE: Gronstal, Chair; Doyle, Jensen, Palmer and Slife

BILLS ASSIGNED TO COMMITTEE

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

S. F.	248	State Government
S. F.	255	Judiciary
S. F.	256	Natural Resources
S. F.	258	Commerce
S. F.	261	Education
H. F.	252	Transportation

COMMITTEE REPORT**STATE GOVERNMENT**

Final Bill Action: SENATE FILE 186, a bill for an act relating to the patents depository library within the state library.

Recommendation: DO PASS.

Final Vote: Ayes. 16: Kibbie, Lloyd-Jones, Nystrom, Buhr, Dieleman, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Priebe, Rife, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 3: Doyle, Murphy and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 271, by Vande Hoef, a bill for an act relating to the posting of signs by certain persons to warn of the effect of alcohol on pregnant women and making a penalty applicable.

Read first time under Rule 28 and **passed on file**.

Senate File 272, by Vande Hoef, a bill for an act relating to the sale, purchase, and furnishing of cigarettes and tobacco products to certain persons and providing penalties.

Read first time under Rule 28 and **passed on file**.

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 3:09 p.m., until 1:00 p.m., Monday, March 4, 1991.

JOURNAL OF THE SENATE

FIFTIETH CALENDAR DAY
THIRTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 4, 1991

The Senate met in regular session at 1:10 p.m., President Welsh presiding.

Prayer was offered by the Reverend Chuck Adam, pastor of St. Mary's Catholic Church, Iowa City, Iowa.

The Journal of Thursday, February 28, 1991, was approved.

SPECIAL GUESTS

Senator Lloyd-Jones presented 1991 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: Magda Hanna (7th grade), Berg Junior High, Newton.

Second Place: Sonya Smith (7th grade), Kirn Junior High School, Council Bluffs.

Third Place: Katie Eakins (7th grade), Stilwell Jr. High School, West Des Moines.

Eighth and Ninth Grade:

First Place: Tracy Meier (eighth grade), Weeks Middle School, Des Moines.

Second Place: Amy Estlund (eighth grade), Franklin Middle School, Cedar Rapids.

Third Place: Danny Wagener (eighth grade), Spencer Middle School, Spencer.

Edith Sackett Memorial Award:

Tracy Meier.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Vande Hoef for the week on request of Senator Jensen.

INTRODUCTION OF BILLS

Senate File 273, by Kibbie, Welsh and Tieden, a bill for an act authorizing a class "B" wine permittee who also holds a class "E" liquor control license to sell wine to liquor control licensees and providing for interstate reciprocal wine sales.

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

Senate File 274, by Szymoniak, a bill for an act relating to law enforcement officer certification.

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

Senate File 275, by Gronstal, a bill for an act relating to including the choice "None of These Candidates" on general election ballots for certain offices, conducting special elections, and providing filing deadlines.

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

Senate File 276, by Gronstal, a bill for an act amending the Iowa Uniform Securities Act, by exempting agricultural cooperative associations from certain requirements provided under the Act, providing for the retroactive application of the Act, and providing an effective date.

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

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 28, 1991, passed the following bills in which the concurrence of the House was asked.

Senate File 116, a bill for an act relating to the uniform controlled substances act.

Senate File 188, a bill for an act relating to therapeutically certified optometrists.

ALSO: That the House has on February 28, 1991, passed the following bills in which the concurrence of the Senate is asked:

House File 260, a bill for an act relating to the reservation of a bank name.

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

House File 294, a bill for an act relating to the obligations of a spouse of a director or officer of a state bank.

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

House File 297, a bill for an act relating to driver's license reciprocity for minors.

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

House File 307, a bill for an act making technical code changes relating to transportation.

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

House File 344, a bill for an act relating to the membership of the state revenue estimating conference and providing an effective date.

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

ALSO: That the House has on March 1, 1991, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 141, a bill for an act relating to media and educational services funding for area education agencies (S-3083).

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 220** be referred from the Regular Calendar to committee on **Ways and Means**.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 171

On motion of Senator Doyle, Senate File 171, a bill for an act providing for the identification and eradication of marijuana plants, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 171) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Slife

Vande Hoef

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

Senate File 114

On motion of Senator Szymoniak, a bill for an act relating to the definition of a physician for the purpose of the practice of nursing, 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. 114) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Varn
Welsh			

Nays, none:

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.

RECESS

On motion of Senator Hutchins, the Senate recessed at 2:01 p.m., until 5:00 p.m.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION**

Convened: February 28, 1991, 9:45 a.m.

Members Present: Peterson, Chair; Dieleman, Vice Chair; Pate, Ranking Member and Slife.

Members Absent: Welsh.

Committee Business: Reviewed FY92 budget and suggested revisions.

Adjourned: 10:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 28, 1991, 9:50 a.m.

Members Present: Riordan, Chair; Kramer, Ranking Member; Borlaug and Lloyd-Jones.

Members Absent: Boswell, Vice Chair (excused).

Committee Business: Discussed International marketing programs, the Iowa Peace Institute and Our Common Ground.

Adjourned: 11:26 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: February 28, 1991, 9:52 a.m.

Members Present: Gettings, Chair; Kersten, Ranking Member; Connolly and Jensen.

Members Absent: Doyle, Vice Chair (excused).

Committee Business: Reviewed DOT FY92 budget.

Adjourned: 11:34 a.m.

STATE GOVERNMENT

Convened: February 28, 1991, 1:35 p.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Buhr, Dieleman, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Priebe, Rife, Running, Soorholtz and Vande Hoef.

Members Absent: Doyle (excused), Murphy (excused) and Welsh.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 186; amended SSB 125 and ordered redrafted as a committee bill; recommended confirmation of governor's appointees.

Adjourned: 1:55 p.m.

BILLS ASSIGNED TO COMMITTEE

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

S.F.	262	Human Resources
S.F.	263	Judiciary
S.F.	264	Natural Resources
S.F.	265	Local Government
S.F.	266	Appropriations
S.F.	267	Judiciary
S.F.	269	Human Resources
S.F.	270	Environment & Energy Utilities
S.F.	271	State Government
S.F.	272	Judiciary
S.F.	273	State Government
S.F.	274	Judiciary
S.F.	275	State Government
S.F.	276	Commerce
H.F.	294	Commerce
H.F.	297	Transportation
H.F.	307	Transportation
H.F.	344	Ways & Means

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 1,

1991, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 89 — Relating to requiring county recorders to submit monthly reports of trade name statements or certificates of change filed during the preceding month.

CERTIFICATE OF RECOGNITION

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

Eugenie Sell, Oelwein — For celebration of her 100th birthday. Senator Murphy (3-3-91).

PETITIONS

The following petitions were presented and placed on file by:

Senator Husak from nineteen residents of Tama County favoring legislation establishing procedures for notification of an emergency care provider who is exposed to contagious or infectious diseases.

Senator Hutchins from forty-six residents of Carroll and Calhoun Counties favoring pro-life legislation.

Senator Rensink from seventy-three residents of Woodbury County opposing legislation for the establishment of health insurance programs that are to be administered by the IPERS staff, including the insurance intended as a supplement to Medicare and the insurance for those up to 65 years.

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 4th day of March, 1991:

Senate File 34.

JOHN F. DWYER
Secretary of the Senate

STUDY BILLS RECEIVED

SSB 247 State Government

Relating to the confidential reporting of terminations of pregnancy and establishing a penalty.

SSB 248 Judiciary

Relating to law enforcement, victim services, and domestic abuse, establishing certain training and certification requirements, imposing liability on governmental entities for failure to make domestic abuse arrests, establishing and increasing certain criminal penalties, imposing mandatory minimum sentences, establishing a domestic abuse services fund, establishing an income tax checkoff for domestic abuse, increasing certain court costs and fees, requiring batterers treatment by offenders, establishing a pilot program, and containing a retroactive applicability provision.

SSB 249 Transportation

Relating to motor vehicle licenses and nonoperator's identification cards for persons under the age of twenty-one and alcohol-related convictions, and providing penalties.

SSB 250 Local Government

Relating to the publication of notice for a public hearing on a county budget.

SSB 251 Local Government

Relating to the appeal of local governmental budgets.

SSB 252 Human Resources

Relating to child support by affecting informational requirements of the child support recovery unit and the receipt and disbursement of child support payments.

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 5**

RULES AND ADMINISTRATION: Lloyd-Jones, Chair; Gettings and Rife

Senate File 241

HUMAN RESOURCES: Sturgeon, Chair; Kramer and Riordan

Senate File 248

STATE GOVERNMENT: Murphy, Chair; Doyle and Kramer

Senate File 262

HUMAN RESOURCES: Hannon, Chair; Buhr, Kramer, Szymoniak and Taylor

House File 252

TRANSPORTATION: Gettings, Chair; Fraise and Jensen

SSB 247

STATE GOVERNMENT: Murphy, Chair; Dieleman and Vande Hoef

SSB 248

JUDICIARY: Sturgeon, Chair; Drake, Gronstal, Rosenberg, Slife, Murphy and Hester

SSB 249

TRANSPORTATION: Welsh, Chair; Fraise and Pate

SSB 250

LOCAL GOVERNMENT: Miller, Chair; Jensen and Vande Hoef

SSB 251

LOCAL GOVERNMENT: Szymoniak, Chair; Fraise and Rittmer

SSB 252

HUMAN RESOURCES: Riordan, Chair; Hagerla and Sturgeon

LSB 2162

RULES AND ADMINISTRATION: Husak, Chair; Hutchins and Soorholtz

COMMITTEE REPORTS

STATE GOVERNMENT

Final Bill Action: SENATE FILE 202, a bill for an act relating to the sale of alcoholic liquor, wine, and beer on Sunday.

Recommendation: DO PASS.

Final Vote: Ayes. 15: Kibbie, Nystrom, Buhr, Doyle, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Rife, Running, Soorholtz and Welsh. Nays, 3: Lloyd-Jones, Dieleman and Drake. Absent or not voting, 1: Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 228, a bill for an act relating to primary election ballot vacancies.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Kibbie, Lloyd-Jones, Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Murphy and Running. Nays, 7: Nystrom, Kramer, Lind, McLaren, Priebe, Rife and Soorholtz. Absent or not voting, 2: Vande Hoef and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 283 (SSB 125), a bill for an act relating to research, review, and evaluation with respect to certain health-related legislative proposals, providing for contracting arrangements and a structure for organization and coordination, imposing fees, providing for the appropriation of funds, and providing other properly related matters.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes. 17: Kibbie, Lloyd-Jones, Nystrom, Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Rife, Running and Soorholtz. Nays, none. Absent or not voting, 2: Vande Hoef and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENT FILED

S-3083

S.F.

141

House amendment

RECONVENED

The Senate reconvened at 5:05 p.m., President Welsh presiding.

INTRODUCTION OF BILLS

Senate File 277, by Fuhrman, a bill for an act relating to prohibited practices involving labor union membership, coercion and intimidation, providing a remedy, and making penalties applicable.

Read first time and passed on file.

Senate File 278, by Dieleman, a bill for an act relating to the salaries paid to chaplains employed in state institutions and providing a retroactive applicability date.

Read first time and passed on file.

Senate File 279, by Horn, a bill for an act relating to the requirements for approval of certain cremation permits.

Read first time and passed on file.

Senate File 280, by Taylor, Szymoniak, Borlaug and Dieleman, a bill for an act relating to the establishment of and payment from a trust fund for the cost of care for persons with head injury or spinal cord injuries.

Read first time and passed on file.

Senate File 281, by Running, a bill for an act relating to the posting of annual surveys of health care facilities.

Read first time and passed on file.

Senate File 282, by Running, a bill for an act relating to excursion gambling boat cruises embarking and disembarking passengers in another state.

Read first time and passed on file.

Senate File 283, by committee on State Government, a bill for an act relating to research, review, and evaluation with respect to certain health-related legislative proposals, providing for

contracting arrangements and a structure for organization and coordination, imposing fees, providing for the appropriation of funds, and providing other properly related matters.

Read first time and placed on calendar.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 6, by Running, a concurrent resolution relating to memorializing the United States Congress to support and enact legislation directing federal agencies to disclose information concerning United States armed forces personnel classified as prisoners of war or missing in action.

Read first time and passed on file.

APPENDIX

REPORTS OF STANDING COMMITTEE (Place nominees on En Bloc Confirmation Calendar)

STATE GOVERNMENT

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the following governor's appointments, completed its investigations on February 28, 1991, and recommended the appointees be confirmed:

Ronald C. Evans as a member of the Chiropractic Examining Board.

Sandra A. Thompson as a member of the Campaign Finance Disclosure Commission.

BILLS ASSIGNED TO COMMITTEE

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

S.F.	277	Business & Labor Relations
S.F.	278	Appropriations

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:07 p.m., until 9:00 a.m., Tuesday, March 5, 1991.

JOURNAL OF THE SENATE

FIFTY-FIRST CALENDAR DAY
THIRTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 5, 1991

The Senate met in regular session at 9:05 a.m., President pro tempore Lloyd-Jones presiding.

Prayer was offered by the Reverend Karen Nichols Dungan, pastor of the Mingo United Methodist Church, Mingo, Iowa.

The Journal of Monday, March 4, 1991, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Riordan for the morning on request of Senator Hutchins.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 1, 1991, passed the following bill in which the concurrence of the House was asked:

Senate File 150, a bill for an act relating to the department of natural resources, by providing for the use of unexpended moneys in the fish and game protection fund, and providing an effective date.

ALSO: That the House has on February 28, 1991, passed the following bill in which the concurrence of the Senate is asked:

House File 325, a bill for an act relating to the establishment of a well contractor certification program, establishing fees, and making penalties applicable.

This bill was read first time and passed on file.

ALSO: That the House has on March 1, 1991, passed the following bills in which the concurrence of the Senate is asked:

House File 288, a bill for an act relating to boating registration requirements for boat manufacturers or dealers and providing an effective date.

This bill was read first time and passed on file.

House File 302, a bill for an act relating to infectious and radioactive waste treatment and disposal facilities by extending the moratorium on construction and operation, requiring operating permits for treatment and disposal facilities and collection and transportation operations, providing for emission limitations and standards, and providing an effective date.

This bill was read first time and passed on file.

House File 306, a bill for an act relating to the collateral effect of job service division determinations regarding claims for unemployment benefits.

This bill was read first time and passed on file.

House File 324, a bill for an act relating to aiding and abetting and retaliation under the civil rights law.

This bill was read first time and passed on file.

House File 343, a bill for an act relating to the enforcement authority of the Iowa utilities board regarding intrastate pipelines and electric transmission lines and providing civil penalties.

This bill was read first time and passed on file.

INTRODUCTION OF BILLS

Senate File 284, by committee on State Government, a bill for an act to permit the sale of disposable containers for the consumption of beer or wine by wholesalers to retailers for one-time use by retail customers on the premises of licensed establishments.

Read first time and placed on calendar.

Senate File 285, by Deluhery, a bill for an act relating to pesticides by reducing certain registration fees.

Read first time and passed on file.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:17 a.m., until 4:30 p.m.

APPENDIX**STUDY BILLS RECEIVED****SSB 253 Agriculture**

Relating to agricultural land acquired, leased, or held by persons, including corporations, trusts, and limited partnerships.

SSB 254 Agriculture

Providing for the establishment of agricultural enterprise zones, restricting nuisance suits, providing for tax refunds on facilities within such zones, and providing a penalty.

SSB 255 Agriculture

To control the disease brucella ovis spread by breeding rams, establishing fees, and providing a penalty.

SSB 256 Agriculture

Relating to agricultural chemicals, by regulating the use of chemicals in irrigation distribution systems, providing for fees, providing for penalties, and providing for an effective date and date of applicability.

SSB 257 Agriculture

Relating to the agricultural development authority, by establishing programs to assist ruminant livestock producers, establishing a fund, and making appropriations.

SSB 258 Ways & Means

Relating to the deduction for individual income tax purposes of part of a governmental pension, annuity or retirement allowance received and providing retroactive and applicability dates.

SSB 259 Business & Labor Relations

Relating to prohibited practices under the public employment relations Act and making penalties applicable.

SSB 260 Business & Labor Relations

Making a violation of an arbitration decision a prohibited practice under the public employment relations law.

SSB 261 Business & Labor Relations

Relating to bonding requirements for nonprofit corporations under the employment security law.

SSB 262 Environment & Energy Utilities

Relating to hazardous waste and hazardous substance disposal sites.

SSB 263 Education

Relating to the date for notification of teacher terminations.

SSB 264 Judiciary

Relating to forfeiture of excursion boats and related property and providing an effective date.

SSB 265 Judiciary

Relating to establishing a durable power of attorney authorized to make health care decisions.

SSB 266 Judiciary

Relating to the forfeiture of the rights of junior lienholders with respect to real estate contracts and providing an effective date.

SSB 267 Judiciary

Relating to persons convicted of public offenses, relating to the department of corrections and its programs and facilities, and establishing additional public offenses and criminal penalties.

REPORTS OF COMMITTEE MEETINGS**EDUCATION**

Convened: March 4, 1991, 4:06 p.m.

Members Present: Connolly, Chair; Horn, Vice Chair; Taylor, Ranking Member; Deluhery, Dieleman, Kibbie, Kramer, Lind, Murphy, Rensink, Running, Szymoniak, Tieden, Tinsman and Varn.

Members Absent: none.

Committee Business: Presentation by Dr. William Lepley; recommended confirmation of governor's appointees; approved SSB 205 as a committee bill.

Adjourned: 5:02 p.m.

STATE GOVERNMENT

Convened: March 4, 1991, 2:07 p.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Rife, Running, Soorholtz and Welsh.

Members Absent: Vande Hoef (excused).

Committee Business: Approved SSBs 125 and 245 as committee bills; recommended passage of Senate Files 202 and 228; assigned bills to subcommittees; received gubernatorial subcommittee reports.

Adjourned: 2:42 p.m.

TRANSPORTATION

Convened: March 4, 1991, 3:07 p.m.

Members Present: Fraise, Chair; Connolly, Vice Chair; Drake, Ranking Member; Dieleman, Gettings, Jensen, Kersten, Kinley, Lloyd-Jones, Nystrom, Pate and Welsh.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; amended and approved SSBs 146, 4, 147 and 208 as committee bills; recommended passage of Senate File 231; approved SSB 201 as a committee bill.

Adjourned: 4:00 p.m.

BILLS ASSIGNED TO COMMITTEE

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

S. C. R.	6	Rules & Administration
S. F.	279	Local Government
S. F.	280	Appropriations
S. F.	281	Human Resources
S. F.	282	State Government
S. F.	285	Agriculture
H. F.	288	Natural Resources
H. F.	302	Environment & Energy Utilities
H. F.	306	Business & Labor Relations
H. F.	324	Judiciary
H. F.	325	Environment & Energy Utilities
H. F.	343	Environment & Energy Utilities

REPORT 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 March 4, 1991, and recommended the appointees be confirmed:

Barbara Gentry, Doug Gross and Marvin Pomerantz as members of the Higher Education Strategic Planning Council.

SUBCOMMITTEE ASSIGNMENTS

Senate File 225

ENVIRONMENT & ENERGY UTILITIES: Varn, Chair; Borlaug and Hannon

Senate File 235

JUDICIARY: Connolly, Chair; Drake and Horn

Senate File 237

ENVIRONMENT AND ENERGY UTILITIES: Hannon, Chair; Fraise and Kersten

Senate File 238

JUDICIARY: Rosenberg, Chair; Hester and Murphy

Senate File 240

JUDICIARY: Rosenberg, Chair; Hester and Murphy

Senate File 243

JUDICIARY: Rosenberg, Chair; Hester and Murphy

Senate File 245

JUDICIARY: Slife, Chair; Gronstal and Horn

Senate File 247

JUDICIARY: Rosenberg, Chair; Connolly and Fuhrman

Senate File 250

JUDICIARY: Rosenberg, Chair; Fuhrman and Hagerla

Senate File 255

JUDICIARY: Deluhery, Chair; Pate and Varn

Senate File 263

JUDICIARY: Peterson, Chair; Gronstal and Slife

Senate File 267

JUDICIARY: Rosenberg, Chair; Murphy and Slife

Senate File 270

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

Senate File 272

JUDICIARY: Gronstal, Chair; Pate and Peterson

Senate File 274

JUDICIARY: Peterson, Chair; Hester and Murphy

Senate File 220

WAYS AND MEANS: Dieleman, Chair; Drake and Fraise

Senate File 251**BUSINESS AND LABOR RELATIONS: Buhr, Chair; Peterson and Slife****Senate File 253****WAYS AND MEANS: Deluhery, Chair; Hester and McLaren****House File 253****ENVIRONMENT AND ENERGY UTILITIES: Hannon, Chair; Fraise and Jensen****House File 344****WAYS AND MEANS: Murphy, Chair; Hedge and Szymoniak****SSB 187
(Reassigned)****STATE GOVERNMENT: Murphy, Chair; Doyle and Kramer****SSB 253****AGRICULTURE: Husak, Chair; Hedge, Peterson, Riordan and Rittmer****SSB 254****AGRICULTURE: McLaren, Chair; Hedge, Palmer, Riordan and Soorholtz****SSB 255****AGRICULTURE: Rittmer, Chair; Fraise and Vande Hoef****SSB 256****AGRICULTURE: Miller, Chair; Peterson and Vande Hoef****SSB 257****AGRICULTURE: Peterson, Chair; Priebe and Soorholtz****SSB 258****WAYS AND MEANS: Dieleman, Chair; Hester and Husak****SSB 259****BUSINESS AND LABOR RELATIONS: Sturgeon, Chair; Rensink and Running**

SSB 260

BUSINESS AND LABOR RELATIONS: Sturgeon, Chair; Rensink and Running

SSB 261

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

SSB 262

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

SSB 264

JUDICIARY: Deluhery, Chair; Hagerla and Horn

SSB 265

JUDICIARY: Sturgeon, Chair; Connolly and Slife

SSB 266

JUDICIARY: Varn, Chair; Drake and Fuhrman

SSB 267

JUDICIARY: Gronstal, Chair; Fuhrman and Murphy

COMMITTEE REPORTS**AGRICULTURE**

Final Bill Action: SENATE FILE 294 (SSB 254), a bill for an act providing for the establishment of agricultural enterprise zones, restricting nuisance suits, providing for tax refunds on facilities within such zones, and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Priebe, Peterson, Soorholtz, Boswell, Fraise, Hedge, Hester, Husak, McLaren, Miller, Palmer and Rittmer. Nays, none. Absent or not voting, 3: Doyle, Riordan and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 290 (SSB 205), a bill for an act relating to the provision of transportation by receiving district school buses for transporting pupils under open enrollment.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Connolly, Horn, Taylor, Deluhery, Dieleman, Kibbie, Kramer, Lind, Murphy, Rensink, Running, Szymoniak, Tieden, Tinsman and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: SENATE FILE 205, a bill for an act relating to residency requirements for commercial mussel fishers and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Rosenberg, Jensen, Borlaug, Deluhery, Fraise, Hannon, Hedge, Kersten, Miller, Soorholtz, and Varn. Nays, none. Absent or not voting, 1: Gronstal.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 293 (SSB 19), a bill for an act relating to the practice of dentistry, assessing a fee, and providing a civil penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hannon, Buhr, Hagerla, Horn, Kramer, Murphy, Riordan, Rittmer, Sturgeon, Szymoniak, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 284 (SSB 245), a bill for an act to permit the sale of disposable containers for the consumption of beer or wine by wholesalers to retailers for one-time use by retail customers on the premises of licensed establishments.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Kibbie, Lloyd-Jones, Nystrom, Buhr, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Rife, Running and Soorholtz. Nays, 1: Dieleman. Absent or not voting, 2: Vande Hoef and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 231, a bill for an act allowing the issuance of personalized collegiate registration plates for motor vehicles.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3084.

Final Vote: Ayes, 11: Fraise, Connolly, Drake, Dieleman, Gettings, Jensen, Kersten, Kinley, Lloyd-Jones, Nystrom and Pate. Nays, none. Absent or not voting, 1: Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 288 (SSB 201), a bill or an act requiring certain traffic signs posted on private roads or driveways to conform with the manual on uniform traffic-control devices.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Fraise, Connolly, Drake, Dieleman, Gettings, Jensen, Kersten, Kinley, Lloyd-Jones, Nystrom and Pate. Nays, none. Absent or not voting, 1: Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENT FILED

S—3084 S.F. 231 Transportation

AFTERNOON SESSION

The Senate reconvened at 4:39 p.m., President Welsh presiding.

HOUSE MESSAGE RECEIVED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 5, 1991, amended and passed the following bill in which the concurrence of the Senate is asked.

Senate File 209, a bill for an act relating to and making supplemental appropriations for the remainder of the fiscal year ending June 30, 1991, to the department of human services, national conference of state legislatures, department of general services, department of revenue and finance, department of public safety, department of inspections and appeals, college student aid commission, board of regents institutions, office of lieutenant governor, department of transportation, pioneer lawmakers, the office of the state public defender, department of human rights, Iowa finance authority, department of economic development, department of corrections, and extending ethanol fuel project, and increasing the court civil penalty surcharge, and providing effective dates (S-3085).

INTRODUCTION OF BILLS

Senate File 286, by Kramer, a bill for an act relating to the establishment of a small business advisory council.

Read first time and passed on file.

Senate File 287, by Jensen, a bill for an act relating to insurance coverage and registration requirements for motor vehicles in this state and providing penalties and effective dates.

Read first time and passed on file.

Senate File 288, by committee on Transportation, a bill for an act requiring certain traffic signs posted on private roads or driveways to conform with the manual on uniform traffic-control devices.

Read first time and placed on calendar.

Senate File 289, by Sturgeon, Murphy, Kibbie, Palmer, Peterson, Miller, Varn, Szymoniak, Horn, Connolly, Hannon, Rosenberg, Husak, Buhr, Lind, Tieden and Boswell, a bill for an act to create a Missouri river preservation and land use authority and fund.

Read first time and passed on file.

Senate File 290, by committee on Education, a bill for an act relating to the provision of transportation by receiving district school buses for transporting pupils under open enrollment.

Read first time and placed on calendar.

Senate File 291, by Fuhrman and Varn, a bill for an act relating to the date of completion of the transfer of responsibilities for certain child support orders from the department of human services to the judicial department.

Read first time and passed on file.

Senate File 292, by Taylor, a bill for an act relating to state allowable growth under the state school foundation aid program and payment of scheduled increases in salaries of teachers for the school budget year beginning July , 1991, and providing an effective date.

Read first time and passed on file.

Senate File 293, by committee on Human Resources, a bill for an act relating to the practice of dentistry, assessing a fee, and providing a civil penalty.

Read first time and placed on calendar.

Senate File 294, by committee on Agriculture, a bill for an act providing for the establishment of agricultural enterprise zones, restricting nuisance suits, providing for tax refunds on facilities within such zones, and providing a penalty.

Read first time and placed on calendar.

Senate File 295, by Murphy, a bill for an act relating to transportation of pupils under open enrollment and providing for the charging of a fee.

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

Senate File 296, by Varn, a bill for an act relating to taxpayer rights and privileges in proceedings for the assessment and collection of certain taxes.

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

Senate File 297, by committee on Agriculture, a bill for an act relating to the confidentiality of information identifying inert ingredients in pesticides, and providing retroactive applicability and effective dates.

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

Senate File 298, by Lind, a bill for an act relating to motor vehicle law enforcement by transferring certain employees from the state department of transportation to the department of public safety and making appropriations.

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

Senate File 299, by committee on Agriculture, a bill for an act providing for a wildlife nuisance management program, and providing financing for the program.

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.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 219

On motion of Senator Palmer, Senate File 219, a bill for an

act relating to the reservation of a bank name, was taken up for consideration.

Senator Palmer asked and received unanimous consent that House File 260 be substituted for Senate File 219.

House File 260

On motion of Senator Palmer, House File 260, a bill for an act relating to the reservation of a bank name, 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. 260) the vote was:

Ayes, 46:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Palmer	Pate	Peterson
Priebe	Rensink	Riordan	Rittmer
Rosenberg	Running	Slife	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Varn	Welsh		

Nays, none:

Absent or not voting, 4:

Nystrom	Rife	Soorholtz	Vande Hoef
---------	------	-----------	------------

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

Senator Palmer asked and received unanimous consent that Senate File 219 be withdrawn from further consideration of the Senate.

HOUSE AMENDMENT CONSIDERED

Senate File 141

Senator Murphy called up for consideration Senate File 141, a bill for an act relating to media and educational services funding for area education agencies, amended by the House, moved that the Senate concur in House amendment S—3083 filed March 4, 1991, and requested a record roll call.

On the question "Shall the motion to concur be adopted?" (S.F. 141) the vote was:

Ayes, 42:

Borlaug	Boswell	Connolly	Deluhery
Dieleman	Doyle	Fraise	Fuhrman
Gettings	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kersten	Kibbie
Kinley	Kramer	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Palmer
Pate	Peterson	Priebe	Rensink
Riordan	Rosenberg	Running	Slife
Sturgeon	Szymoniak	Taylor	Tieden
Varn	Welsh		

Nays, 4:

Buhr	Drake	Rittmer	Tinsman
------	-------	---------	---------

Absent or not voting, 4:

Nystrom	Rife	Soorholtz	Vande Hoef
---------	------	-----------	------------

The motion prevailed 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, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 141) the vote was:

Ayes, 43:

Borlaug	Boswell	Buhr	Connolly
---------	---------	------	----------

Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Palmer	Pate	Peterson
Priebe	Rensink	Riordan	Rosenberg
Running	Slife	Sturgeon	Taylor
Tieden	Varn	Welsh	

Nays, 2:

Rittmer Tinsman

Absent or not voting, 5:

Nystrom	Rife	Soorholtz	Szymoniak
Vande Hoef			

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

Senator Hutchins asked and received unanimous consent that **Senate File 141** be immediately messaged to the House.

INTRODUCTION OF BILLS

Senate File 300, by Murphy and Lind, a bill for an act relating to the hours of sale for class "C" beer permittees.

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

Senate File 301, by Gronstal, a bill for an act relating to title insurance, by legalizing the issuance of title insurance, providing for notice to borrowers, and authorizing the sale of the insurance by certain abstract and title companies.

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

APPENDIX

CERTIFICATE OF RECOGNITION

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

Clarksville Indians Wrestlers, Clarksville — For winning the 1991 Class 1-A State high school wrestling tournament. Senator Jensen (3-2-91).

REPORT OF COMMITTEE MEETING

HUMAN RESOURCES

Convened: March 4, 1991, 3:05 p.m.

Members Present: Hannon, Chair; Buhr, Vice Chair; Hagerla, Ranking Member; Horn, Kramer, Murphy, Riordan, Rittmer, Sturgeon, Szymoniak, Taylor and Tinsman.

Members Absent: none.

Committee Business: Discussed appointments; approved SSB 19 as a committee bill; assigned bills to subcommittees.

Adjourned: 4:07 p.m.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	286	State Government
S. F.	287	Judiciary
S. F.	289	State Government
S. F.	291	Human Resources
S. F.	292	Education

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 297 (SSB 197), a bill for an act relating to the confidentiality of information identifying inert ingredients in pesticides, and providing retroactive applicability and effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Priebe, Peterson, Soorholtz, Boswell, Fraise, Hedge, Hester, Husak, McLaren, Miller, Palmer and Rittmer. Nays, none. Absent or not voting, 3: Doyle, Riordan and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 299 (SSB 196), a bill for an act providing for a wildlife nuisance management program, and providing financing for the program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Priebe, Peterson, Soorholtz, Boswell, Fraise, Hedge, Hester, Husak, McLaren, Miller, Palmer and Rittmer. Nays, none. Absent or not voting, 3: Doyle, Riordan and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BUSINESS AND LABOR RELATIONS

Final Bill Action: SENATE FILE 302 (SSB 139), a bill for an act relating to this state's labor laws administered by the labor commissioner by amending provisions of the Code concerning occupational safety and health penalties, boiler inspections, child labor laws, minimum wage laws, and out-of-state contractor bonding requirements.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Running, Sturgeon, Fuhrman, Buhr, Kinley, Palmer, Peterson, Rensink, Slife and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILL

Senate File 302, 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 concerning occupational safety and health penalties, boiler inspections, child labor laws, minimum wage laws, and out-of-state contractor bonding requirements.

Read first time under Rule 28 and placed on calendar.

AMENDMENTS FILED

S-3085	S.F.	209	House amendment
S-3086	S.F.	201	Wally E. Horn
S-3087	S.F.	221	Florence Buhr

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:04 p.m., until 9:00 a.m., Wednesday, March 6, 1991.

JOURNAL OF THE SENATE

FIFTY-SECOND CALENDAR DAY
THIRTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 6, 1991

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

Prayer was offered by the Reverend Ed Veldhuizen, pastor of the First Reformed Church, Pella, Iowa.

The Journal of Tuesday, March 5, 1991, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 4, 1991, passed the following bills in which the concurrence of the Senate is asked:

House File 274, a bill for an act relating to the omission of nullified administrative rules from the Iowa administrative code.

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

House File 322, a bill for an act relating to the establishment of a small business advisory council.

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

House File 372, a bill for an act amending the pesticide act of Iowa, by providing for the establishment and assessment of civil penalties.

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

INTRODUCTION OF BILL

Senate File 303, by Taylor and Vande Hoef, a bill for an act relating to the location of district court administrators' offices.

Read first time and passed on file.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:14 a.m., until 4:30 p.m.

APPENDIX**STUDY BILLS RECEIVED****SSB 268 Appropriations**

Relating to the establishment of an Iowa family fund program, providing for repeal of the Act and providing penalties.

SSB 269 Commerce

Relating to the rental of motor vehicles for a period of sixty days or less from a location in this state, and providing civil and criminal penalties.

SSB 270 Commerce

Relating to regulation of foreign and domestic insurers licensed to do business in this state by amending provisions relating to administration of the tax on foreign insurance companies, amending certain filing requirements, filing fees, and the deposit of those fees by the insurance division, providing for the suspension of an insurer's license for certain violations, providing for the approval of certain policies or forms prior to their offering by an insurer, making modifications to certain meeting and license renewal requirements and providing for the Act's applicability.

SSB 271 Commerce

Relating to the amounts of certain supervisory fees assessed a savings and loan association.

SSB 272 Commerce

Relating to the appointment of an acting superintendent of the savings and loan association division by the director of the department of commerce.

SSB 273 Commerce

Relating to the transfer of regulatory authority over mortgage bankers and brokers from the superintendent of savings and loans to the superintendent of banking.

SSB 274 Human Resources

To permit licensed advanced registered nurse practitioners who are certified registered nurse anesthetists to prescribe and administer drug therapy when it is necessary for peri-operative management in the care of a patient.

REPORTS OF COMMITTEE MEETINGS**APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION**

Convened: March 5, 1991, 9:45 a.m.

Members Present: Peterson, Chair; Dieleman, Vice Chair and Pate, Ranking Member.

Members Absent: Slife and Welsh (both excused).

Committee Business: General discussion of the FY92 budget.

Adjourned: 11:51 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: March 5, 1991, 9:40 a.m.

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

Members Absent: none.

Committee Business: Presentation by the Board of Regents.

Adjourned: 1:00 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: March 5, 1991, 9:44 a.m.

Members Present: Szymoniak, Chair; Deluhery, Vice Chair; Hagerla, Ranking Member; Fuhrman and Sturgeon.

Members Absent: none.

Committee Business: Discussed FY92 budget.

Adjourned: 11:31 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: March 5, 1991, 9:41 a.m.

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

Members Absent: Palmer, Vice Chair and Kinley.

Committee Business: Discussed proposed 5% budget cuts.

Adjourned: 11:13 a.m.

AGRICULTURE

Convened: March 5, 1991, 8:00 a.m.

Members Present: Priebe, Chair; Peterson, Vice Chair; Soorholtz, Ranking Member; Boswell, Doyle, Fraise, Hedge, Hester, Husak, McLaren, Miller, Palmer and Rittmer.

Members Absent: Riordan and Vande Hoef (both excused).

Committee Business: Assigned bills to subcommittees; presentations by the Iowa Poultry Association, Iowa Turkey Federation and Iowa Corn Promotion Board; approved SSB 254 as a committee bill; amended and approved SSBs 196 and 197 as committee bills.

Adjourned: 9:02 a.m.

BUSINESS AND LABOR RELATIONS

Convened: March 5, 1991, 1:30 p.m.

Members Present: Running, Chair; Sturgeon, Vice Chair; Fuhrman, Ranking Member; Buhr, Kinley, Palmer, Peterson, Rensink, Slife and Taylor.

Members Absent: none.

Committee Business: Assigned bills to subcommittees and approved SSB 139 as a committee bill.

Adjourned: 1:50 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: March 5, 1991, 1:36 p.m.

Members Present: Rosenberg, Chair; Jensen, Ranking Member; Borlaug, Deluhery, Fraise, Hannon, Hedge, Kersten, Miller, Soorholtz and Varn.

Members Absent: Gronstal, Vice Chair (excused).

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 205.

Adjourned: 1:42 p.m.

JUDICIARY

Convened: March 5, 1991, 3:40 p.m.

Members Present: Sturgeon, Chair; Rosenberg, Vice Chair; Fuhrman, Ranking Member; Connolly, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson, Slife and Varn.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; presentation on SSB 93.

Adjourned: 4:35 p.m.

WAYS AND MEANS

Convened: March 5, 1991, 2:32 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hedge, Ranking Member; Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Murphy, Palmer, Rosenberg, Szymoniak and Taylor.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; presentation by the mayor of Ames regarding municipal tax concern; amended and deferred action on Senate File 197.

Adjourned: 3:30 p.m.

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 6th day of March, 1991:

Senate File 141.

JOHN F. DWYER
Secretary of the Senate

SUBCOMMITTEE ASSIGNMENTS

Senate File 256

NATURAL RESOURCES: Riordan, Chair; Dieleman, Sturgeon, Hagerla and Hedge

Senate File 258

COMMERCE: Doyle, Chair; Gronstal and Lind

Senate File 264

NATURAL RESOURCES: Hester, Chair; Kibbie and Sturgeon

Senate File 265

LOCAL GOVERNMENT: Hannon, Chair; Buhr and Jensen

Senate File 266

APPROPRIATIONS: Welsh, Chair; Rensink and Riordan

Senate File 276

COMMERCE: Gettings, Chair; Gronstal and Jensen

Senate File 278

APPROPRIATIONS: Lloyd-Jones, Chair; Pate and Varn

House File 233

NATURAL RESOURCES: Dieleman, Chair; Hedge and Rosenberg

House File 288

NATURAL RESOURCES: Tieden, Chair; Riordan and Rosenberg

House File 294

COMMERCE: Gettings, Chair; Deluhery and Jensen

House File 297

TRANSPORTATION: Connolly, Chair; Drake and Welsh

House File 307

TRANSPORTATION: Kinley, Chair; Drake and Jensen

SSB 268

APPROPRIATIONS: Riordan, Chair; Boswell and Tieden

SSB 269

COMMERCE: Varn, Chair; Gronstal and Lind

SSB 270

COMMERCE: Gronstal, Chair; Doyle, Jensen, Palmer and Slife

SSB 271

COMMERCE: Sturgeon, Chair; Deluhery and Nystrom

SSB 272

COMMERCE: Sturgeon, Chair; Deluhery and Nystrom

SSB 273

COMMERCE: Deluhery, Chair; Kersten and Sturgeon

COMMITTEE REPORTS**COMMERCE**

Final Bill Action: HOUSE FILE 110, a bill for an act relating to collateral acceptable to secure a loan or other transaction with a state bank.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Deluhery, Kinley, Slife, Gettings, Gronstal, Jensen, Kersten, Lind, Palmer, Priebe, Sturgeon, Tieden and Varn. Nays, none. Absent or not voting, 2: Doyle and Nystrom

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 294, a bill for an act relating to the obligations of a spouse of a director or officer of a state bank.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Deluhery, Kinley, Slife, Gettings, Gronstal, Jensen, Kersten, Lind, Palmer, Priebe, Sturgeon, Tieden and Varn. Nays, none. Absent or not voting, 2: Doyle and Nystrom

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORTS OF STANDING COMMITTEE

(Place nominees on Individual Confirmation Calendar)

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Pursuant to Senate Rule 59, the committee on Small Business and Economic Development assigned to investigate the governor's appointment of Allan Thoms as Director of the Iowa Department of Economic Development, completed its investigation on March 6, 1991, and recommended the appointee be confirmed.

ALSO:

Pursuant to Senate Rule 59, the committee on Small Business and Economic Development assigned to investigate the governor's appointment of Richard J. Witham as a member of the Iowa Economic Development Board, completed its investigation on March 6, 1991, and **made no recommendation.**

AFTERNOON SESSION

The Senate reconvened at 4:32 p.m., President Welsh presiding.

INTRODUCTION OF BILLS

Senate Joint Resolution 6, by Kersten, Hedge, Soorholtz, McLaren, Kramer, Hagerla, Taylor, Lind and Rensink, a joint resolution proposing an amendment to the Constitution of the State of Iowa to limit the term of office and years of service for members of the Senate and House of Representatives.

Read first time and passed on file.

Senate File 304, by Boswell, 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 305, by Vande Hoef, a bill for an act relating to the extension of the effective date for the equipping of a sanitary landfill with a leachate control system.

Read first time and passed on file.

Senate File 306, by Husak, a bill for an act relating to the development and issuance of general and group permits by the department of natural resources.

Read first time and passed on file.

Senate File 307, by Kibbie and Vande Hoef, a bill for an act appropriating moneys to fund the Iowa energy center and the center for global warming, and providing an effective date.

Read first time and passed on file.

Senate File 308, by Szymoniak, a bill for an act relating to the Iowa uniform controlled substances Act.

Read first time and passed on file.

Senate File 309, by Welsh, a bill for an act relating to the duties of the county compensation board.

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

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

The Senate resumed session, President Welsh presiding.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	295	Education
S. F.	296	Ways and Means
S. F.	298	State Government
S. F.	300	State Government
S. F.	301	Commerce
S. F.	303	Judiciary
S. F.	304	Ways and Means
S. F.	305	Environment & Energy Utilities
S. F.	306	Environment & Energy Utilities
S. F.	307	Appropriations
S. F.	308	Human Resources
S. F.	309	Local Government
S. J. R.	6	Rules & Administration
H. F.	372	Agriculture

COMMITTEE REPORTS

COMMERCE

Final Bill Action: SENATE FILE 310 (SSB 113), a bill for an act relating to the repeal of chapter 536B, and the restrictions on investments made by, and debt instruments offered for sale by, an industrial loan company.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Deluhery, Kinley, Slife, Gettings, Gronstal, Jensen, Kersten, Lind, Palmer, Priebe, Sturgeon, Tieden and Varn. Nays, none. Absent or not voting, 2: Doyle and Nystrom

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 311 (SSB 152), a bill for an act requiring registration of persons located outside of this state who issue credit cards, providing for an examination fee, and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Deluhery, Kinley, Slife, Gettings, Gronstal, Jensen, Kersten, Lind, Palmer, Priebe, Sturgeon, Tieden and Varn. Nays, none. Absent or not voting, 2: Doyle and Nystrom

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTIONS OF BILLS

Senate File 310, by committee on Commerce, a bill for an act relating to the repeal of chapter 536B, and the restrictions on investments made by, and debt instruments offered for sale by, an industrial loan company.

Read first time under Rule 28 and placed on calendar.

Senate File 311, by committee on Commerce, a bill for an act requiring registration of persons located outside of this state who issue credit cards, providing for an examination fee, and providing a penalty.

Read first time under Rule 28 and placed on calendar.

AMENDMENTS FILED

S—3088	S.F.	47	Wilmer Rensink
S—3089	S.F.	178	Linn Fuhrman Larry Murphy

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:36 p.m., until 9:00 a.m., Thursday, March 7, 1991.

JOURNAL OF THE SENATE

FIFTY-THIRD CALENDAR DAY
THIRTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 7, 1991

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

Prayer was offered by Bishop Christopher Epting, Episcopal Bishop of Iowa, Des Moines, Iowa.

The Journal of Wednesday, March 6, 1991, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 5, 1991, passed the following bill in which the concurrence of the House was asked:

Senate File 218, a bill for an act relating to the formula used to calculate part-time student financial aid awards under the tuition grant program.

ALSO: That the House has on March 5, 1991, passed the following bills in which the concurrence of the Senate is asked:

House File 275, a bill for an act requiring the state department of transportation to adopt administrative rules relating to damage to highways and highway structures.

This bill was read first time and passed on file.

House File 296, a bill for an act relating to record checks and evaluations concerning facilities providing care to children and state institutions controlled by the department of human services, and containing applicability provisions.

This bill was read first time and passed on file.

INTRODUCTION OF BILL

Senate File 312, by Buhr, a bill for an act requiring the state department of transportation to publish and distribute an operator's manual.

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.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:24 a.m., until 3:30 p.m.

APPENDIX**STUDY BILLS RECEIVED****SSB 275 State Government**

A Joint Resolution proposing an amendment to the Constitution of the State of Iowa to provide for the continuity of government during a proclaimed emergency by the Governor or the President of the United States.

SSB 276 State Government

Exempting members, employees, and the secretary of the board of trustees for the statewide fire and police retirement system from certain liabilities, providing per diem compensation for board members, appropriating funds to the board, changing the date for completion of an actuarial study, providing that certain cities that did not participate in a chapter 411 retirement system as of May 3, 1990, are not required to participate in the statewide system, and providing retroactive applicability and effective date provisions.

SSB 277 Commerce

Relating to the authority of the superintendent of banking to remove officers and directors of state banks and to prohibit an institution-affiliated party from participating in the conduct of the affairs of a state bank, and providing civil penalties.

SSB 278 Judiciary

Relating to the enforcement of civil rights law, individual rights, and establishing penalties.

SSB 279 Human Resources

Relating to professional licensure suspension, and revocation upon delinquency in child support payments by licensees.

SSB 280 Human Resources

To permit advanced nurse practitioners to prescribe noncontrolled substances or devices under certain circumstances.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 7th day of March, 1991:

Senate Files 116, 150 and 188.

JOHN F. DWYER
Secretary of the Senate

REPORTS OF COMMITTEE MEETINGS**APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT**

Convened: March 6, 1991, 9:48 a.m.

Members Present: Riordan, Chair; Kramer, Ranking Member; Borlaug and Lloyd-Jones.

Members Absent: Boswell, Vice Chair (excused).

Committee Business: Committee discussions on budget recommendations.

Adjourned: 11:39 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: March 6, 1991, 9:45 a.m.

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

Members Absent: Nystrom (excused).

Committee Business: Discussed budget recommendations.

Adjourned: 10:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: March 6, 1991, 10:40 a.m.

Members Present: Running, Chair; Palmer, Vice Chair; Rensink, Ranking Member; Hedge and Kinley.

Members Absent: none.

Committee Business: Discussed FY92 budget.

Adjourned: 11:10 a.m.

COMMERCE

Convened: March 6, 1991, 1:35 p.m.

Members Present: Deluhery, Chair; Kinley, Vice Chair; Slife, Ranking Member; Gettings, Gronstal, Jensen, Kersten, Lind, Palmer, Priebe, Sturgeon, Tieden and Varn.

Members Absent: Doyle and Nystrom (both excused).

Committee Business: Assigned bills to subcommittees; approved SSBs 113 and 152 as committee bills; recommended passage of House Files 110 and 294; amended and discussed SSBs 182 and 183.

Adjourned: 2:10 p.m.

EDUCATION

Convened: March 6, 1991, 3:35 p.m.

Members Present: Connolly, Chair; Horn, Vice Chair; Taylor, Ranking Member; Deluhery, Dieleman, Kibbie, Kramer, Lind, Murphy, Rensink, Running, Szymoniak, Tieden, Tinsman and Varn.

Members Absent: none.

Committee Business: Assigned bill to subcommittee; recommended confirmation of governor's appointees; recommended passage of Senate File 146 as amended; recommended passage of Senate Files 187 and 233; approved SSBs 206 and 226 as committee bills; presentation by the Department of Education.

Adjourned: 4:36 p.m.

LOCAL GOVERNMENT

Convened: March 6, 1991, 2:44 p.m.

Members Present: Miller, Chair; Szymoniak, Vice Chair; Rittmer, Ranking Member; Buhr, Hannon and Jensen.

Members Absent: Borlaug (excused), Boswell (excused), Fraise and Vande Hoef (excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 2:45 p.m.

NATURAL RESOURCES

Convened: March 6, 1991, 2:30 p.m.

Members Present: Palmer, Chair; Hester, Ranking Member; Hedge, Priebe, Rensink, Riordan, Rosenberg, Sturgeon and Tieden.

Members Absent: Kibbie, Vice Chair; Dieleman and Hagerla.

Committee Business: Assigned bills to subcommittees.

Adjourned: 2:40 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: March 6, 1991, 1:35 p.m.

Members Present: Riordan, Chair; Hannon, Vice Chair; Borlaug, Ranking Member; Kibbie, Kramer, Miller, Pate, Peterson, Rittmer and Running.

Members Absent: Boswell and Vande Hoef (both excused).

Committee Business: Presentation by the Professional Developers of Iowa; recommended confirmation of governor's appointee Allan Thoms to the Individual Confirmation Calendar; placed governor's appointee Richard Witham on the Individual Confirmation Calendar without recommendation.

Adjourned: 2:30 p.m.

REPORTS OF STANDING COMMITTEES (Place nominees on En Bloc Confirmation Calendar)

COMMERCE

Pursuant to Senate Rule 59, the committee on Commerce assigned to investigate the following governor's appointments, completed its investigations on March 7, 1991, and recommended the appointees be confirmed:

David J. Lyons as Commissioner of Insurance.

James R. Tabor as Superintendent of Savings and Loan Associations.

EDUCATION

Pursuant to Senate Rule 59, the committee on Education assigned to investigate the following governor's appointments, completed its investigations on March 6, 1991, and recommended the appointees be confirmed:

Marcia Dudden, Gene Gardner and Mary C. Williams as members of the Higher Education Strategic Planning Council.

Marcia Dudden as a member of the State Board of Education.

CERTIFICATE OF RECOGNITION

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

West Delaware Hawks Wrestling Team, Coach Scott Litterer, and Assistant Coaches Kris Lenz and Jeff Voss — For winning the 1991 Class 2-A State high school wrestling tournament. Senator Pate (3-6-91).

SUBCOMMITTEE ASSIGNMENTS

Senate File 81

NATURAL RESOURCES: Dieleman, Chair; Hagerla and Priebe

Senate File 271

STATE GOVERNMENT: Buhr, Chair; Kramer and Priebe

Senate File 273

STATE GOVERNMENT: Horn, Chair; Drake and Welsh

Senate File 275

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

Senate File 277

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

Senate File 282

STATE GOVERNMENT: Horn, Chair; Running and Soorholtz

Senate File 286

STATE GOVERNMENT: Dieleman, Chair; McLaren and Murphy

Senate File 287

JUDICIARY: Connolly, Chair; Hester and Horn

Senate File 289

STATE GOVERNMENT: Priebe, Chair; Doyle and Vande Hoef

Senate File 298

STATE GOVERNMENT: Running, Chair; Buhr and Drake

Senate File 300

STATE GOVERNMENT: Horn, Chair; Lind and Murphy

Senate File 303

JUDICIARY: Varn, Chair; Hagerla and Peterson

House File 306

BUSINESS AND LABOR RELATIONS: Buhr, Chair; Palmer and Rensink

House File 324

JUDICIARY: Sturgeon, Chair; Murphy and Slife

SSB 263

EDUCATION: Connolly, Chair; Horn and Kramer

SSB 275

STATE GOVERNMENT: Doyle, Chair; Gronstal and Nystrom

SSB 276

STATE GOVERNMENT: Nystrom, Chair; Buhr and Kibbie

SSB 277

COMMERCE: Deluhery, Chair; Kersten and Priebe

SSB 278

JUDICIARY: Gronstal, Chair; Murphy and Pate

COMMITTEE REPORTS**BUSINESS AND LABOR RELATIONS**

Final Bill Action: SENATE FILE 101, a bill for an act relating to the loss of pay while on military leave of absence.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3093.

Final Vote: Ayes, 9: Running, Sturgeon, Fuhrman, Buhr, Kinley, Peterson, Rensink, Slife and Taylor. Nays, none. Absent or not voting, 1: Palmer.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: SENATE FILE 317 (SSB 183), a bill for an act relating to the regulation of pay-per-call service and advertisements and providing for the applicability of established penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Deluhery, Kinley, Slife, Doyle, Gettings, Gronstal, Jensen, Kersten, Lind, Nystrom, Palmer, Tieden and Varn. Nays, none. Absent or not voting, 2: Priebe and Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 318 (SSB 182), a bill for an act creating a statewide dual party relay service system, establishing telephone utility assessments, and authorizing distribution of telecommunications devices to the deaf.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Deluhery, Kinley, Slife, Doyle, Gettings, Gronstal, Jensen, Kersten, Lind, Nystrom, Palmer, Tieden and Varn. Nays, none. Absent or not voting, 2: Priebe and Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 146, a bill for an act relating to the time of making decisions for and notice of final decisions for increases in tuition, fees, or charges at institutions of higher education under the control of the state board of regents.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3090.

Final Vote: Ayes, 12: Connolly, Horn, Taylor, Dieleman, Kibbie, Lind, Rensink, Running, Szymoniak, Tieden, Tinsman and Varn. Nays, none. Absent or not voting, 3: Deluhery, Kramer and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 187, a bill for an act relating to participation in athletics under open enrollment by students whose district of residence enters into a whole grade sharing agreement.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Connolly, Horn, Taylor, Dieleman, Kibbie, Lind, Rensink, Running, Szymoniak, Tieden, Tinsman and Varn. Nays, none. Absent or not voting, 3: Deluhery, Kramer and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 233, a bill for an act relating to appeals from school board action under open enrollment, providing discretionary authority to the state board of education in hearing appeals, and providing for rulemaking.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Connolly, Horn, Taylor, Deluhery, Dieleman, Kibbie, Kramer, Lind, Murphy, Rensink, Running, Szymoniak, Tieden, Tinsman and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 313 (SSB 206), a bill for an act relating to the accreditation process for schools and school districts.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Connolly, Horn, Taylor, Deluhery, Dieleman, Kibbie, Kramer, Lind, Murphy, Rensink, Running, Szymoniak, Tieden, Tinsman and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 314 (SSB 226), 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, 15: Connolly, Horn, Taylor, Deluhery, Dieleman, Kibbie, Kramer, Lind, Murphy, Rensink, Running, Szymoniak, Tieden, Tinsman and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3090	S. F.	146	Education
S-3091	S. F.	193	Michael Gronstal
S-3092	S. F.	209	Leonard Boswell
S-3093	S. F.	101	Business & Labor Relations
S-3094	S. F.	302	Jim Lind

AFTERNOON SESSION

The Senate reconvened at 3:38 p.m., President Welsh presiding.

INTRODUCTION OF BILLS

Senate File 313, by committee on Education, a bill for an act relating to the accreditation process for schools and school districts.

Read first time and placed on calendar.

Senate File 314, 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 and placed on calendar.

Senate File 315, by Kibbie, Welsh and Tieden, a bill for an act authorizing a class "B" wine permittee who also holds a class "E" liquor control license to sell wine to liquor control licensees.

Read first time and passed on file.

Senate File 316, by Szymoniak and Kramer, a bill for an act to prohibit sexual harassment of state employees, of persons in the care or custody of a state employee or institution, and of persons attending a state educational institution.

Read first time and passed on file.

Senate File 317, by committee on Commerce, a bill for an act relating to the regulation of pay-per-call service and advertisements and providing for the applicability of established penalties.

Read first time and placed on calendar.

Senate File 318, by committee on Commerce, a bill for an act creating a statewide dual party relay service system, establishing telephone utility assessments, and authorizing distribution of telecommunications devices to the deaf.

Read first time and placed on calendar.

Senate File 319, by Deluhery and Tinsman, a bill for an act relating to the authority of a county board of supervisors to license persons providing emergency medical service originating within the county and to establish a fee.

Read first time and passed on file.

Senate File 320, by Husak, Boswell, Drake, Dieleman, Running, Horn, Welsh, Hutchins, Fraise, Doyle, Fuhrman, Hedge, Rensink, Slife, Lind, Hagerla, Taylor, McLaren, Kibbie, Priebe, Tieden, Miller, Gettings, Szymoniak, Rife, Jensen, Nystrom, Peterson and Connolly, a bill for an act creating a service compensation fund for persons serving on active duty in the Persian Gulf Conflict and providing a tax exemption.

Read first time and passed on file.

QUORUM CALL

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

Senator Lind took the chair at 3:42 p.m.

President Welsh took the chair at 3:59 p.m.

The vote revealed 45 present, 5 absent and a quorum present.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 179

On motion of Senator Slife, Senate File 179, a bill for an act relating to the protection of trade secrets and providing an effective date, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 179) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Varn
Welsh			

Nays, none:

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.

HOUSE AMENDMENT CONSIDERED

Senate File 209

Senator Boswell called up for consideration Senate File 209, a bill for an act relating to and making supplemental appropriations for the remainder of the fiscal year ending June 30, 1991, to the department of human services, national conference of state legislatures, department of general services, department of revenue and finance, department of public safety, department of inspections and appeals, college student aid commission, board of regents institutions, office of lieutenant governor, department of transportation, pioneer lawmakers, the office of the state public defender, department of human rights, Iowa finance authority, department of economic development, department of corrections, and extending ethanol fuel project, and increasing the court civil penalty surcharge, and providing effective dates, amended by the House in House amendment S—3085 filed March 5, 1991.

Senator Boswell offered amendment S—3092 filed by him from the floor, to pages 1, 2 and 4 of House amendment S—3085 and moved its adoption.

Amendment S—3092 was adopted by a voice vote.

Senator Boswell offered amendment S—3095 filed by Senators Boswell and Hutchins from the floor, to page 1 of House amendment S—3085 and moved its adoption.

Amendment S—3095 was adopted by a voice vote.

Senator Running offered amendment S—3096 filed by him from the floor, to page 2 of House amendment S—3085.

Senator Boswell raised the point of order that amendment S—3096 to House amendment S—3085 was not germane.

The Chair ruled the point well taken and amendment S—3096 out of order.

Senator Boswell moved that the Senate concur in the House amendment as amended, which motion prevailed by 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 place upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 209) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Varn	Welsh	

Nays, 1:

Tinsman

Absent or not voting, 2:

Pate Vande Hoef

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

Senator Hutchins asked and received unanimous consent that **Senate File 209** be immediately messaged to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 47

On motion of Senator Rensink, Senate File 47, a bill for an act to prohibit the shooting of shotguns across a public highway and subjecting violators to a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Rensink offered amendment S—3088 filed by him on March 6, 1991, to strike everything after the enacting clause of the bill and moved its adoption.

Amendment S—3088 was adopted by a voice vote.

Senator Rensink asked and received unanimous consent that **House File 109** be substituted for **Senate File 47** as amended.

House File 109

On motion of Senator Rensink, House File 109, a bill for an act to prohibit the shooting of shotguns across a public highway and subjecting violators to a penalty, was taken up for consideration.

Senator Palmer asked and received unanimous consent that action on **House File 109** be deferred.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 7, by committee on Rules and Administration, a Senate concurrent resolution relating to a Biennial Memorial Session.

Read first time and placed on calendar.

INTRODUCTION OF BILL

Senate File 321, by committee on Judiciary, a bill for an act relating to allowing persons indirectly injured by antitrust violations to sue for redress.

Read first time and placed on calendar.

APPENDIX

COMMUNICATIONS

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

BOARD OF REGENTS

Fiscal Year 1992 and 1993 Budget Requests and Report for the Biennium, pursuant to Chapter 262.26, Code of Iowa.

"1992-2001 Ten Year Building Program", pursuant to Chapter 262.26, Code of Iowa.

DEPARTMENT OF COMMERCE

On behalf of the Professional Licensing and Regulation Division, a report, pursuant to Chapter 258A.4(2), Code of Iowa.

DEPARTMENT OF CORRECTIONS

A report of the Task Force on a Youthful Offenders Program, pursuant to Chapter 1239.23(2), 1990 Acts of the 73rd General Assembly.

DEPARTMENT OF ECONOMIC DEVELOPMENT

A report pertaining to the agricultural product related marketing programs of the DED International Bureau, pursuant to Chapter 308, Section 1(7), 1989 Acts of the 73rd General Assembly.

The interim progress report of the Entrepreneurship Task Force, pursuant to Chapter 1231, Section 1, 1990 Acts of the 73rd General Assembly.

DEPARTMENT OF EDUCATION

A Report on the Evaluation of the Phase III Programs, FY '90, pursuant to Chapter 319, 1989 Acts of the 73rd General Assembly.

DEPARTMENT OF ELDER AFFAIRS

FY 1990 Annual Report, pursuant to Chapter 7E.3(4), Code of Iowa.

DEPARTMENT OF HUMAN SERVICES

"Final Report for the Federal Demonstration Project, Iowa Health Care Access Program", pursuant to Chapter 1270.29(6), 1990 Acts of the 73rd General Assembly.

DEPARTMENT OF JUSTICE

The Annual Report of the Crime Victim Assistance Program, pursuant to Chapter 13.31, Code of Iowa.

DEPARTMENT OF MANAGEMENT

A report on the Statement of Standing Appropriations for FY90, pursuant to Chapter 8.6(2), Code of Iowa.

A report on financial resources availability for the State Communications Network, pursuant to Chapter 18.136(5), Code of Iowa.

DEPARTMENT OF PERSONNEL

A report on the Pilot Study of Four Ten-Hour Day Workweeks in State Government, pursuant to Chapter 298, Sec. 15, 1989 Acts.

A report summarizing the South Africa related investments in the IPERS portfolio, pursuant to Chapter 12A.4(2)(a), Code of Iowa.

DEPARTMENT OF PUBLIC HEALTH

Final Report and Recommendations of the AIDS Services Task Force, pursuant to Chapter 1259.3(3)"iv", 1990 Acts of the 73rd General Assembly.

The Annual Reports of the fourteen professional licensing boards in the Bureau of Professional Licensure, pursuant to Chapter 258A.4(2), Code of Iowa.

DEPARTMENT OF PUBLIC SAFETY

The Financial Plan for the Peace Officers' Retirement, Accident and Disability System, pursuant to Chapter 1240.11(c), 1990 Acts of the 73rd General Assembly.

DEPARTMENT OF TRANSPORTATION

The annual report of Highway Research and Development, pursuant to Chapter 310.36 and 312.3A, Code of Iowa.

INTERNATIONAL NETWORK ON TRADE, INC.

The Annual Report for 1990 on INTERNET, pursuant to Chapter 18B.10, Code of Iowa.

IOWA HEALTH DATA COMMISSION

The Annual Report of the commission, pursuant to Chapter 145.6, Code of Iowa.

IOWA UTILITIES BOARD

Annual Report Summary of customer contribution funds, pursuant to Chapter 476.66(6), Code of Iowa.

PSEUDORABIES (PRV) ADVISORY COMMITTEE

The Annual Report, pursuant to Chapter 166D.5, Code of Iowa.

OFFICE OF TREASURER

A report on "Linked Investments for Tomorrow" Annual Report on Horticulture & Alternative Crops.

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on March 7, 1991, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 34 — Relating to the sale, offer for sale, or distribution of purple loosestrife.

SENATE FILE 141 — Relating to media and educational services funding for area education agencies.

COMMITTEE REPORTS**JUDICIARY**

Final Bill Action: SENATE FILE 321 (SSB 93), a bill for an act relating to allowing persons indirectly injured by antitrust violations to sue for redress.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Sturgeon, Rosenberg, Connolly, Deluhery, Gronstal, Murphy, Peterson and Varn. Nays, 7: Fuhrman, Drake, Hagerla, Hester, Horn, Pate and Slife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 2, a resolution recommending the issuance of a commemorative stamp for the 100th anniversary of the chiropractic profession.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Hutchins, Welsh, Rife, Gettings, Husak, Jensen, Kinley, Lloyd-Jones and Soorholtz. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE RESOLUTION 6, a resolution supporting military personnel in the Persian Gulf.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Hutchins, Welsh, Rife, Gettings, Husak, Jensen, Kinley, Lloyd-Jones and Soorholtz. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 7, a resolution relating to a Biennial Memorial Session.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 9: Hutchins, Welsh, Rife, Gettings, Husak, Jensen, Kinley, Lloyd-Jones and Soorholtz. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 8, a concurrent resolution petitioning the United States Navy for the return of the battleship USS Iowa's silver service.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 9: Hutchins, Welsh, Rife, Gettings, Husak, Jensen, Kinley, Lloyd-Jones and Soorholtz. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 77, a bill for an act relating to the duties of the lieutenant governor and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Kibbie, Buhr, Dieleman, Doyle, Gronstal, Horn, Priebe, Running, Soorholtz and Welsh. Nays, 6: Lloyd-Jones, Nystrom, Drake, Kramer, Lind and McLaren. Absent or not voting, 3: Murphy, Rife and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 224, a bill for an act relating to delegates to the Iowa congress on resources enhancement and protection.

Recommendation: DO PASS.

Final Vote: Ayes, 16: Kibbie, Lloyd-Jones, Nystrom, Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Running and Soorholtz. Nays, none. Absent or not voting, 3: Rife, Vande Hoef and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	312	Transportation
S. F.	315	State Government
S. F.	316	State Government
S. F.	319	Local Government
S. F.	320	Appropriations
H. F.	275	Transportation
H. F.	296	Human Resources
H. F.	322	Small Business & Economic Development

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 8, by committee on Rules and Administration, a concurrent resolution petitioning the United States Navy for the return of the battleship USS Iowa's silver service.

Read first time under Rule 28 and placed on calendar.

AMENDMENTS FILED

S—3095	S. F.	209	Leonard Boswell Bill Hutchins
S—3096	S. F.	209	Richard Running
S—3097	S. F.	142	Berl Priebe

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:50 p.m., until 11:00 a.m., Monday, March 11, 1991.

JOURNAL OF THE SENATE

FIFTY-SEVENTH CALENDAR DAY
THIRTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 11, 1991

The Senate met in regular session at 11:06 a.m., President Welsh presiding.

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

The Journal of Thursday, March 7, 1991, was approved.

INTRODUCTION OF BILLS

Senate File 322, by Varn, a bill for an act relating to the use of public funds for purchase of fine arts for state buildings.

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

Senate File 323, by committee on State Government, a bill for an act relating to delegates to the Iowa congress on resource enhancement and protection.

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

President pro tempore Lloyd-Jones took the chair at 11:14 a.m.

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

Mr. John Dwyer
Secretary of the Senate
State Capitol Building
LOCAL

Dear Mr. Dwyer:

It is my pleasure to submit to the Senate for their consideration the following Governor's appointees as members of state boards, departments and commissions pursuant to 1991 Code of Iowa Sections:

March 1, 1991

Donald Westergard, Indianola, Warren County, for reconfirmation as Administrator of the Division of Persons with Disabilities pursuant to Section 601K.2. Upon reconfirmation, Donald Westergard, Administrator of the Division of Persons with Disabilities, will be subject for reconfirmation during the 1995 session of the General Assembly.

Charlotte Nelson, Des Moines, Polk County, for reconfirmation as Administrator of the Division on the Status of Women pursuant to Section 601K.2. Upon reconfirmation, Charlotte Nelson, Administrator of the Division on the Status of Women, will be subject for reconfirmation during the 1995 session of the General Assembly.

To the Accountancy Examining Board pursuant to Section 116.3 for terms beginning May 1, 1991, and ending April 30, 1994:

Thomas L. Erpelding, Algona, Kossuth County, for appointment and Daryl K. Henze, Urbandale, Polk County, for reappointment.

Wayne R. Venter, Oskaloosa, Mahaska County, for reappointment to the Alcoholic Beverages Commission pursuant to Section 123.5 for a term beginning May 1, 1991, and ending April 30, 1996.

Richard W. Pattschull, Iowa City, Johnson County, for reappointment to the Architectural Examining Board pursuant to Section 118.1 for a term beginning May 1, 1991, and ending April 30, 1994.

Donna J. Weiss, Dow City, Crawford County, for reappointment to the Barber Examining Board pursuant to Section 147.14(1) for a term beginning May 1, 1991, and ending April 30, 1994.

For reappointment to the Board of Corrections pursuant to Section 246.104 for terms beginning May 1, 1991, and ending April 30, 1995:

Jean Klingaman, Waterloo, Black Hawk County, and Harold C. McCormick, Dubuque, Dubuque County.

For reappointment to the Board of Educational Examiners pursuant to Section 260.3 for terms beginning May 1, 1991, and ending April 30, 1995:

Don M. Gunderson, Dike, Grundy County; Calvin W. Halliburton, Ames, Story County, and Rhea Renee Walker, Clinton, Clinton County.

Coral M. Jud, Knierim, Calhoun County, for appointment to the Board of Examiners for the Licensing and Regulation of Hearing Aid Dealers pursuant to Section 154A.2 for a term beginning May 1, 1991, and ending April 30, 1994.

To the Board of Nursing Examiners pursuant to Section 147.14(3):

Kenneth Culp, Iowa City, Johnson County, for reappointment to a term beginning May 1, 1991, and ending April 30, 1994; and Eugene M. Meister, Burt, Kossuth County, for appointment to a term beginning immediately and ending April 30, 1993.

Barbara Binnie, Des Moines, Polk County, for reappointment to the Board of Parole pursuant to Section 904A.1 for a term beginning May 1, 1991, and ending April 30, 1995.

For reappointment to the Board of Physician Assistant Examiners pursuant to Section 147.14(12) for terms beginning May 1, 1991, and ending April 30, 1994:

Jane Dubberke, Hubbard, Hardin County; Barbara A. Muir, Winterset, Madison County, and Robert A. Witt, Allison, Butler County.

For appointment to the Campaign Finance Disclosure Commission pursuant to Section 56.9 for terms beginning May 1, 1991, and ending April 30, 1997:

Dana L. Barrer, Ottumwa, Wapello County, and Harriet A. Healy, Cedar Falls, Black Hawk County.

For reappointment to the Chiropractic Examining Board pursuant to Section 147.14(8) for terms beginning May 1, 1991, and ending April 30, 1994:

Kenneth L. Mueller, Harlan, Shelby County, and Sister Marilyn S. Whitty, Ames, Story County.

Robert J. Martin, Davenport, Scott County, for reappointment to the Commission for the Blind pursuant to Section 601L.2 for a term beginning May 1, 1991, and ending April 30, 1994.

To the Commission of Elder Affairs pursuant to Section 249D.11 for terms beginning May 1, 1991, and ending April 30, 1995:

Bertrum T. Bidne, Northwood, Worth County, for appointment and Elmer Vermeer, Sioux Center, Sioux County, for reappointment.

Jack F. Breithaupt, Cedar Rapids, Linn County, for reappointment to the Commission on Judicial Qualifications pursuant to Section 602.2102 for a term beginning May 1, 1991, and ending April 30, 1997.

James G. Snyder, Dubuque, Dubuque County, for reappointment to the Commission on the Deaf pursuant to Section 601K.112 for a term beginning May 1, 1991, and ending April 30, 1994.

Roger A. Chapman, Cedar Falls, Black Hawk County, for reappointment to the Cosmetology Examining Board pursuant to Section 147.14(1) for a term beginning May 1, 1991, and ending April 30, 1994.

Arlene H. Dayhoff, Cedar Rapids, Linn County, for reappointment to the Council on Human Services pursuant to Section 217.2 for a term beginning May 1, 1991, and ending April 30, 1997.

For reappointment to the Credit Union Review Board pursuant to Section 533.53 for terms beginning May 1, 1991, and ending April 30, 1994:

Tom N. Sarvis, Dubuque, Dubuque County; William G. Sizer, Waterloo, Black Hawk County, and H. Idris Thomas, Mason City, Cerro Gordo County.

For reappointment to the Dietetic Examining Board pursuant to Section 147.14(11) for terms beginning May 1, 1991, and ending April 30, 1994:

Charles Finch, Des Moines, Polk County, and Richard Garrells, Mt. Pleasant, Henry County.

Jolee L. Belzung, Ankeny, Polk County, and Richard Marr, Muscatine, Muscatine County, for reappointment to the Engineering and Land Surveying Examining Board pursuant to Section 114.3 for terms beginning May 1, 1991, and ending April 30, 1994.

For reappointment to the First in the Nation in Education Foundation Governing Board pursuant to Section 257A.2 for terms beginning May 1, 1991, and ending April 30, 1997:

Arthur A. Neu, Carroll, Carroll County, and Mary E. Sievert, Davenport, Scott County.

For reappointment to the Iowa Economic Development Board pursuant to Section 15.103 for terms beginning May 1, 1991, and ending April 30, 1995:

Ann Jorgensen, Garrison, Benton County, and Toni Lazar, West Des Moines, Polk County.

Lynn M. Feldmann, Dubuque, Dubuque County, for reappointment to the Iowa Emergency Response Commission pursuant to Section 30.2(2) for a term beginning May 1, 1991, and ending April 30, 1994.

Ted R. Chapler, Des Moines, Polk County, for appointment as Executive Director to the Iowa Finance Authority pursuant to Section 220.6 to fulfill an unexpired term beginning immediately and to serve at the pleasure of the Governor.

For reappointment to the Iowa Finance Authority pursuant to Section 220.2(1) for terms beginning May 1, 1991, and ending April 30, 1997:

Margaret Clements, Oskaloosa, Mahaska County; Betty J. Davis, Des Moines, Polk County, and Elizabeth A. Colby-Plautz, Fort Dodge, Webster County.

For reappointment to the Iowa Highway Research Board pursuant to Section 307D.4 for terms beginning May 1, 1991, and ending April 30, 1995:

Donald A. Anderson, Ames, Story County; Billy M. McCall, Ames, Story County, and Maryann L. Shinrock, Marion, Linn County.

For reappointment to the Iowa Product Development Corporation pursuant to Section 28.83 for terms beginning May 1, 1991, and ending April 30, 1995:

Don Gingerich, Parnell, Iowa County; Sally S. Naylor, Dubuque, Dubuque County, and Bruce Tamisiea, Spencer, Clay County.

For reappointment to the Iowa State Civil Rights Commission pursuant to Section 601A.3 for terms beginning May 1, 1991, and ending April 30, 1995:

Ruby Abebe, Waterloo, Black Hawk County, and Kenneth A. Robinson, Bayard, Guthrie County.

For reappointment to the Job Service Advisory Council pursuant to Section 96.11 for terms beginning May 1, 1991, and ending April 30, 1997:

Michael R. Ellis, LeMars, Plymouth County; William G. Gerhard, Iowa City, Johnson County, and Merlin D. Hulse, Clarence, Cedar County.

M. Susan Erickson, Ames, Story County, for reappointment to the Landscape Architectural Examining Board pursuant to Section 118A.3 for a term beginning May 1, 1991, and ending April 30, 1994.

Emmett B. Mathiasen, M.D., Council Bluffs, Pottawattamie County, for appointment to the Medical Examining Board pursuant to Section 147.14(2) for a term beginning May 1, 1991, and ending April 30, 1994.

Peter R. Teahen, Cedar Rapids, Linn County, for reappointment to the Mortuary Science Examining Board pursuant to Section 147.14(1) for a term beginning May 1, 1991, and ending April 30, 1994.

Elwyn T. Gaskill, Corwith, Hancock County, for reappointment to the Natural Resource Commission pursuant to Section 455A.5 for a term beginning May 1, 1991, and ending April 30, 1997.

For reappointment to the Optometry Examining Board pursuant to Section 147.14(6) for terms beginning May 1, 1991, and ending April 30, 1994:

James Hartzell, Des Moines, Polk County, and Ruth McAndrews, Davenport, Scott County.

Marian L. Roberts, Laurens, Pocahontas County, for reappointment to the Pharmacy Examining Board pursuant to Section 147.14(5) for a term beginning May 1, 1991, and ending April 30, 1994.

To the Podiatry Examining Board pursuant to Section 147.14(1) for terms beginning May 1, 1991, and ending April 30, 1994:

Lillian Madison, Independence, Buchanan County, for appointment and Brenda M. Salocker, Fort Dodge, Webster County, for reappointment.

To the Psychology Examining Board pursuant to Section 147.14(7) for terms beginning May 1, 1991, and ending April 30, 1994:

Carl S. Davis, Cedar Rapids, Linn County, for reappointment and Janet S. McDonough, Des Moines, Polk County, for appointment.

For reappointment to the Real Estate Appraiser Examining Board pursuant to Section 117B.4 for terms beginning May 1, 1991, and ending April 30, 1994:

Susan D. Albright, Boone, Boone County, and Earlis C. Rohret, Oxford, Johnson County.

Nancy E. Welter, Cedar Rapids, Linn County, for reappointment to the Respiratory Care Advisory Committee pursuant to Section 135F.13 for a term beginning May 1, 1991, and ending April 30, 1994.

For reappointment to the Speech Pathology and Audiology Examining Board pursuant to Section 147.14(9) for terms beginning May 1, 1991, and ending April 30, 1994:

Michael S. Pomper, Grinnell, Poweshiek County, and Michael D. Ralston, West Des Moines, Polk County.

For reappointment to the State Board of Examiners for Nursing Home Administrators pursuant to Section 135E.2 for terms beginning May 1, 1991, and ending April 30, 1994:

Steven C. Dowd, Coralville, Scott County; Gary A. Kirchhof, Cresco, Howard County; Alexa L. Mayner, Independence, Buchanan County; and Drucilla M. Straub, Des Moines, Polk County.

Lorenzo Jasso, Des Moines, Polk County, for reappointment to the State Foster Care Review Board pursuant to Section 237.16 for a term beginning May 1, 1991, and ending April 30, 1994.

For reappointment to the State Racing and Gaming Commission pursuant to Section 99D.5 for terms beginning May 1, 1991, and ending April 30, 1994:

Lorraine J. May, Des Moines, Polk County, and L.C. Pike, Grundy Center, Grundy County.

Thomas R. Scott, Iowa City, Johnson County, for reappointment to the State Soil Conservation Committee pursuant to Section 467A.4 for a term beginning May 1, 1991, and ending April 30, 1997.

The reconfirmation of Inga Bumbary-Langston as the Director of the Iowa State Civil Rights Commission has been deferred pursuant to Section 2.32(4). Ms. Bumbary-Langston is currently on leave of absence serving a fellowship at the John F. Kennedy School of Government. Ms. Bumbary-Langston will be returning to her position on September 3, 1991.

Sincerely,
TERRY E. BRANSTAD
Governor

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

COMMUNICATION FROM THE ATTORNEY GENERAL

The following communication from the Attorney General was presented:

February 28, 1991

The Honorable Joseph Welsh
President, Iowa Senate
State Capitol
L O C A L

Dear Senator Welsh:

Pursuant to my authority under Iowa Code Section 475A.1, I hereby appoint James Maret of Polk County, Iowa, to the office of Consumer Advocate for a term of four years to begin and end as prescribed in Section 475A.1 and Section 69.19. The Consumer Advocate is subject to confirmation by the Senate. I ask that you take whatever steps necessary to include Mr. Maret on the list of appointees to be confirmed by the Senate this year.

Mr. Maret has served as Consumer Advocate for eight years. I believe that he has done an excellent job of representing the interests of Iowa consumers before the Iowa Utilities Board and has in all respects performed the duties of his office with integrity and the highest level of professional competence. I ask that the Senate perform its duty and confirm Mr. Maret's appointment.

Very truly yours,
BONNIE J. CAMPBELL
Attorney General

Communication was read and referred to the committee on **Rules and Administration.**

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:07 p.m., until 4:30 p.m.

APPENDIX**STUDY BILLS RECEIVED****SSB 281 Commerce**

Relating to franchise agreements by enactment of a model franchise investment Act and provisions relating to motor vehicle fuel franchises, establishing criminal penalties and administrative assessments, establishing fees, and providing applicability and effective dates.

SSB 282 State Government

Relating to the authority of departmental policymaking boards, commissions, and councils.

SSB 283 State Government

Relating to the appointment of executive branch directors by policymaking boards, councils, and commissions, subject to senate confirmation.

SSB 284 Commerce

Relating to judgment liens.

SSB 285 Commerce

Relating to the regulation of insurance.

SSB 286 Agriculture

Requiring reporting of information relating to grain transactions by grain dealers and warehouse operators, and providing penalties.

REPORTS OF COMMITTEE MEETINGS**APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT**

Convened: March 7, 1991, 8:42 a.m.

Members Present: Riordan, Chair; Kramer, Ranking Member; Borlaug and Lloyd-Jones.

Members Absent: Boswell, Vice Chair (excused).

Committee Business: Reviewed budget.

Adjourned: 10:38 a.m.

BUSINESS AND LABOR RELATIONS

Convened: March 7, 1991, 10:35 a.m.

Members Present: Running, Chair; Sturgeon, Vice Chair; Fuhrman, Ranking Member; Buhr, Kinley, Peterson, Rensink, Slife and Taylor.

Members Absent: Palmer.

Committee Business: Recommended passage of Senate File 101 as amended; assigned bills to subcommittees.

Adjourned: 11:05 a.m.

COMMERCE

Convened: March 7, 1991, 11:05 a.m.

Members Present: Deluhery, Chair; Kinley, Vice Chair; Slife, Ranking Member; Doyle, Gettings, Gronstal, Jensen, Kersten, Lind, Nystrom, Palmer, Tieden and Varn.

Members Absent: Priebe and Sturgeon.

Committee Business: Recommended confirmation of governor's appointees; approved SSBs 182 and 183 as committee bills; amended and deferred action on SSB 47.

Adjourned: 11:20 a.m.

JUDICIARY

Convened: March 7, 1991, 2:44 p.m.

Members Present: Sturgeon, Chair; Rosenberg, Vice Chair; Fuhrman, Ranking Member; Connolly, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson, Slife and Varn.

Members Absent: none.

Committee Business: Approved SSB 93 as a committee bill.

Adjourned: 3:36 p.m.

RULES AND ADMINISTRATION

Convened: March 7, 1991, 3:45 p.m.

Members Present: Hutchins, Chair; Welsh, Vice Chair; Rife, Ranking Member; Gettings, Husak, Jensen, Kinley, Lloyd-Jones and Soorholtz.

Members Absent: none.

Committee Business: Recommended passage of Senate Resolutions 2 and 6; approved proposed committee resolutions relating to a Biennial Memorial Session, and petitioning the United States Navy for the return of the battleship USS Iowa's silver service; assigned resolutions to subcommittees.

Adjourned: 4:05 p.m.

STATE GOVERNMENT

Convened: March 7, 1991, 1:36 p.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Running, Soorholtz and Welsh.

Members Absent: Rife and Vande Hoef (both excused).

Committee Business: Approved SSBs 191 and 192 and ordered redrafted as one committee bill; recommended passage of Senate File 77; approved Senate File 224 as a committee bill; assigned bills to subcommittees; recommended confirmation of governor's appointees.

Adjourned: 2:25 p.m.

CERTIFICATE OF RECOGNITION

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

Jasan James Whitaker, West Burlington — For achieving the rank of Eagle Scout. Senator Hagerla (3-7-91).

PRESENTATION OF VISITORS

Senator Husak presented Hofi Sveinsdohir from Iceland and

Piia Rinne of Finland, exchange students both attending Washington High School in Vinton.

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 7, 1991, and recommended the appointees be confirmed:

Janis P. Rowedder as a member of the Chiropractic Examining Board.

Drucilla M. Straub as a member of the State Board of Examiners for Nursing Home Administrators.

PETITIONS

The following petitions were presented and placed on file by:

Senator Hutchins from two thousand two hundred seventeen residents of Iowa opposing legislation eliminating the REAP Program and the transferring of money from the Fish and Wildlife Trust Fund to the general fund.

Senator Kibbie from three hundred thirty-three residents of Palo Alto County favoring legislation requiring parental, guardian or custodian notification prior to the performance of an abortion on a minor.

Senator Kibbie from forty-four residents of Iowa favoring legislation relating to the licensing of the mental health profession of marital and family therapy and mental health counseling in the State of Iowa.

Senator Palmer from six hundred forty-five residents of Polk County requesting there be a designated smoking area in all city buildings.

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 11th day of March, 1991:

Senate File 218.

JOHN F. DWYER
Secretary of the Senate

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 6

RULES AND ADMINISTRATION: Husak, Chair; Gettings and Soorholtz

Senate Joint Resolution 6

RULES AND ADMINISTRATION: Lloyd-Jones, Chair; Rife and Welsh

Senate File 217

NATURAL RESOURCES: Priebe, Chair; Sturgeon and Tieden

Senate File 269

HUMAN RESOURCES: Buhr, Chair; Rittmer and Szymoniak

Senate File 281

HUMAN RESOURCES: Murphy, Chair; Horn and Tinsman

Senate File 291

HUMAN RESOURCES: Sturgeon, Chair; Rittmer and Szymoniak

Senate File 301

COMMERCE: Deluhery, Chair; Jensen and Varn

Senate File 308

HUMAN RESOURCES: Szymoniak, Chair; Horn and Rittmer

Senate File 312

TRANSPORTATION: Welsh, Chair; Gettings and Nystrom

Senate File 315

STATE GOVERNMENT: Horn, Chair; Drake and Welsh

Senate File 316

STATE GOVERNMENT: Welsh, Chair; Murphy and Nystrom

House File 275

TRANSPORTATION: Dieleman, Chair; Drake and Lloyd-Jones

**House File 307
(Reassigned)**

TRANSPORTATION: Dieleman, Chair; Drake and Pate

SSB 274

HUMAN RESOURCES: Taylor, Chair; Hannon and Horn

SSB 279

HUMAN RESOURCES: Hannon, Chair; Kramer and Sturgeon

SSB 280

HUMAN RESOURCES: Szymoniak, Chair; Hagerla and Riordan

SSB 281

COMMERCE: Gronstal, Chair; Kersten and Varn

SSB 282

STATE GOVERNMENT: Welsh, Chair; Murphy and Soorholtz

SSB 283

STATE GOVERNMENT: Kibbie, Chair; Drake, Horn, Murphy and Vande Hoef

SSB 284

COMMERCE: Doyle, Chair; Deluhery and Slife

SSB 285

COMMERCE: Gronstal, Chair; Doyle, Jensen, Palmer and Slife

SSB 286

AGRICULTURE: Priebe, Chair; Doyle, Hedge, Husak and Rittmer

COMMITTEE REPORTS

STATE GOVERNMENT

Final Bill Action: SENATE FILE 323 (formerly S.F. 224), a bill for an act relating to delegates to the Iowa congress on resource enhancement and protection.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes. 16: Kibbie, Lloyd-Jones, Nystrom, Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Running and Soorholtz. Nays, none. Absent or not voting, 3: Rife, Vande Hoef and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3098	S. F.	302	Ray Taylor
S—3099	H. F.	109	James B. Kersten Ray Taylor
S—3100	S. F.	193	William D. Palmer Mary E. Kramer Jean Lloyd-Jones Michael E. Gronstal Richard Vande Hoef Eugene Fraise

AFTERNOON SESSION

The Senate reconvened at 4:34 p.m., President pro tempore Lloyd-Jones presiding.

INTRODUCTION OF BILLS

Senate File 324, by Buhr, a bill for an act relating to authorized actions of local air pollution programs under the jurisdiction of the department of natural resources and providing penalties.

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

Senate File 325, by committee on State Government, a bill for an act relating to the administration of care provided and drugs administered to horses engaged in racing.

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

Senate File 326, by committee on State Government, a bill for an act exempting members, employees, and the secretary of the board of trustees for the statewide fire and police retirement system from certain liabilities, providing per diem compensation for board members, appropriating funds to the board, changing the date for completion of an actuarial study, providing that certain cities that did not participate in a chapter 411 retirement system as of May 3, 1990, are not required to participate in the statewide system, and providing retroactive applicability and effective date provisions.

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

Senate File 327, by committee on State Government, a bill for an act requiring that certain settlements of claims involving governmental bodies be filed with the governmental bodies as public records.

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

Senate File 328, by Fuhrman, a bill for an act relating to the authority of policymaking boards, commissions, and councils of certain departments.

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

Senate File 329, by committee on Transportation, a bill for an act authorizing the state department of transportation to adopt rules requiring public utilities to comply with the utility accommodation policy for the Iowa primary road system.

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

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 9, by Pate, Borlaug, McLaren, Taylor, Tinsman, Jensen, Tieden, Kersten and Rife, a concurrent resolution relating to the use of recycled products by the General Assembly.

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

Senate Concurrent Resolution 10, by Pate, a concurrent resolution relating to the establishment of a solid waste and recycling consortium.

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

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.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Borlaug for the afternoon on request on Senator Rife.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 186

On motion of Senator Nystrom, Senate File 186, a bill for an act relating to the patents depository library within the state library, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 186) the vote was:

Ayes, 47:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rosenberg
Running	Slife	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none:

Absent or not voting, 3:

Borlaug	Kinley	Rittmer
---------	--------	---------

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

Senate File 205

On motion of Senator Fraise, Senate File 205, a bill for an act relating to residency requirements for commercial mussel fishers 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?" (S.F. 205) the vote was:

Ayes, 48:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla

Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Borlaug Kinley

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

Senate File 288

On motion of Senator Drake, Senate File 288, a bill for an act requiring certain traffic signs posted on private roads or driveways to conform with the manual on uniform traffic-control devices, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 288) the vote was:

Ayes, 47:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hageria
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	

Nays, none:

Absent or not voting, 3:

Borlaug

Kinley

Welsh

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

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate Resolution 6, Senate Concurrent Resolutions 7 and 8 and Senate Resolution 2.

Senate Resolution 6

On motion of Senator Husak, Senate Resolution 6, a Senate resolution supporting military personnel in the Persian Gulf, with report of committee recommending passage, was taken up for consideration.

Senator Husak moved the adoption of Senate Resolution 6, which motion prevailed by a voice vote.

Senate Concurrent Resolution 7

On motion of Senator Horn, Senate Concurrent Resolution 7, a concurrent resolution relating to a Biennial Memorial Session, was taken up for consideration.

Senator Horn moved the adoption of Senate Concurrent Resolution 7, which motion prevailed by a voice vote.

Senate Concurrent Resolution 8

On motion of Senator Priebe, Senate Concurrent Resolution 8, a concurrent resolution petitioning the United States Navy for the return of the battleship USS Iowa's silver service, was taken up for consideration.

Senator Jensen asked and received unanimous consent that action on Senate Concurrent Resolution 8 be deferred.

Senate Resolution 2

On motion of Senator Husak, Senate Resolution 2, a resolution recommending the issuance of a commemorative stamp for the 100th anniversary of the chiropractic profession, with report of committee recommending passage, was taken up for consideration.

Senator Husak moved the adoption of Senate Resolution 2, which motion prevailed by a voice vote.

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate File 224** be referred from the Regular Calendar to committee on **State Government**.

BUSINESS PENDING

Senate Concurrent Resolution 8

The Senate resumed consideration of Senate Concurrent Resolution 8, previously deferred.

Senator Jensen offered amendment S—3101 filed by him from the floor to page 2 of the resolution and moved its adoption.

Amendment S—3101 was adopted by a voice vote.

Senator Priebe moved the adoption of Senate Concurrent Resolution 8 as amended, which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Concurrent Resolutions 7 and 8** be immediately messaged to the House.

INTRODUCTION OF BILLS

Senate File 330, by committee on Transportation, a bill for an act relating to tinted windows and making penalties applicable.

Read first time and placed on calendar.

Senate File 331, by committee on Transportation, a bill for an act extending traffic enforcement authority to mobile home parts.

Read first time and placed on calendar.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	322	Appropriations
S. F.	324	Environment & Energy Utilities

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on March 11, 1991, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 116 — Relating to the uniform controlled substances act.

SENATE FILE 150 — Relating to the department of natural resources, by providing for the use of unexpended moneys in the fish and game protection fund, and providing an effective date.

SENATE FILE 188 — Relating to therapeutically certified optometrists.

PRESENTATION OF VISITOR

Senator Kibbie welcomed the Honorable Gene Waldorf, State Senator from Minnesota, who was present in the Senate chamber.

COMMITTEE REPORTS

STATE GOVERNMENT

Final Bill Action: *SENATE FILE 325 (SSB 191), a bill for an act relating to the administration of care provided and drugs administered to horses engaged in racing.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes. 15: Kibbie, Lloyd-Jones, Nystrom, Buhr, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Priebe, Running, Soorholtz and Welsh. Nays, 1: Dieleman. Absent or not voting, 3: Murphy, Rife 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 State Government Committee on Senate File 325 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 326 (SSB 276), a bill for an act exempting members, employees, and the secretary of the board of trustees for the statewide fire and police retirement system from certain liabilities, providing per diem compensation for board members, appropriating funds to the board, changing the date for completion of an actuarial study, providing that certain cities that did not participate in a chapter 411 retirement system as of May 3, 1990, are not required to participate in the statewide system, and providing retroactive applicability and effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes. 12: Kibbie, Nystrom, Buhr, Dieleman, Doyle, Drake, Gronstal, Lind, McLaren, Murphy, Rife and Vande Hoef. Nays, 4: Lloyd-Jones, Horn, Priebe and Running. Absent or not voting, 3: Kramer, Soorholtz and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 327 (SSB 61), a bill for an act requiring that certain settlements of claims involving governmental bodies be filed with the governmental bodies as public records.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes. 15: Kibbie, Lloyd-Jones, Nystrom, Buhr, Dieleman, Doyle, Gronstal, Horn, Lind, McLaren, Priebe, Rife, Running, Vande Hoef and Welsh. Nays, 1: Drake. Absent or not voting, 3: Kramer, Murphy and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 73, a bill for an act relating to drivers license reciprocity for minors.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Fraise, Connolly, Drake, Dieleman, Gettings, Jensen, Kersten and Lloyd-Jones. Nays, none. Absent or not voting, 4: Kinley, Nystrom, Pate and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 329 (SSB 147), a bill for an act relating to public utilities in highway rights-of-way.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Fraise, Connolly, Drake, Dieleman, Gettings, Jensen, Kersten and Lloyd-Jones. Nays, none. Absent or not voting, 4: Kinley, Nystrom, Pate and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 330 (SSB 208), a bill for an act relating to tinted windows and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Fraise, Drake, Dieleman, Gettings, Jensen, Kersten and Lloyd-Jones. Nays, 1: Connolly. Absent or not voting, 4: Kinley, Nystrom, Pate and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 331 (SSB 4), a bill for an act extending traffic enforcement authority to selected parcels of privately owned property.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Fraise, Connolly, Drake, Dieleman, Gettings, Jensen, Kersten, Nystrom and Lloyd-Jones. Nays, none. Absent or not voting, 3: Kinley, Pate and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 332 (SSB 145), a bill for an act relating to safety standards for privately owned, public use airports.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Fraise, Connolly, Drake, Dieleman, Gettings, Jensen, Kersten and Lloyd-Jones. Nays, none. Absent or not voting, 4: Kinley, Nystrom, Pate and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 307, a bill for an act making technical Code changes relating to transportation.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Fraise, Connolly, Drake, Dieleman, Gettings, Jensen, Kersten and Lloyd-Jones. Nays, none. Absent or not voting, 4: Kinley, Nystrom, Pate and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 186 passed the Senate on March 11, 1991.

JOE J. WELSH

INTRODUCTION OF BILL

Senate File 332, by committee on Transportation, a bill for an act relating to safety standards for privately owned, public use airports.

Read first time under Rule 28 and placed on calendar.

AMENDMENT FILED

S-3101 S. C.R. 8 John W. Jensen

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:19 p.m., until 9:00 a.m., Tuesday, March 12, 1991.

JOURNAL OF THE SENATE

FIFTY-EIGHTH CALENDAR DAY
THIRTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 12, 1991

The Senate met in regular session at 9:08 a.m., President Welsh presiding.

Prayer was offered by the Reverend Richard Hough, pastor of the First Baptist Church, Creston, Iowa.

The Journal of Monday, March 11, 1991, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Kinley for the remainder of the week and Senator Murphy until he arrives on request of Senator Hutchins; Senator Kersten for the morning on request of Senator Fuhrman; and Senator Borlaug for the day on request of Senator Rife.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 7, 1991, passed the following bills in which the concurrence of the Senate is asked:

House File 357, a bill for an act establishing the Iowa uniform premarital agreement Act, and providing effective date and applicability provisions.

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

House File 380, a bill for an act requiring the state registrar to provide a certified copy of a birth certificate when the certificate is registered.

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

House File 385, a bill for an act requiring the state department of transportation to publish an official Iowa map.

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

House File 386, a bill for an act relating to public utility reorganizations and providing an effective date.

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

INTRODUCTION OF BILLS

Senate File 333, by Sturgeon, a bill for an act relating to the establishment of a state environmental policy and requiring certain activities by governmental units regarding the state environmental policy and its implementation, and providing an effective date.

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

Senate File 334, by Lind, a bill for an act prohibiting certain activities by a former official, employee of a state agency, or member of the general assembly during the two years after cessation of service or employment, and providing exceptions.

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

QUORUM CALL

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

Senator Kibbie took the chair at 9:14 a.m.

President Welsh took the chair at 9:20 a.m.

The vote revealed 43 present, 7 absent and a quorum present.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 231

On motion of Senator Lloyd-Jones, **Senate File 231**, a bill for an act allowing the issuance of personalized collegiate registration

plates for motor vehicles, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Lloyd-Jones offered amendment S—3084 filed by the committee on Transportation on March 5, 1991, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3084 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. 231) the vote was:

Ayes, 45:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Kramer	Lind	Lloyd-Jones	McLaren
Miller	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Welsh			

Nays, none:

Absent or not voting, 5:

Borlaug	Kersten	Kinley	Murphy
Varn			

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

House File 73

On motion of Senator Rittmer, House File 73, a bill for an act relating to the definition of vacancy in office for elected county officers, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 73) the vote was:

Ayes, 45:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Kramer	Lind	Lloyd-Jones	McLaren
Miller	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Welsh			

Nays, none:

Absent or not voting, 5:

Borlaug	Kersten	Kinley	Murphy
Varn			

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

Senate File 77

On motion of Senator Priebe, Senate File 77, a bill for an act relating to the duties of the lieutenant governor and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Priebe asked and received unanimous consent that action on Senate File 77 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 Welsh presiding.

INTRODUCTION OF RESOLUTION

Senate Resolution 7, by Riordan, a senate resolution to urge and request that the Senate Agriculture Committee and House Agriculture Committee of the United States Congress support American agriculture by immediately working to ensure that the federal 1990 Farm Bill improves family farm profitability in order to enhance this nation's vitality and economic revitalization.

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

INTRODUCTION OF BILLS

Senate File 335, by Priebe, a bill for an act to prohibit persons receiving state funds from engaging in lobbying activities relating to salary increases for public officials or employees.

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

Senate File 336, by committee on State Government, a bill for an act relating to the historical resource development program.

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

Senate File 337, by committee on Transportation, a bill for an act relating to contracts for road, bridge, and culvert construction.

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

RECESS

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

APPENDIX**STUDY BILLS RECEIVED****SSB 287 Agriculture**

Relating to the sale of raw milk.

SSB 288 Agriculture

To increase the percentage of the state ceiling allocated to qualified small issue bonds issued for first-time farmers, and providing an effective date.

SSB 289 Agriculture

Providing for the rescue and maintenance of neglected animals, providing for penalties, and providing for the repeal of a provision.

SSB 290 Education

Relating to the special needs adjustment program for school districts.

SSB 291 Education

Establishing a chiropractic subvention program for Iowa chiropractic colleges and universities.

SSB 292 Education

Establishing a chiropractic grant for Iowa resident graduate students.

SSB 293 Judiciary

Relating to the enforcement of child custody and visitation orders.

SUBCOMMITTEE ASSIGNMENTS

Senate File 279

LOCAL GOVERNMENT: Miller, Chair; Szymoniak and Vande Hoef

Senate File 280

APPROPRIATIONS: Szymoniak, Chair; Riordan and Tinsman

Senate File 296

WAYS AND MEANS: Rosenberg, Chair; Connolly and Drake

Senate File 304

WAYS AND MEANS: Dieleman, Chair; Hester and Husak

Senate File 305

ENVIRONMENT AND ENERGY UTILITIES: Rosenberg, Chair; Hannon and Kersten

Senate File 306

ENVIRONMENT AND ENERGY UTILITIES: Rosenberg, Chair; Deluhery and Jensen

Senate File 309

LOCAL GOVERNMENT: Fraise, Chair; Boswell and Rittmer

Senate File 319

LOCAL GOVERNMENT: Miller, Chair; Hannon and Rittmer

Senate File 320

APPROPRIATIONS: Husak, Chair; Gettings and Tieden

House File 302

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

House File 325

ENVIRONMENT AND ENERGY UTILITIES: Miller, Chair; Borlaug and Fraise

House File 343

ENVIRONMENT AND ENERGY UTILITIES: Deluhery, Chair; Rosenberg, Soorholtz

SSB 287

AGRICULTURE: Vande Hoef, Chair; Hester and Husak

SSB 288

AGRICULTURE: Soorholtz, Chair; Palmer and Priebe

SSB 289

AGRICULTURE: Doyle, Chair; Hester and Palmer

SSB 293

JUDICIARY: Deluhery, Chair; Fuhrman and Murphy

REPORTS OF COMMITTEE MEETINGS**STATE GOVERNMENT**

Convened: March 11, 1991, 1:40 p.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Lind, McLaren, Murphy, Priebe, Rife, Running, Vande Hoef and Welsh.

Members Absent: Kramer and Soorholtz (both excused).

Committee Business: Approved SSBs 61 and 276 and Senate File 244 as committee bills; assigned bills to subcommittees.

Adjourned: 2:11 p.m.

TRANSPORTATION

Convened: March 11, 1991, 2:40 p.m.

Members Present: Fraise, Chair; Connolly, Vice Chair; Drake, Ranking Member; Dieleman, Gettings, Jensen, Kersten, Lloyd-Jones, Nystrom and Welsh.

Members Absent: Kinley and Pate.

Committee Business: Assigned bills to subcommittees; approved SSBs 43, 146, 147, 4, 208 and 145 as committee bills; recommended passage of Senate File 73 and House File 307.

Adjourned: 3:20 p.m.

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

The committee on Rules and Administration referred the following appointments to state boards, commissions and departments to Senate standing committees as indicated for investigation on March 12, 1991:

AGRICULTURE

Thomas R. Scott — State Soil Conservation Committee.

BUSINESS AND LABOR RELATIONS

Michael R. Ellis, William G. Gerhard and Merlin D. Hulse — Job Service Advisory Council.

COMMERCE

William G. Sizer, H. Idris Thomas and Tom N. Sarvis — Credit Union Review Board.

EDUCATION

Arthur A. Neu and Mary E. Sievert — First in the Nation in Education Foundation Governing Board.

Don M. Gunderson, Calvin W. Halliburton and Rhea Renee Walker — Board of Education Examiners.

ENVIRONMENT AND ENERGY UTILITIES

James Maret — Consumer Advocate

HUMAN RESOURCES

Elmer Vermeer and Bertrum T. Bidne — Commission of Elder Affairs.

Charlotte Nelson — Administrator of the Division on the Status of Women.

Arlene H. Dayhoff — Council on Human Services.

Lorenzo Jasso — State Foster Care Review Board.

Donald Westergard — Administrator of the Division of Persons with Disabilities.

James G. Snyder — Commission on the Deaf.

Robert J. Martin — Commission for the Blind.

Robert A. Witt, Barbara A. Muir and Jane Dubberke — Board of Physician Assistant Examiners.

JUDICIARY

Ruby Abebe and Kenneth A. Robinson — Iowa State Civil Rights Commission.

Jean Klingaman and Harold C. McCormick — Board of Corrections.

Jack F. Breithaupt — Commission on Judicial Qualifications.

Barbara Binnie — Board of Parole.

NATURAL RESOURCES

Elwyn T. Gaskill — Natural Resource Commission.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Ann Jorgensen and Toni Lazar — Iowa Economic Development Board.

Don Gingerich, Sally S. Naylor and Bruce Tamisiea — Iowa Product Development Corporation.

STATE GOVERNMENT

Kenneth L. Mueller and Sister Marilyn S. Whitty — Chiropractic Examining Board.

Harriet A. Healy and Dana L. Barrer — Campaign Finance Disclosure Commission.

Donna J. Weiss — Barber Examining Board.

Wayne R. Venter — Alcoholic Beverages Commission.

Nancy E. Welter — Respiratory Care Advisory Committee.

Susan D. Albright and Earlis C. Rohret — Real Estate Appraiser Examining Board.

Michael S. Pomper and Michael D. Ralston — Speech Pathology and Audiology Examining Board.

Thomas L. Erpelding and Daryl K. Henze — Accountancy Examining Board.

Roger A. Chapman — Cosmetology Examining Board.

Richard W. Pattschull — Architectural Examining Board.

Drucilla M. Straub, Alexa L. Mayner, Steven C. Dowd and Gary A. Kirchof — State Board of Examiners for Nursing Home Administrators.

Eugene M. Meister and Kenneth Culp — Board of Nursing Examiners.

Charles Finch and Richard Garrells — Dietetic Examining Board.

M. Susan Erickson — Landscape Architectural Examining Board.

Lynn M. Feldmann — Iowa Emergency Response Commission.

Richard Marr and Jolee L. Belzung — Engineering and Land Surveying Examining Board.

Emmett B. Mathiasen — Medical Examining Board.

Brenda M. Salocker and Lillian Madison — Podiatry Examining Board.

Coral M. Jud — Board of Examiners for the Licensing and Regulation of Hearing Aid Dealers.

Lorraine J. May and L.C. Pike — State Racing and Gaming Commission.

Janet S. McDonough and Carl S. Davis — Psychology Examining Board.

Marian L. Roberts — Pharmacy Examining Board.

Ruth McAndrews and James Hartzell — Optometry Examining Board.

Peter R. Teahen — Mortuary Science Examining Board.

TRANSPORTATION

Donald A. Anderson, Billy M. McCall and Maryann L. Shinrock — Iowa Highway Research Board.

WAYS AND MEANS

Margaret Clements, Elizabeth A. Colby-Plautz and Betty J. Davis — Iowa Finance Authority.

Ted R. Chapler — Executive Director of the Iowa Finance Authority.

BILL HUTCHINS, Chair

SUBCOMMITTEE ASSIGNMENTS FOR APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were

appointed to subcommittees of standing committees on March 12, 1991, to investigate the appointment and reappointment of the following appointees:

AGRICULTURE

As a member of the State Soil Conservation Committee:

THOMAS R. SCOTT: Peterson, Chair; Palmer and Priebe

JUDICIARY

As members of the Board of Corrections:

HAROLD C. McCORMICK: Gronstal, Chair; Peterson and Hester
JEAN KLINGAMAN: Deluhery, Chair; Rosenberg and Slife

As a member of the Board of Parole:

BARBARA BINNIE: Gronstal, Chair; Fuhrman and Murphy

As a member of the Commission on Judiciary Qualifications:

JACK F. BREITHAUPT: Peterson, Chair; Hagerla and Connolly

As members of the Iowa State Civil Rights Commission:

RUBY ABEBE: Peterson, Chair; Hagerla and Connolly
KENNETH A. ROBINSON: Horn, Chair; Fuhrman and Varn

STATE GOVERNMENT

As members of the Accountancy Examining Board:

THOMAS L. ERPELDING: Priebe, Chair; Soorholtz and Vande Hoef
DARYL K. HENZE: Kramer, Chair; Drake and Welsh

As a member of the Alcoholic Beverages Commission:

WAYNE R. VENTER: Horn, Chair; Murphy and Lind

As a member of the Architectural Examining Board:

RICHARD W. PATTSCHULL: Lloyd-Jones, Chair; Murphy and Lind

As a member of the Barber Examining Board:

DONNA J. WEISS: Running, Chair; Horn and Nystrom

As a member of the Board of Examiners for the Licensing and Regulation of Hearing Aid Dealers:

CORAL M. JUD: Doyle, Chair; Priebe and Nystrom

As members of the Board of Nursing Examiners:

KENNITH CULP: Lloyd-Jones, Chair; Kramer and Gronstal

EUGENE M. MEISTER: Priebe, Chair; Soorholtz and Doyle

As members of the Campaign Finance Disclosure Commission:

DANA L. BARRER: Dieleman, Chair; Gronstal and Soorholtz

HARRIET A. HEALY: Lind, Chair; Soorholtz and Welsh

As members of the Chiropractic Examining Board:

KENNETH L. MUELLER: Murphy, Chair; Welsh and McLaren

SISTER MARILYN S. WHITTY: Nystrom, Chair; Kramer and Buhr

As a member of the Cosmetology Examining Board:

ROGER A. CHAPMAN: Lind, Chair; McLaren and Gronstal

As members of the Dietetic Examining Board:

CHARLES FINCH: Buhr, Chair; Doyle and McLaren

RICHARD GARRELLS: Rife, Chair; Drake and Dieleman

As members of the Engineering and Land Surveying Examining Board:

JOLEE L. BELZUNG: Buhr, Chair; Nystrom and Kramer

RICHARD MARR: Drake, Chair; Rife and Kibbie

As a member of the Iowa Emergency Response Commission:

LYNN M. FELDMANN: Welsh, Chair; Murphy and Nystrom

As a member of the Landscape Architectural Examining Board:

M. SUSAN ERICKSON: Buhr, Chair; Welsh and Nystrom

As a member of the Medical Examining Board:

EMMETT B. MATHIASSEN: Gronstal, Chair; McLaren and Doyle

As a member of the Mortuary Science Examining Board:

PETER R. TEAHEN: Horn, Chair; Doyle and Lind

As members of the Optometry Examining Board:

JAMES HARTZELL: Kramer, Chair; Lloyd-Jones and Nystrom
RUTH McANDREWS: Drake, Chair; Rife and Lloyd-Jones

As a member of the Pharmacy Examining Board:

MARIAN L. ROBERTS: Vande Hoef, Chair; Kibbie and Priebe

As members of the Podiatry Examining Board:

LILLIAN MADISON: Murphy, Chair; Buhr and Soorholtz
BRENDA M. SALOCKER: Priebe, Chair; Doyle and Lind

As members of the Psychology Examining Board:

CARL S. DAVIS: Horn, Chair; Lind and Murphy
JANET S. McDONOUGH: Kramer, Chair; Buhr and Vande Hoef

As members of the Real Estate Appraiser Examining Board:

SUSAN D. ALBRIGHT: Nystrom, Chair; Buhr and Drake
EARLIS C. ROHRET: Lloyd-Jones, Chair; Kramer and Doyle

As a member of the Respiratory Care Advisory Committee:

NANCY E. WELTER: Horn, Chair; Running and Rife

As members of the Speech Pathology and Audiology Examining Board:

MICHAEL S. POMPER: Dieleman, Chair; Soorholtz and Priebe
MICHAEL D. RALSTON: Kramer, Chair; Buhr and Horn

As members of the State Board of Examiners for Nursing Home Administrators:

STEVEN C. DOWD: Drake, Chair; Rife and Welsh
GARY A. KIRCHHOF: Lind, Chair; Doyle and Priebe
ALEXA L. MAYNER: Running, Chair; Vande Hoef and Horn
DRUCILLA M. STRAUB: Nystrom, Chair; Lloyd-Jones and Dieleman

As members of the State Racing and Gaming Commission:

LORRAINE J. MAY: Buhr, Chair; Priebe and Soorholtz
L.C. PIKE: Welsh, Chair; Drake and Soorholtz

TRANSPORTATION

As members of the Iowa Highway Research Board:

DONALD A. ANDERSON: Dieleman, Chair; Welsh and Jensen

BILLY M. McCALL: Gettings, Chair; Lloyd-Jones and Nystrom
MARYANN L. SHINROCK: Connolly, Chair; Fraise and Drake

WAYS AND MEANS

As members of the Iowa Finance Authority:

MARGARET CLEMENTS: Hedge, Chair; Dieleman and Taylor
BETTY J. DAVIS: Szymoniak, Chair; Rosenberg and Hester
ELIZABETH A. COLBY-PLAUTZ: Deluhery, Chair; Fraise and Hester

As Executive Director of the Iowa Finance Authority:

TED R. CHAPLER: Palmer, Chair; Drake and Fuhrman

COMMITTEE REPORTS

COMMERCE

Final Bill Action: SENATE FILE 339 (SSB 47), a bill for an act relating to exempting a bank from providing evidence of financial security when making an application for registration as a travel agency.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Deluhery, Slife, Doyle, Gettings, Jensen, Lind, Nystrom, Palmer, Tieden and Varn. Nays, none. Absent or not voting, 5: Kinley, Gronstal, Kersten, Priebe and Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 30, a bill for an act relating to the care and treatment of minors by a licensed substance abuse treatment facility, physician, or hospital.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3104.

Final Vote: Ayes, 12: Hannon, Buhr, Hagerla, Horn, Kramer, Murphy, Riordan, Rittmer, Sturgeon, Szymoniak, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 281, a bill for an act relating to the posting of annual surveys of health care facilities.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Hannon, Buhr, Hagerla, Horn, Kramer, Murphy, Riordan, Rittmer, Sturgeon, Szymoniak, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 291, a bill for an act relating to the date of completion of the transfer of responsibilities for certain child support orders from the department of human services to the judiciary department.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Hannon, Buhr, Hagerla, Horn, Kramer, Murphy, Riordan, Rittmer, Sturgeon, Szymoniak, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 308, a bill for an act relating to the Iowa uniform controlled substances Act.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Hannon, Buhr, Hagerla, Horn, Kramer, Murphy, Riordan, Rittmer, Sturgeon, Szymoniak, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 341 (SSB 73), a bill for an act relating to child abuse.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hannon, Buhr, Hagerla, Horn, Kramer, Murphy, Riordan, Rittmer, Sturgeon, Szymoniak, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 342 (SSB 130), a bill for an act relating to the prevention of disabling conditions by establishing a prevention of disabilities policy board, an advisory council to the board, and the position of commissioner of disability prevention.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hannon, Buhr, Hagerla, Horn, Kramer, Murphy, Riordan, Rittmer, Sturgeon, Szymoniak, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 343 (SSB 76), a bill for an act relating to the medical assistance program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hannon, Buhr, Hagerla, Horn, Kramer, Murphy, Riordan, Rittmer, Sturgeon, Szymoniak, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 344 (SSB 274), a bill for an act to permit licensed advanced registered nurse practitioners who are certified registered nurse anesthetists to prescribe and administer drug therapy when it is necessary for peri-operative management in the care of a patient.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hannon, Buhr, Hagerla, Horn, Kramer, Murphy, Riordan, Rittmer, Sturgeon, Szymoniak, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 345 (SSB 131), a bill for an act relating to state programs and institutions serving persons with mental retardation, developmental disabilities, or mental illness.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hannon, Buhr, Hagerla, Horn, Kramer, Murphy, Riordan, Rittmer, Sturgeon, Szymoniak, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 336 (formerly S.F. 244), a bill for an act relating to the historical resource development program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Kibbie, Lloyd-Jones, Nystrom, Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Lind, McLaren, Priebe, Rife, Running, Vande Hoef and Welsh. Nays, none. Absent or not voting, 3: Kramer, Murphy and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: *SENATE FILE 337 (SSB 43), a bill for an act relating to contracts for road, bridge, and culvert construction.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Fraise, Connolly, Drake, Dieleman, Gettings, Jensen, Kersten and Lloyd-Jones. Nays, none. Absent or not voting, 4: Kinley, Nystrom, Pate and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Transportation Committee on Senate File 337 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 338 (SSB 146), a bill for an act requiring a fee for issuance of a temporary restricted license and increasing the fee for escort services.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Fraise, Connolly, Drake, Dieleman, Gettings, Jensen, Kersten and Lloyd-Jones. Nays, none. Absent or not voting, 4: Kinley, Nystrom, Pate and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Transportation Committee on Senate File 338 and they were attached to the committee report.

AFTERNOON SESSION

The Senate reconvened at 4:50 p.m., President Welsh presiding.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 11, by Boswell, Hutchins, Running, Husak, Dieleman, Jensen, Hedge, Rensink, Rittmer, Kibbie, Murphy, Deluhery, Kersten, Hannon, Soorholtz, Tieden, Taylor, Drake, Szymoniak, Fraise, Hagerla, Lloyd-Jones and Borlaug, a concurrent resolution protesting the lack of progress and results of investigations of Americans missing in action in Southeast Asia.

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

Senate Concurrent Resolution 12, by Sturgeon, a concurrent resolution relating to support for the Baltic States of Lithuania, Latvia, and Estonia in their efforts to establish democratically elected governments and to condemn the Soviet government for its brutal acts of violence against the Baltic States.

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

Senate Concurrent Resolution 13, by Szymoniak, a concurrent resolution relating to assistive technology and endorsing the efforts of the Iowa Council on Assistive Technology.

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

INTRODUCTION OF BILLS

Senate File 338, by committee on Transportation, a bill for an act relating to movement of indivisible loads of excessive size and weight and increasing the fee for escort services.

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

Senate File 339, by committee on Commerce, a bill for an act relating to exempting certain financial institutions from providing evidence of financial security when making an application for registration as a travel agency.

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

Senate File 340, by Nystrom and Kibbie, a bill for an act relating to retirement benefits of members of the Iowa public employees' retirement system who retire due to disability and providing an effective date and applicability date.

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

Senate File 341, by committee on Human Resources, a bill for an act relating to child abuse.

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

Senate File 342, by committee on Human Resources, a bill for an act relating to the prevention of disabling conditions by establishing a prevention of disabilities policy board and a technical assistance committee of the board and by making an appropriation.

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

Senate File 343, by committee on Human Resources, a bill for an act relating to the medical assistance program.

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

Senate File 344, by committee on Human Resources, a bill for an act to permit licensed advanced registered nurse practitioners who are certified registered nurse anesthetists to prescribe and administer drug therapy when it is necessary for peri-operative management in the care of a patient.

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

Senate File 345, by committee on Human Resources, a bill for an act relating to state programs and institutions serving persons with mental retardation, developmental disabilities, or mental illness.

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

APPENDIX

SUBCOMMITTEE ASSIGNMENTS FOR APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of a standing committee on March 12, 1991, to investigate the appointment and reappointment of the following Governor's appointees:

COMMERCE

As members of the Credit Union Review Board:

TOM N. SARVIS: Palmer, Chair; Sturgeon and Slife
WILLIAM G. SIZER: Lind, Chair; Gettings and Slife
H. IDRIS THOMAS: Gettings, Chair; Priebe and Jensen

REPORT OF COMMITTEE ON RULES AND ADMINISTRATION

MR. PRESIDENT: Pursuant to Senate Concurrent Resolution 1, the committee on Rules and Administration submits the following changes:

Research Analyst I	Curtis Stamp	Step 2 to Step 3 Effective 2-15-91
Administrative Assistant to Leader I	Stephanie Laudner	Step 1 to Step 2 Effective 3-15-91
Research Analyst I	Ann Molis	Step 1 to Step 2 Effective 3-15-91
Research Analyst II to Research Analyst III	Carolanh Jensen	Grade 30 Step 2 to Grade 33 Step 1 Effective 3-15-91

BILL HUTCHINS, Chair

BILLS ASSIGNED TO COMMITTEE

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

S. F.	328	State Government
S. F.	334	State Government
S. F.	335	Appropriations

S.F.	340	State Government
S.C.R.	9	Rules and Administration
S.C.R.	10	Environment & Energy Utilities
S.C.R.	11	Rules and Administration
S.C.R.	13	Small Business & Economic Development
S.R.	7	Agriculture
H.F.	357	Judiciary
H.F.	380	Human Resources
H.F.	385	Transportation

AMENDMENTS FILED

S-3102	S.F.	77	Berl E. Priebe
S-3103	S.F.	48	Elaine Szymoniak
S-3104	S.F.	30	Human Resources

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 4:52 p.m., until 9:00 a.m., Wednesday, March 13, 1991.

JOURNAL OF THE SENATE

FIFTY-NINTH CALENDAR DAY
THIRTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 13, 1991

The Senate met in regular session at 9:05 a.m., President pro tempore Lloyd-Jones presiding.

Prayer was offered by the Reverend Arthur Allen, retired Baptist Minister of Laurel, Montana.

The Journal of Tuesday, March 12, 1991, was approved.

INTRODUCTION OF BILL

Senate File 346, by Varn, a bill for an act relating to payments made pursuant to public contracts.

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

QUORUM CALL

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

The vote revealed 46 present, 4 absent and a quorum present.

INTRODUCTION OF BILL

Senate File 347, by Priebe, a bill for an act relating to the sale of cold or refrigerated alcoholic beverages, and subjecting violators to an existing penalty.

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

RECESS

On motion of Senator Horn, the Senate recessed at 9:23 a.m., until 4:30 p.m.

APPENDIX**STUDY BILLS RECEIVED****SSB 294 Local Government**

Relating to the appointment of the clerk or secretary to a city civil service commission.

SSB 295 Local Government

Relating to co-operative ownership of residential, business property, and providing an applicability date.

SSB 296 Ways and Means

An Act establishing a retroactive effective date for exemption from taxation of gross receipts from the sale of consumer rental purchase property and providing an effective date.

SSB 297 Education

An Act to establish a parent education program.

SSB 298 Business and Labor

Relating to equipment used for the construction of and maintenance of way for railroad tracks by establishing safety standards and providing a penalty.

SSB 299 Commerce

Relating to securities by regulating transactions involving securities and regulating persons engaged in businesses related to the issuance or trading of securities, and providing penalties.

SSB 300 Commerce

Relating to the financial supervision and solvency oversight of insurance companies by the commissioner of insurance and accreditation of the insurance division as an approved insurance regulator by the national association of insurance commissioners, imposing civil liability, authorizing administrative and criminal penalties, and providing effective dates and applicability provisions.

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 10**

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

Senate Concurrent Resolution 13

SMALL BUSINESS/ECONOMIC DEVELOPMENT: Riordan, Chair; Hannon and Rittmer

Senate File 324

ENVIRONMENT AND ENERGY UTILITIES: Deluhery, Chair; Kersten and Rosenberg

House File 296

HUMAN RESOURCES: Burh, Chair; Hagerla and Szymoniak

House File 322

SMALL BUSINESS/ECONOMIC DEVELOPMENT: Borlaug, Chair; Miller and Pate

SSB 294

LOCAL GOVERNMENT: Buhr, Chair; Fraise and Rittmer

SSB 295

LOCAL GOVERNMENT: Szymoniak, Chair; Borlaug and Miller

SSB 298

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

SSB 299

COMMERCE: Palmer, Chair; Deluhery and Nystrom

SSB 300

COMMERCE: Gronstal, Chair; Doyle, Jensen, Palmer and Slife

REPORTS OF COMMITTEE MEETINGS**AGRICULTURE**

Convened: March 12, 1991, 8:02 a.m.

Members Present: Priebe, Chair; Peterson, Vice Chair; Soorholtz, Ranking Member; Doyle, Fraise, Hedge, Hester, Husak, McLaren, Miller, Palmer, Riordan, Rittmer and Vande Hoef.

Members Absent: Boswell.

Committee Business: Presentation by Dr. Felker, state veterinarian, regarding sheep; presentation by Dr. Allen Trenkle, Professor at Iowa State University of Animal Science, and Lyle Scheelhaas regarding corn byproduct feeds for ruminants; assigned bills to subcommittees.

Adjourned: 9:47 a.m.

COMMERCE

Convened: March 12, 1991, 10:40 a.m.

Members Present: Deluhery, Chair; Slife, Ranking Member; Doyle, Gettings, Gronstal, Jensen, Lind, Nystrom, Palmer, Sturgeon, Tieden and Varn.

Members Absent: Kinley, Vice Chair (excused); Kersten (excused) and Priebe.

Committee Business: Assigned bills to subcommittees; approved SSB 47 as a committee bill; amended and deferred action on SSB 12.

Adjourned: 10:55 a.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: March 12, 1991, 1:35 p.m.

Members Present: Rosenburg, Chair; Gronstal, Vice Chair; Jensen, Ranking Member; Borlaug, Deluhery, Fraise, Hannon, Hedge, Kersten, Miller and Varn.

Members Absent: Soorholtz (excused).

Committee Business: Assigned bills to subcommittees; amended SSB 233 and ordered redrafted as a committee bill.

Adjourned: 2:20 p.m.

HUMAN RESOURCES

Convened: March 11, 1991, 2:40 p.m.

Members Present: Hannon, Chair; Buhr, Vice Chair; Hagerla, Ranking Member; Horn, Kramer, Murphy, Riordan, Rittmer, Sturgeon, Szymoniak, Taylor and Tinsman.

Members Absent: none.

Committee Business: Approved SSBs 73, 76, 130, 131 and 274 as committee bills; recommended passage of Senate Files 308, 291 and 281; recommended Senate File 30 as amended; deferred action on Senate File 198.

Adjourned: 3:47 p.m.

JUDICIARY

Convened: March 12, 1991, 3:36 p.m.

Members Present: Sturgeon, Chair; Rosenberg, Vice Chair; Fuhrman, Ranking Member; Connolly, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Pate, Peterson, Slife and Varn.

Members Absent: Murphy (excused).

Committee Business: Amended and deferred action on SSBs 99 and 177; approved SSBs 79 and 82 as committee bills.

Adjourned: 4:45 p.m.

RULES AND ADMINISTRATION

Convened: March 12, 1991, 9:15 a.m.

Members Present: Hutchins, Chair; Welsh, Vice Chair; Rife, Ranking Member; Gettings, Husak, Jensen, Lloyd-Jones and Soorholtz.

Members Absent: Kinley (excused).

Committee Business: Assigned governor's appointees to standing committees for investigation.

Adjourned: 9:20 a.m.

WAYS AND MEANS

Convened: March 12, 1991, 2:40 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hedge, Ranking Member; Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Palmer, Rosenberg, Szymoniak and Taylor.

Members Absent: Murphy (excused).

Committee Business: Assigned bills to subcommittees; approved SSB 227 as a committee bill.

Adjourned: 3:05 p.m.

CERTIFICATE OF RECOGNITION

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

Virgil Umthun, Eagle Grove — For a long history of civic and community involvement and election as Chairman of the Board of Interstate Truckload Carriers Conference. Senator Taylor (3-13-91).

COMMUNICATIONS

The following communications were received in the office of the Secretary of the Senate:

February 5, 1991

Mr. John F. Dwyer
Secretary of the Senate
Statehouse
LOCAL

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 118 claims of general nature that were denied by the State Appeal Board during April, 1990 through January, 1991.

The attached index shows claim number, name and address of claimant and the amount requested in the claim.

Sincerely,
Richard D. Johnson
Chairperson
STATE APPEAL BOARD

Receipt of the above is hereby acknowledged.

JOHN F. DWYER
Secretary of the Senate

February 5, 1991

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 & Judgements (general torts and highway) paid during 1990 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,
Gretchen Tegeler
Acting Director
DEPARTMENT OF MANAGEMENT

Receipt of the above is hereby acknowledged.

JOHN F. DWYER
Secretary of the Senate

The foregoing items have been filed with the Senate Appropriations Subcommittee on Claims.

SUBCOMMITTEE ASSIGNMENTS FOR APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committees on March 12, 1991, to investigate the appointment and reappointment of the following appointees:

BUSINESS AND LABOR RELATIONS

As members of the Job Service Advisory Council:

MICHAEL R. ELLIS: Rensink, Chair; Running and Slife

WILLIAM G. GERHARD: Palmer, Chair; Peterson and Slife
MERLIN D. HULSE: Taylor, Chair; Kinley and Fuhrman

HUMAN RESOURCES

As Administrator of the Division of Persons with Disabilities:

DONALD WESTERGARD: Buhr, Chair; Hannon and Taylor

As Administrator of the Division on the Status of Women:

CHARLOTTE NELSON: Horn, Chair; Buhr and Rittmer

As members of the Board of Physician Assistant Examiners:

JANE DUBBERKE: Hannon, Chair; Murphy and Tinsman
BARBARA A. MUIR: Riordan, Chair; Szymoniak and Rittmer
ROBERT A. WITT: Taylor, Chair; Szymoniak and Murphy

As a member of the Commission for the Blind:

ROBERT J. MARTIN: Rittmer, Chair; Riordan and Sturgeon

As members of the Commission of Elder Affairs:

BERTRUM T. BIDNE: Riordan, Chair; Murphy and Kramer
ELMER VERMEER: Sturgeon, Chair; Riordan and Hagerla

As a member of the Commission on the Deaf:

JAMES G. SNYDER: Kramer, Chair; Horn and Murphy

As a member of the Council on Human Services:

ARLENE H. DAYHOFF: Szymoniak, Chair; Sturgeon and Tinsman

As a member of the State Foster Care Review Board:

LORENZO JASSO: Hagerla, Chair; Hannon and Buhr

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

As members of the Iowa Economic Development Board:

ANN JORGENSEN: Hannon, Chair; Borlaug and Running
TONI LAZAR: Kramer, Chair; Riordan and Vande Hoef

As members of the Iowa Product Development Corporation:

DON GINGERICH: Pate, Chair; Riordan and Running

SALLY S. NAYLOR: Rittmer, Chair; Peterson and Miller
BRUCE TAMISIEA: Kibbie, Chair; Pate and Peterson

COMMITTEE REPORTS

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: SENATE FILE 362 (SSB 233), a bill for an act relating to petroleum underground storage tanks by raising the maximum use taxes deposited in the Iowa comprehensive underground storage tank fund and adjusting the diminution cost factor, establishing monitoring certificates, requiring certain corrective action rules, defining free product, providing for double-walled tanks as a corrective action cost, providing for payment of corrective action costs for certain not-for-profit organizations, establishing requirements for site cleanup reports, changing copayment schedules for remedial action, extending property liens, limiting cleanup payments, extending loan maturity dates and offering a special interest rate buy-down, extending upgrade dates, offering insurance coverage for certified tank installers and for property transfers, limiting rights of recovery and subrogation under the insurance account, requiring certification and registration of groundwater professionals, imposing an environmental damage offset, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Rosenberg, Gronstal, Jensen, Borlaug, Fraise, Hedge, Kersten, Miller and Varn. Nays, none. Absent or not voting, 3: Deluhery, Hannon and Soorholtz.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 363 (SSB 280), a bill for an act to permit advanced nurse practitioners to prescribe noncontrolled substances or devices under certain circumstances.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hannon, Buhr, Hagerla, Horn, Kramer, Murphy, Riordan, Rittmer, Sturgeon, Szymoniak, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 131, 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: Rosenberg, Fuhrman, Connolly, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson, Slife and Varn. Nays, none. Absent or not voting, 1: Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 355 (SSB 79), a bill for an act relating to authorizing a spouse to execute a power of attorney instrument sufficient to relinquish homestead rights and inchoate surviving spouse's statutory share in the homestead.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Sturgeon, Rosenberg, Fuhrman, Connolly, Deluhery, Gronstal, Hagerla, Hester, Horn, Pate, Peterson, Slife and Varn. Nays, none. Absent or not voting, 2: Drake and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: SENATE CONCURRENT RESOLUTION 13, a concurrent resolution relating to assistive technology and endorsing the efforts of the Iowa Council on Assistive Technology.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Riordan, Hannon, Borlaug, Boswell, Kibbie, Kramer and Running. Nays, none. Absent or not voting, 5: Miller, Pate, Peterson, Rittmer and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: HOUSE FILE 220, a bill for an act to create a lien against aircraft and certain aircraft equipment in favor of persons who have installed the equipment in the aircraft and providing priority of the lien against prior lienholders of record.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3107.

Final Vote: Ayes, 9: Fraise, Connolly, Drake, Gettings, Jensen, Kersten, Lloyd-Jones, Nystrom and Pate. Nays, none. Absent or not voting, 3: Dieleman, Kinley and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 254, a bill for an act relating to corn shellers and feed grinders and special mobile equipment.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Fraise, Connolly, Drake, Dieleman, Gettings, Jensen, Kersten, Lloyd-Jones, Nystrom and Pate. Nays, none. Absent or not voting, 2: Kinley and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: *SENATE FILE 350 (SSB 227), a bill for an act relating to the franchise tax on financial institutions and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Dieleman, Husak, Hedge, Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Palmer, Rosenberg, Szymoniak and Taylor. Nays, none. Absent or not voting, 1: Murphy.

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 350 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 356 (SSB 137), a bill for an act relating to the administration of the individual income tax, by amending the requirement that each tax return include two voter registration forms; providing uniformity in the priority of the various income tax credits; specifying that the incomes covered in the government pension exclusion are considered for purposes of determining if taxpayers qualify for total exemption from tax; providing that qualification for the tuition and textbook deduction and the tuition and textbook credit is based on taxpayers' net incomes instead of their federal adjusted gross incomes; providing

for revision in the computation of the child and dependent care credit and allocation of the credit between married taxpayers and nonresidents and part-year resident taxpayers; relating to the penalty for delinquent payment of fuel taxes resulting from a check given in payment but not honored because of insufficient funds; relating to access to confidential tax information by certain persons and the application of confidentiality laws of the state; relating to penalty provisions on the filing of certain tax returns and failure to submit payment of taxes as required by the rules of the director of revenue and finance; relating to the due date for income tax returns for nonprofit corporations subject to the unrelated business income tax; relating to use tax on vehicles subject to registration or only subject to the issuance of title; relating to the exemption from inheritance tax of the share of the estate passing to the surviving spouse; relating to payment of interest to taxpayers owed refunds for inheritance tax; relating to payment of refunds of the environmental protection charge; and providing effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Dieleman, Husak, Hedge, Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Palmer and Rosenberg. Nays, none. Absent or not voting, 2: Szymoniak and Taylor.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 344, a bill for an act relating to the membership of the state revenue estimating conference and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Dieleman, Husak, Hedge, Connolly, Deluhery, Fraise, Murphy and Rosenberg. Nays, 4: Drake, Fuhrman, Hester and McLaren. Absent or not voting, 3: Palmer, Szymoniak and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 4:36 p.m., President pro tempore Lloyd-Jones presiding.

INTRODUCTION OF BILLS

Senate File 348, by Hagerla, Vande Hoef, Taylor, Pate, Hedge, Nystrom, Jensen, Tieden and Hester, a bill for an act requiring study and formulation of a plan to implement salt substitutes for the deicing of state highways.

Read first time and passed on file.

Senate File 349, by Hagerla, a bill for an act relating to standards for motor vehicle fuel, and making a penalty applicable.

Read first time and passed on file.

Senate File 350, by committee on Ways and Means, a bill for an act relating to the franchise tax on financial institutions and providing an effective date.

Read first time and placed on Ways and Means Calendar.

Senate File 351, by Husak, a bill for an act relating to the setoff of criminal fines, civil penalties, surcharges, or court costs against an income tax refund or rebate owed the debtor.

Read first time and passed on file.

Senate File 352, by Priebe and Varn, a bill for an act relating to the interest penalty applied to delinquent property taxes.

Read first time and passed on file.

Senate File 353, by Gronstal, a bill for an act prohibiting telephone companies from billing for certain telephone calls.

Read first time and passed on file.

Senate File 354, by Taylor, a bill for an act to provide for the reporting of student academic deficiencies from postsecondary education institutions to secondary schools.

Read first time and passed on file.

Senate File 355, by committee on Judiciary, a bill for an act relating to authorizing a spouse to execute a power of attorney instrument sufficient to relinquish homestead rights and surviving spouse's statutory share in the homestead.

Read first time and placed on calendar.

Senate File 356, by committee on Ways and Means, a bill for an act relating to the administration of the individual income tax, by amending the requirement that each tax return include two voter registration forms; providing uniformity in the priority of the various income tax credits; specifying that the incomes covered in the government pension exclusion are considered for purposes of determining if taxpayers qualify for total exemption from tax; providing that qualification for the tuition and textbook deduction and the tuition and textbook credit is based on taxpayers' net incomes instead of their federal adjusted gross incomes; providing for revision in the computation of the child and dependent care credit and allocation of the credit between married taxpayers and nonresidents and part-year resident taxpayers; relating to the penalty for delinquent payment of fuel taxes resulting from a check given in payment but not honored because of insufficient funds; relating to access to confidential tax information by certain persons and the application of confidentiality laws of the state; relating to penalty provisions on the filing of certain tax returns and failure to submit payment of taxes as required by the rules of the director of revenue and finance; relating to the due date for income tax returns for nonprofit corporations subject to the unrelated business income tax; relating to use tax on vehicles subject to registration or only subject to the issuance of title; relating to the exemption from inheritance tax of the share of the estate passing to the surviving spouse; relating to payment of interest to taxpayers owed refunds for inheritance tax; relating to payment of refunds of the environmental protection charge; and providing effective dates.

Read first time and placed on Ways and Means Calendar.

Senate File 357, by Szymoniak, a bill for an act relating to advanced emergency medical care by designating a new level of nonemergency transportation, and limitations on liability of certified advanced emergency medical care providers and others in making determinations of a nonemergency.

Read first time and passed on file.

Senate File 358, by Szymoniak, a bill for an act relating to 911 and enhanced 911 emergency telephone systems, defining fraudulent uses of those systems for nonemergency purposes, and providing penalties.

Read first time and passed on file.

Senate File 359, by Dieleman and Taylor, a bill for an act relating to the definitions used in the areas of child abuse and child in need of assistance proceedings.

Read first time and passed on file.

Senate File 360, by Dieleman and Taylor, a bill for an act relating to physical abuse of or injury to children, providing definitions, and excepting certain forms of corporal punishment from prohibited conduct.

Read first time and passed on file.

Senate File 361, by Dieleman and Taylor, a bill for an act relating to procedures for intake of child abuse reports.

Read first time and passed on file.

Senate File 362, by committee on Environment and Energy Utilities, a bill for an act relating to petroleum underground storage tanks by raising the maximum use taxes deposited in the Iowa comprehensive underground storage tank fund and adjusting the diminution cost factor, establishing monitoring certificates, requiring certain corrective action rules, defining free product, providing for double-walled tanks as a corrective action cost, providing for payment of corrective action costs for certain not-for-profit organizations, establishing requirements for site cleanup reports, changing copayment schedules for remedial action, extending property liens, limiting cleanup payments, extending loan maturity dates and offering a special interest rate buy-down, extending upgrade dates, offering insurance coverage for certified tank installers and for property transfers, limiting rights of recovery and subrogation under the insurance account, requiring certification and registration of groundwater professionals, imposing an environmental damage offset, and providing an effective date.

Read first time and placed on calendar.

Senate File 363, by committee on Human Resources, a bill for an act to permit advanced nurse practitioners to prescribe noncontrolled substances or devices under certain circumstances.

Read first time and placed on calendar.

Senate File 364, by Nystrom, a bill for an act relating to joint investment of funds by public entities.

Read first time and passed on file.

Senate File 365, by Szymoniak, a bill for an act relating to the making of emergency telephone calls by expanding the definition of falsely claiming an emergency for nonemergency purposes and providing a penalty.

Read first time and passed on file.

Senate File 366, by Murphy, a bill for an act relating to the definition of governmental body for purposes of the open meetings law.

Read first time and passed on file.

Senate File 367, by Tinsman, Tieden, Drake, Palmer, Kramer, Lloyd-Jones and Priebe, a bill for an act requiring agencies of departments, establishments, and agencies of state government to develop program performance budgets and providing an applicability provision.

Read first time and passed on file.

Senate File 368, by Riordan, a bill for an act relating to covenants not to compete in employment contracts.

Read first time and passed on file.

Senate File 369, by committee on Judiciary, a bill for an act relating to corporation law by providing electronic access to corporate records, relating to the removal or resignation of directors, relating to certain notice requirements, and by making certain nonsubstantive corrections.

Read first time and placed on calendar.

Senate File 370, by committee on Judiciary, a bill for an act relating to the marketable title of real estate.

Read first time and placed on calendar.

Senate File 371, by Kibbie, a bill for an act to reinstate the provision for payment of debt service aid by the department of management for portions of reorganized school districts which have incurred a higher tax rate for bonded indebtedness as a result of reorganization.

Read first time and passed on file.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 11, 1991, passed the following bill in which the concurrence of the Senate is asked:

House File 358, a bill for an act relating to the requirements for acquisition plats of land divided solely for right-of-way purposes.

This bill was read first time and passed on file.

ALSO: That the House has on March 13, 1991, 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 209, a bill for an act relating to and making supplemental appropriations for the remainder of the fiscal year ending June 30, 1991, to the department of human services, national conference of state legislatures, department of general services, department of revenue and finance, department of public safety, department of inspections and appeals, college student aid commission, board of regents institutions, office of lieutenant governor, department of transportation, pioneer lawmakers, the office of the state public defender, department of human rights, Iowa finance authority, department of economic development, department of corrections, and extending ethanol fuel project, and increasing the court civil penalty surcharge, and providing effective dates.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Hannon for the remainder of the day on request of Senator Horn; Senators Hutchins, Welsh and Dieleman for the remainder of the week on request of Senator Horn; and Senators Rife and McLaren for the remainder of the week on request of Senator Hagerla.

BILL REASSIGNED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate File 278** be reassigned from committee on **Appropriations** to the committee on **Ways and Means**.

MOTION TO RECONSIDER WITHDRAW

Senate File 166

Senator Murphy withdrew the motion to reconsider Senate File 166, a bill for an act restricting the burning of vegetation or debris within rights-of-way of public roads and providing a penalty, filed by him on February 21, 1991, and found on page 418 of the Senate Journal.

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.

ADOPTION OF RESOLUTION (Regular Calendar)

Senate Concurrent Resolution 13

On motion of Senator Szymoniak, Senate Concurrent Resolution 13, a concurrent resolution relating to assistive technology and endorsing the efforts of the Iowa Council on Assistive Technology, with report of committee recommending passage, was taken up for consideration.

Senator Szymoniak moved the adoption of Senate Concurrent Resolution 13, which motion prevailed by a voice vote and the resolution was adopted.

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 233

On motion of Senator Szymoniak, Senate File 233, a bill for an act relating to appeals from school board action under open enrollment, providing discretionary authority to the state board of education in hearing appeals, and providing for rulemaking, 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. 233) the vote was:

Ayes, 39:

Borlaug	Buhr	Connolly	Deluhery
Doyle	Drake	Fuhrman	Gronstal
Hagerla	Hedge	Hester	Horn
Husak	Jensen	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Varn	

Nays, 4:

Boswell	Fraise	Gettings	Vande Hoef
---------	--------	----------	------------

Absent or not voting, 7:

Dieleman	Hannon	Hutchins	Kinley
McLaren	Rife	Welsh	

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 291** be referred from the Regular Calendar to committee on **Judiciary**.

INTRODUCTION OF BILLS

Senate File 372, by committee on Human Resources, a bill for an act relating to child in need of assistance proceedings and certain child abuse registry information.

Read first time and placed on calendar.

Senate File 373, by Taylor and Dieleman, a bill for an act providing that parties in certain contested cases involving the department of human services or department of inspections and appeals may appoint persons to represent the parties at evidentiary hearings.

Read first time and passed on file.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	333	Environment & Energy Utilities
S. F.	347	State Government
S. F.	348	Transportation
S. F.	351	Ways and Means
S. F.	352	Ways and Means
S. F.	353	Commerce
S. F.	354	Education
S. F.	357	Human Resources
S. F.	358	Judiciary
S. F.	359	Human Resources
S. F.	360	Human Resources
S. F.	361	Human Resources
S. C. R.	12.	Rules and Administration

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 12, 1991, to investigate the appointment and reappointment of the following appointees:

EDUCATION

As members of the Board of Educational Examiners:

DON M. GUNDERSON: Murphy, Chair; Kibbie and Tinsman
 CALVIN W. HALLIBURTON: Horn, Chair; Connolly and Rensink
 RHEA RENEE WALKER: Dieleman, Chair; Deluhery and Kramer

As members of the First in the Nation in Education Foundation Governing Board:

ARTHUR A. NEU: Connolly, Chair; Kibbie and Tieden
 MARY E. SIEVERT: Szymoniak, Chair; Tinsman and Deluhery

ENVIRONMENT AND ENERGY UTILITIES

As Consumer Advocate:

JAMES MARET: Gronstal, Chair; Rosenberg and Jensen

COMMITTEE REPORTS**HUMAN RESOURCES**

Final Bill Action: SENATE FILE 85, a bill for an act relating to the exemption of certain church-related instructional programs from the definition of child day care.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3113.

Final Vote: Ayes, 12: Hannon, Buhr, Hagerla, Horn, Kramer, Murphy, Riordan, Rittmer, Sturgeon, Szymoniak, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 372 (SSB 75), a bill for an act relating to child in need of assistance proceedings and certain child abuse registry information.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Hannon, Buhr, Hagerla, Horn, Kramer, Murphy, Riordan, Rittmer, Sturgeon, Szymoniak, Taylor and Tinsman. Nays, none. Absent or not voting, 1: Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: *SENATE FILE 369 (SSB 82), a bill for an act relating to corporation law by providing electronic access to corporate records, relating to the removal or resignation of directors, relating to certain notice requirements, and by making certain nonsubstantive corrections.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Sturgeon, Rosenberg, Fuhrman, Connolly, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Pate, Peterson, Slife and Varn. Nays, none. Absent or not voting, 1: Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 369 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 370 (SSB 176), a bill for an act relating to the marketable title of real estate.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Sturgeon, Rosenberg, Fuhrman, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Slife and Varn. Nays, 2: Connolly and Peterson.

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

Final Bill Action: SENATE FILE 309, a bill for an act relating to the duties of the county compensation board.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Miller, Szymoniak, Rittmer, Borlaug, Buhr, Fraise, Jensen and Vande Hoef. Nays, none. Absent or not voting, 2: Boswell and Hannon.

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

Final Bill Action: SENATE FILE 81, a bill for an act relating to safety procedures required for water skiers and surfboarders and subjecting violators to an existing penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Palmer, Kibbie, Hester, Dieleman, Hagerla, Hedge, Priebe, Rensink, Riordan, Rosenberg, Sturgeon and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 264, a bill for an act to prohibit the obstruction of a person who is lawfully hunting, fishing, or trapping, and providing a penalty.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3112.

Final Vote: Ayes, 11: Palmer, Kibbie, Hester, Dieleman, Hagerla, Hedge, Priebe, Rensink, Riordan, Sturgeon and Tieden. Nays, 1: Rosenberg.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3105	S.F.	77	Jim Lind
S-3106	S.F.	77	Jim Lind
S-3107	H.F.	220	Transportation
S-3108	S.F.	259	Eugene Fraise
S-3109	S.F.	284	Wally Horn
S-3110	H.F.	297	Mike Connolly
S-3111	S.F.	73	Mike Connolly
S-3112	S.F.	264	Natural Resources
S-3113	S.F.	85	Human Resources
S-3114	S.F.	85	Ray Taylor
S-3115	S.F.	4	Eugene Fraise
			John Peterson
			John Jensen
			Leonard Boswell
			Richard Vande Hoef
			Emil Husak
			James Riordan
			Alvin Miller
			John Kibbie
			Berl Priebe
			James Kersten
S-3116	S.F.	293	Larry Murphy
S-3117	S.F.	341	Maggie Tinsman
			Sheldon Rittmer
			Larry Murphy
			Jim Riordan

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:16 p.m., until 9:00 a.m., Thursday, March 14, 1991.

JOURNAL OF THE SENATE

SIXTIETH CALENDAR DAY
THIRTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 14, 1991

The Senate met in regular session at 9:03 a.m., President pro tempore Lloyd-Jones presiding.

Prayer was offered by the Reverend Ed Kail, District Superintendent of the Ottumwa District, United Methodist Church, Ottumwa, Iowa.

The Journal of Wednesday, March 13, 1991, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Szymoniak and Doyle for the day on request of Senator Horn and Senator Slife for the day on request of Senator Hagerla.

SPECIAL GUEST

Senator Kibbie presented Brendan Kenneally, T.D., member of the Irish Parliament. He was accompanied by his wife, Martina; Neil Bergus, deputy consultant general from Ireland, stationed in Chicago; and Miss Shamrock, Tracy Runneberg of Emmetsburg.

Mr. Kenneally spoke to the Senate and extended an invitation to the St. Patrick's Day Parade and celebration in Emmetsburg March 15, 16 and 17.

COMMITTEE OF THE WHOLE

Senator Horn moved that the Senate resolve itself into a committee of the whole to discuss the topic of reapportionment and that President pro tempore Lloyd-Jones serve as chair of the committee.

The motion prevailed by a voice vote.

QUORUM CALL

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

The vote revealed 34 present, 16 absent and a quorum present.

Diane Bolender, Director, and Gary Kaufman, Senior Legal Counsel, of the Legislative Service Bureau were present in the well for a presentation regarding reapportionment legislation.

On motion of Senator Horn, the Senate arose from the committee of the whole and resumed regular session, President pro tempore Lloyd-Jones presiding.

MOTION TO RESCIND (Senate File 278)

Senator Horn asked and received unanimous consent to rescind the request by him to reassign **Senate File 278** from the committee on **Appropriations** to the committee on **Ways and Means** on March 13, 1991.

INTRODUCTION OF BILL

Senate File 374, by committee on Local Government, a bill for an act relating to the appeal of local governmental budgets.

Read first time and placed on calendar.

RECESS

On motion of Senator Horn, the Senate recessed at 11:10 a.m., until 4:30 p.m.

APPENDIX**STUDY BILLS RECEIVED****SSB 301 Natural Resources**

An act to create a Missouri river preservation and land use authority and fund.

SSB 302 Commerce

Relating to health insurance reforms by limiting small group premium rating practices, increasing access to affordable basic benefits health insurance, authorizing certain premium credits and tax exemptions for qualifying health insurance plans and insureds, and providing an appropriation.

SSB 303 State Government

Relating to campaign finance disclosure by changing the definition of a candidate's committee, requiring the reporting to the treasurer of a committee of all contributions received by a person for the committee, requiring disclosure reports of out-of-state political action committees, changing the number of disclosure reports required in nonelection years, providing that the treasurer of a committee is not responsible for filing disclosure reports or liable for civil penalties, allowing contributions from family owned corporations, directing the use of leftover campaign funds and prohibiting certain uses, and providing for a civil penalty for violations regarding placement of political signs.

SSB 304 State Government

Relating to the liability of the state or a municipality concerning traffic control signals.

SSB 305 Judiciary

Relating to judicial officers having jurisdiction over civil commitment proceedings and providing an effective date.

SSB 306 Judiciary

Relating to child support guidelines.

SSB 307 Judiciary

Relating to victims of criminal acts and associated penalties.

SSB 308 Judiciary

Relating to habitual offender status, assault causing serious injury, and providing penalties.

SUBCOMMITTEE ASSIGNMENTS**Senate File 252**

EDUCATION: Connolly, Chair; Kramer and Murphy

Senate File 261

EDUCATION: Horn, Chair; Murphy and Tieden

Senate File 291

JUDICIARY: Sturgeon, Chair; Horn and Pate

Senate File 292

EDUCATION: Horn, Chair; Connolly and Taylor

Senate File 295

EDUCATION: Murphy, Chair; Rensink and Running

Senate File 328

STATE GOVERNMENT: Welsh, Chair; Murphy and Soorholtz

Senate File 334

STATE GOVERNMENT: Running, Chair; Lind and Welsh

Senate File 340

STATE GOVERNMENT: Nystrom, Chair; Dieleman and Kibbie

Senate File 347

STATE GOVERNMENT: Horn, Chair; Priebe and Soorholtz

Senate File 353

COMMERCE: Palmer, Chair; Deluhery and Nystrom

Senate File 358

JUDICIARY: Fuhrman, Chair; Hagerla and Peterson

House File 357

JUDICIARY: Sturgeon, Chair; Rosenberg and Slife

House File 385

TRANSPORTATION: Fraise, Chair; Gettings and Jensen

SSB 290

EDUCATION: Connolly, Chair; Horn and Tieden

SSB 291

EDUCATION: Varn, Chair; Murphy and Taylor

SSB 292

EDUCATION: Varn, Chair; Murphy and Taylor

SSB 297

EDUCATION: Connolly, Chair; Rensink, Szymoniak, Tinsman and Varn

SSB 301

NATURAL RESOURCES: Rosenberg, Chair; Hedge and Riordan

SSB 302

COMMERCE: Gronstal, Chair; Doyle, Jensen, Palmer and Slife

SSB 303

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

SSB 304

STATE GOVERNMENT: Murphy, Chair; Dieleman and Drake

SSB 305

JUDICIARY: Varn, Chair; Horn and Slife

SSB 306

JUDICIARY: Rosenberg, Chair; Hester and Horn

SSB 307

JUDICIARY: Rosenberg, Chair; Connolly and Slife

SSB 308

JUDICIARY: Deluhery, Chair; Connolly and Fuhrman

REPORTS OF COMMITTEE MEETINGS

BUSINESS AND LABOR RELATIONS

Convened: March 13, 1991, 1:30 p.m.

Members Present: Running, Chair; Fuhrman, Ranking Member; Buhr, Palmer, Peterson and Rensink.

Members Absent: Sturgeon, Vice Chair; Kinley (excused), Slife and Taylor.

Committee Business: Assigned bills and appointees to subcommittees.

Adjourned: 1:35 p.m.

EDUCATION

Convened: March 13, 1991, 3:36 p.m.

Members Present: Connolly, Chair; Horn, Vice Chair; Taylor, Ranking Member; Deluhery, Kibbie, Kramer, Lind, Murphy, Rensink, Running, Szymoniak, Tieden, Tinsman and Varn.

Members Absent: Dieleman (excused).

Committee Business: Assigned bills and appointees to subcommittees; amended Senate File 61 and ordered redrafted for final approval as a committee bill; approved SSBs 204 and 153 as committee bills; deferred action on Senate File 204.

Adjourned: 4:37 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: March 13, 1991, 1:35 p.m.

Members Present: Rosenberg, Chair; Gronstal, Vice Chair; Jensen, Ranking Member; Borlaug, Fraise, Hedge, Kersten, Miller and Varn.

Members Absent: Deluhery, Hannon (excused) and Soorholtz.

Committee Business: Assigned bills to subcommittees; approved SSB 233 as a committee bill.

Adjourned: 1:40 p.m.

HUMAN RESOURCES

Convened: March 13, 1991, 9:41 a.m.

Members Present: Hannon, Chair; Buhr, Vice Chair; Hagerla, Ranking Member; Horn, Kramer, Murphy, Riordan, Rittmer, Sturgeon, Szymoniak, Taylor and Tinsman.

Members Absent: none.

Committee Business: Recommended passage of Senate File 85 as amended; deferred action on Senate File 269; approved SSBs 75 and 280 as committee bills.

Adjourned: 11:03 a.m.

JUDICIARY

Convened: March 13, 1991, 10:45 a.m.

Members Present: Sturgeon, Chair; Rosenberg, Vice Chair; Fuhrman, Ranking Member; Connolly, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson, Slife and Varn.

Members Absent: none.

Committee Business: Amended and approved SSB 235 as a committee bill; approved SSBs 176 and 81 as committee bills; recommended passage of Senate File 131.

Adjourned: 11:39 a.m.

LOCAL GOVERNMENT

Convened: March 13, 1991, 2:39 p.m.

Members Present: Miller, Chair; Szymoniak, Vice Chair; Rittmer, Ranking Member; Borlaug, Buhr, Fraise, Jensen and Vande Hoef.

Members Absent: Boswell and Hannon (both excused).

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 309; approved SSB 251 as a committee bill.

Adjourned: 3:16 p.m.

NATURAL RESOURCES

Convened: March 13, 1991, 2:30 p.m.

Members Present: Palmer, Chair; Kibbie, Vice Chair; Hester, Ranking Member; Dieleman, Hagerla, Hedge, Priebe, Rensink, Riordan, Rosenberg, Sturgeon and Tieden.

Members Absent: none.

Committee Business: Recommended passage of Senate File 81; recommended passage of Senate File 264 as amended; amended and approved SSB 193 as a committee bill; recommended confirmation of governor's appointee; assigned SSB 301 to subcommittee.

Adjourned: 3:10 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: March 13, 1991, 11:30 a.m.

Members Present: Riordan, Chair; Hannon, Vice Chair; Borlaug, Ranking Member; Boswell, Kibbie, Kramer and Running.

Members Absent: Miller, Pate, Peterson, Rittmer and Vande Hoef (all excused).

Committee Business: Recommended passage of Senate Concurrent Resolution 13; assigned bill and appointees to subcommittees; recommended confirmation of governor's appointee.

Adjourned: 11:35 a.m.

TRANSPORTATION

Convened: March 13, 1991, 9:35 a.m.

Members Present: Fraise, Chair; Connolly, Vice Chair; Drake, Ranking Member; Dieleman, Gettings, Jensen, Kersten, Lloyd-Jones, Nystrom and Pate.

Members Absent: Kinley and Welsh (both excused).

Committee Business: Assigned appointees to subcommittees; recommended passage of House File 220 as amended; recommended passage of House File 254; deferred action on Senate File 14.

Adjourned: 10:00 a.m.

WAYS AND MEANS

Convened: March 13, 1991, 8:37 a.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hedge, Ranking Member; Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Murphy, Palmer, Rosenberg and Taylor.

Members Absent: Szymoniak.

Committee Business: Recommended passage of House File 344; approved SSB 137 as a committee bill.

Adjourned: 9:02 a.m.

PRESENTATION OF VISITOR

Senator Kramer presented Angie Kim, 1991 Iowa Young Woman of the Year. Angie, a student at Ames High School with a college choice of Northwestern and a career goal of a pianist, will represent Iowa at the June national finals in Mobile, Alabama.

SUBCOMMITTEE ASSIGNMENT FOR APPOINTMENT TO COMMISSION

In accordance with Senate Rule 59, the following senators were appointed to a subcommittee of a standing committee on March 13, 1991, to investigate the reappointment of the following Governor's appointee:

NATURAL RESOURCES

As a member of the Natural Resource Commission:

ELWYN T. GASKILL: Priebe, Chair; Rosenberg and Tieden

REPORTS OF STANDING COMMITTEES
(Place nominees on En Bloc Confirmation)

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 13, 1991, and recommended the appointees be confirmed:

Allan L. Axeen, Danny C. Carroll, Bonnie B. Dull, Lois H. Eichacker, Sandra G. Evans, Hubert M. Houser, Thomas F. Nugent and Stephanie A. Stebens as members of the Commission on Community Action Agencies.

Jim D. Davis as a member of the Council on Human Services.

Lorenzo Jasso and Thomas Lee Lippert as members of the State Foster Care Review Board.

Teree L. Caldwell-Johnson as a member of the State Health Facilities Council.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Thomas C. Dorr as a member of the Wallace Technology Transfer Foundation of Iowa.

COMMITTEE REPORTS

EDUCATION

Final Bill Action: SENATE FILE 378 (SSB 153), a bill for an act relating to the weighting plan to be used to provide funds for the excess costs of instruction of children requiring special education.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Connolly, Horn, Deluhery, Kibbie, Kramer, Lind, Rensink, Running, Szymoniak, Tieden, and Varn. Nays, 1: Murphy. Absent or not voting, 3: Taylor, Dieleman and Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 379 (SSB 204), a bill for an act to establish a math and science grant program under the administration of the department of education and creating a math and science account.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Connolly, Horn, Taylor, Deluhery, Kibbie, Kramer, Lind, Murphy, Rensink, Running, Szymoniak, Tieden, Tinsman and Varn. Nays, none. Absent or not voting, 1: Dieleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 376 (SSB 81), a bill for an act establishing the Iowa uniform premarital agreement Act.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Sturgeon, Rosenberg, Fuhrman, Connolly, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson, Slife and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 377 (SSB 235), a bill for an act relating to the assignment of indigent criminal and juvenile cases to the state public defender.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Connolly, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson, Slife and Varn. Nays, 1: Fuhrman. Absent or not voting, 2: Sturgeon and Rosenberg.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 374 (SSB 251), a bill for an act relating to the appeal of local governmental budgets.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Miller, Szymoniak, Rittmer, Borlaug, Buhr, Fraise, Jensen and Vande Hoef. Nays, none. Absent or not voting, 2: Boswell and Hannon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: *SENATE FILE 382 (SSB 193), a bill for an act relating to rural water districts.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Palmer, Kibbie, Hester, Dieleman, Hagerla, Hedge, Priebe, Rensink, Riordan, Rosenberg, Sturgeon and Tieden. 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 Natural Resources Committee on Senate File 382 and they were attached to the committee report.

AFTERNOON SESSION

The Senate reconvened at 4:33 p.m., President pro tempore Lloyd-Jones presiding.

INTRODUCTION OF BILLS

Senate Joint Resolution 7, by Murphy, Hannon and Riordan, a joint resolution to request that the Congress of the United States amend the Constitution of the United States to provide for the prohibition of federal and state action which desecrates or dilutes rights guaranteed under the Bill of Rights.

Read first time and passed on file.

Senate File 375, by Husak, a bill for an act relating to waste tire management and imposing a fee.

Read first time and passed on file.

Senate File 376, by committee on Judiciary, a bill for an act establishing the Iowa uniform premarital agreement Act, and providing effective date and applicability provisions.

Read first time and placed on calendar.

Senate File 377, by committee on Judiciary, a bill for an act relating to the assignment of indigent criminal and juvenile cases to the state public defender and providing an effective date.

Read first time and placed on calendar.

Senate File 378, by committee on Education, a bill for an act relating to the weighting plan to be used to provide funds for the excess costs of instruction of children requiring special education.

Read first time and placed on calendar.

Senate File 379, by committee on Education, a bill for an act to establish a math and science grant program under the administration of the department of education and creating a math and science account.

Read first time and placed on calendar.

Senate File 380, by Welsh, a bill for an act requiring a single registration plate to be displayed on the rear of a vehicle and providing for replacement of existing plates.

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

Senate File 381, by Varn and Murphy, a bill for an act relating to the required provision of case management services by supervisory personnel employed by the department of human services.

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

Senate File 382, by committee on Natural Resources, a bill for an act relating to rural water districts.

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

Senate File 383, by committee on Commerce, a bill for an act relating to the installation of smoke detectors in multiple-unit residential buildings and single-family dwellings and making penalties applicable.

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

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 14, by Gronstal, a concurrent resolution relating to ratification of the United Nations' Convention on the elimination of all forms of discrimination against women.

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

QUORUM CALL

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

The vote revealed 36 present, 14 absent and a quorum present.

CONSIDERATION OF BILLS (Regular Calendar)

House File 199

On motion of Senator Running, House File 199, a bill for an act relating to repayment of loans by local development corporations and providing an effective date, 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. 199) the vote was:

Ayes, 40:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Drake	Fraise	Fuhrman
Gettings	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Jensen	Kersten	Kibbie	Kramer
Lind	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Riordan	Rittmer
Rosenberg	Running	Soorholtz	Sturgeon
Tieden	Tinsman	Vande Hoef	Varn

Nays, none:

Absent or not voting, 10:

Dieleman	Doyle	Hutchins	Kinley
McLaren	Rife	Slife	Szymoniak
Taylor	Welsh		

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

Senate File 268

On motion of Senator Connolly, Senate File 268, a bill for an act establishing and allocating moneys to the arts and cultural enhancement and endowment program, 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. 268) the vote was:

Ayes, 39:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Fraise	Fuhrman	Gettings
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Husak	Jensen
Kersten	Kibbie	Kramer	Lind
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Riordan	Rittmer	Rosenberg
Running	Soorholtz	Sturgeon	Tieden
Tinsman	Vande Hoef	Varn	

Nays, none:

Absent or not voting, 11:

Dieleman	Doyle	Drake	Hutchins
Kinley	McLaren	Rife	Slife
Szymaniak	Taylor	Welsh	

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

Senate File 310

On motion of Senator Gettings, Senate File 310, a bill for an act relating to the repeal of chapter 536B, and the restrictions on investments made by, and debt instruments offered for sale by, an industrial loan company, 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. 310) the vote was:

Ayes, 40:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Drake	Fraise	Fuhrman
Gettings	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Jensen	Kersten	Kibbie	Kramer
Lind	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Riordan	Rittmer
Rosenberg	Running	Soorholtz	Sturgeon
Tieden	Tinsman	Vande Hoef	Varn

Nays, none:

Absent or not voting, 10:

Dieleman	Doyle	Hutchins	Kinley
McLaren	Rife	Slife	Szymoniak
Taylor	Welsh		

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

House File 294

On motion of Senator Gettings, House File 294, a bill for an act relating to the obligations of a spouse of a director or officer of a state bank, 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. 294) the vote was:

Ayes, 36:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Drake	Fraise	Fuhrman
Gettings	Gronstal	Hannon	Hester
Horn	Husak	Jensen	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Miller	Murphy	Nystrom	Palmer
Pate	Priebe	Rensink	Riordan
Rittmer	Rosenberg	Running	Soorholtz
Tieden	Tinsman	Vande Hoef	Varn

Nays, 3:

Hedge	Peterson	Sturgeon
-------	----------	----------

Voting present, 1:

Hagerla

Absent or not voting, 10:

Dieleman	Doyle	Hutchins	Kinley
McLaren	Rife	Slife	Szymoniak
Taylor	Welsh		

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 384, by committee on Judiciary, a bill for an act relating to certain statutory provisions concerning the department of corrections.

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

Senate File 385, by Horn, a bill for an act relating to out-of-state applicants for chief of police in certain cities.

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

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	346	Commerce
S. F.	349	Agriculture
S. F.	364	State Government
S. F.	366	State Government
S. F.	367	Appropriations
S. F.	368	Business & Labor Relations
S. F.	371	Education
S. F.	373	Human Resources
S. F.	375	Environment & Energy Utilities
S. F.	380	Transportation
S. F.	381	Human Resources
S. J. R.	7	Rules & Administration
S. C. R.	14	Rules & Administration
H. F.	358	Local Government
H. F.	386	Environment & Energy Utilities

CERTIFICATE OF RECOGNITION

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

Ryan Van Den Heuval, What Cheer — For winning the Class 1-A 130 lb. State Wrestling Championship. Senator Hedge (3-2-91).

REPORT OF STANDING COMMITTEE (Place nominee on En Bloc Confirmation Calendar)

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Pursuant to Senate File 59, the committee on Small Business and Economic Development assigned to investigate the following governor's appointment, completed its investigation on March 14, 1991, and recommended the appointee be confirmed:

Don Gingerich for reappointment as a member of the Iowa Product Development Corporation.

COMMITTEE REPORTS

COMMERCE

Final Bill Action: SENATE FILE 383 (SSB 12), a bill for an act relating to the installation of smoke detectors in multiple-unit residential buildings and single-family dwellings and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Deluhery, Gettings, Gronstal, Jensen, Kersten, Lind, Palmer, Sturgeon, Tieden and Varn. Nays, none. Absent or not voting, 5: Kinley, Slife, Doyle, Nystrom and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 129, a bill for an act relating to the time period within which an information or indictment for sexual exploitation of a minor can be found.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Sturgeon, Rosenberg, Fuhrman, Connolly, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson and Varn. Nays, none. Absent or not voting, 1: Slife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 384 (SSB 99), a bill for an act relating to certain statutory provisions concerning the department of corrections.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Sturgeon, Rosenberg, Fuhrman, Connolly, Deluhery, Drake, Gronstal, Hagerla, Hester, Pate, Peterson and Varn. Nays, none. Absent or not voting, 3: Horn, Murphy and Slife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: HOUSE FILE 322, a bill for an act relating to the establishment of a small business advisory council.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Riordan, Borlaug, Kibbie, Kramer, Miller, Pate, Rittmer, Running and Vande Hoef. Nays, 1: Peterson. Absent or not voting, 2: Hannon and Boswell.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3118	S. F.	330	Larry Murphy
S—3119	S. F.	254	Jim Riordan
			John Kibbie
			Beverly Hannon
			Paul Pate
			Mary E. Kramer
			Allen Borlaug
			Richard Vande Hoef
			Sheldon Rittmer
			Alvin V. Miller

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:03 p.m., until 10:00 a.m., Monday, March 18, 1991.

JOURNAL OF THE SENATE

SIXTY-FOURTH CALENDAR DAY
THIRTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 18, 1991

The Senate met in regular session at 10:07 a.m., President Welsh presiding.

Prayer was offered by the Reverend Robert Gardner, pastor of the Trinity Luthern Church, Boone, Iowa.

The Journal of Thursday, March 14, 1991, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Priebe for the morning on request of Senator Fraise; Senator Taylor until he arrives on request of Senator Tieden and Senators Nystrom and Kramer for the day on request of Senator Rife.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 12, 1991, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 92, a bill for an act to create an advisory commission on intergovernmental relations, specify its membership, and enumerate its powers and duties (S—3122).

ALSO: That the House has on March 13, 1991, passed the following bill in which the concurrence of the Senate is asked:

House File 419, a bill for an act relating to school bus traffic violations and making a penalty applicable.

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

INTRODUCTION OF BILLS

Senate File 386, by Hannon and Running, a bill for an act requiring display of a contractor's registration number at construction sites and projects.

Read first time and passed on file.

Senate File 387, by Hannon, Horn, Lloyd-Jones, Szymoniak, Connolly and Deluhery, a bill for an act to establish a foreign study program for teachers with funding from phase III of the educational excellence program.

Read first time and passed on file.

Senate File 388, by committee on Judiciary, a bill for an act providing investigators of the board of nursing and board of dental examiners with the powers of peace officers.

Read first time and placed on calendar.

Senate File 389, by committee on State Government, a bill for an act relating to the department of human rights commission of Latinó affairs and commission on the status of blacks.

Read first time and placed on calendar.

Senate File 390, by committee on State Government, a bill for an act relating to the reorganization of the disaster services division of the department of public defense by renaming the division, providing for financial assistance, renaming local emergency management commissions and managers, making administrative changes, and making other amendments relevant to the reorganization.

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.

UNFINISHED BUSINESS
(Deferred February 26, 1991)

Senate File 178

The Senate resumed consideration of Senate File 178, a bill for an act relating to certain religious exemptions to the required provision of medical treatment, and requiring screening for metabolic diseases in newborn infants, deferred February 26, 1991.

Senator Murphy offered amendment S—3042 filed by him on February 14, 1991, to page 2 of the bill and called for a division: line 2 as division S—3042A and lines 3-10 as division S—3042B.

Senator Murphy moved the adoption of division S—3042A, which motion prevailed by voice vote.

Senator Murphy withdrew division S—3042B.

Senator Murphy withdrew amendment S—3073 filed by him on February 25, 1991, to page 2 of the bill.

Senator Fuhrman offered amendment S—3089 filed by Senators Fuhrman and Murphy on March 6, 1991, to page 2 of the bill and moved its adoption.

Amendment S—3089 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. 178) the vote was:

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

Ayes, 22:

Boswell	Connolly	Doyle	Drake
Fraise	Gettings	Gronstal	Hannon
Hester	Horn	Hutchins	Kibbie
Kinley	McLaren	Miller	Murphy
Peterson	Rensink	Rittmer	Sturgeon
Varn	Welsh		

Nays, 24:

Borlaug	Buhr	Deluhery	Dieleman
Fuhrman	Hagerla	Hedge	Husak
Jensen	Kersten	Lind	Lloyd-Jones
Palmer	Pate	Rife	Riordan
Rosenberg	Running	Slife	Soorholtz
Szymoniak	Tieden	Tinsman	Vande Hoef

Absent or not voting, 4:

Kramer	Nystrom	Priebe	Taylor
--------	---------	--------	--------

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

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 228

On motion of Senator Kibbie, Senate File 228, a bill for an act relating to primary election ballot vacancies, with report of committee recommending passage, was taken up for consideration.

President pro tempore Lloyd-Jones took the the chair at 11:20 a.m.

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. 228) the vote was:

Ayes, 30:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Gronstal	Hannon	Hedge
Horn	Husak	Hutchins	Kibbie
Kinley	Lloyd-Jones	Miller	Murphy
Palmer	Peterson	Priebe	Riordan
Rosenberg	Running	Sturgeon	Szymoniak
Varn	Welsh		

Nays, 16:

Borlaug	Fuhrman	Hagerla	Hester
---------	---------	---------	--------

Jensen	Kersten	Lind	McLaren
Pate	Rensink	Rife	Rittmer
Soorholtz	Tieden	Tinsman	Vande Hoef

Absent or not voting, 4:

Kramer	Nystrom	Slife	Taylor
--------	---------	-------	--------

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

Senate File 284

On motion of Senator Horn, Senate File 284, a bill for an act to permit the sale of disposable containers for the consumption of beer or wine by wholesalers to retailers for one-time use by retail customers on the premises of licensed establishments, was taken up for consideration.

Senator Horn offered amendment S—3109 filed by him on March 13, 1991, to pages 1 and 2 of the bill.

Senator Dieleman called for a division of amendment S—3109: lines 2 and 3 as division S—3109A and line 4 as division S—3109B.

Senator Horn moved the adoption of division S—3109A, which motion prevailed by voice vote.

Senator Horn moved the adoption of division S—3109B.

A non record roll call was requested.

The ayes were 29, nays 4.

Division S—3109B was adopted.

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

On the question "Shall the bill pass?" (S.F. 284) the vote was:

Ayes, 43:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Horn	Husak	Hutchins

Jensen	Kersten	Kibbie	Kinley
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Tieden
Tinsman	Varn	Welsh	

Nays, 4:

Dieleman	Hedge	Hester	Vande Hoef
----------	-------	--------	------------

Absent or not voting, 3:

Kramer	Nystrom	Taylor
--------	---------	--------

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

Senate File 311

On motion of Senator Deluhery, Senate File 311, a bill for an act requiring registration of persons located outside of this state who issue credit cards, providing for an examination fee, and providing a penalty, 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. 311) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none:

Absent or not voting, 3:

Kramer

Nystrom

Taylor

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Boswell for the remainder of the morning on request of Senator Horn.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 187

On motion of Senator Varn, Senate File 187, a bill for an act relating to participation in athletics under open enrollment by students whose district of residence enters into a whole grade sharing agreement, with report of committee recommending passage, was taken up for consideration.

Senator Hagerla offered amendment S—3127 filed by him from the floor to page 1 and the title page of the bill.

Senator Horn raised the point of order that amendment S—3127 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3127 out of order.

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

On the question "Shall the bill pass?" (S.F. 187) the vote was:

Ayes, 43:

Borlaug
Dieleman
Fuhrman

Buhr
Doyle
Gettings

Connolly
Drake
Gronstal

Deluhery
Fraise
Hagerla

Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Rittmer	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none:

Absent or not voting, 7:

Boswell	Kramer	Nystrom	Riordan
Rosenberg	Taylor	Tieden	

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 283, 293, 294, 338 and 362** be referred from the Regular Calendar to the committee on **Ways and Means**.

INTRODUCTION OF BILLS

Senate Joint Resolution 8, by Tieden, a joint resolution proposing two amendments to the Constitution of the State of Iowa limiting appropriations to ninety-five percent of the estimated revenues and requiring the approval for tax and license fee impositions or increases of three-fifths of the members elected to each house of the general assembly.

Read first time and passed on file.

Senate File 391, by Slife, Lind and Kramer, a bill for an act relating to the use of population head counts of racial and language minorities in the redistricting process, making legislative redistricting standards applicable to the drawing of certain city wards and school director districts, and providing effective dates.

Read first time and passed on file.

Senate File 392, by Tieden, a bill for an act relating to the issuance of special hunting permits by the department of natural resources.

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

Senate File 393, by Varn, a bill for an act relating to voter registration and voter registration lists.

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

Senate File 394, by Running, a bill for an act relating to consortium claims under comparative fault.

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

Senate File 395, by Running, a bill for an act relating to requirements for admission to a nursing facility, medical assistance certification, and certificate of need, and providing penalties and an effective date.

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

Senate File 396, by Running, a bill for an act applying certain standards to hospital services reimbursed under the federal medicare or the medical assistance program, and providing an effective date.

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

Senate File 397, by Running, a bill for an act relating to short-term exemption from certificate of need for nursing facilities, and providing penalties.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:02 p.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: March 14, 1991, 3:55 p.m.

Members Present: Deluhery, Chair; Gettings, Gronstal, Jensen, Kersten, Lind, Palmer, Sturgeon, Tieden and Varn.

Members Absent: Kinley, Vice Chair; Slife, Ranking Member; Doyle, Nystrom and Priebe (all excused).

Committee Business: Assigned bills and governor's appointees to subcommittees; approved SSB 12 as a committee bill.

Adjourned: 4:00 p.m.

JUDICIARY

Convened: March 14, 1991, 2:44 p.m.

Members Present: Sturgeon, Chair; Rosenberg, Vice Chair; Fuhrman, Ranking Member; Connolly, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson and Varn.

Members Absent: Slife (excused).

Committee Business: Approved SSBs 99, 97 and 129 as committee bills; SSB 177 failed committee approval, motion to reconsider filed.

Adjourned: 3:35 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: March 14, 1991, 3:55 p.m.

Members Present: Riordan, Chair; Hannon, Vice Chair; Borlaug, Ranking Member; Kibbie, Kramer, Miller, Pate, Peterson, Rittmer, Running and Vande Hoef.

Members Absent: Boswell (excused).

Committee Business: Recommended passage of House File 322; recommended confirmation of governor's appointee.

Adjourned: 4:12 p.m.

STATE GOVERNMENT

Convened: March 14, 1991, 1:37 p.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Buhr, Drake, Gronstal, Horn, Kramer, Lind, Murphy, Running, Soorholtz and Vande Hoef.

Members Absent: Dieleman, Doyle, McLaren, Priebe, Rife and Welsh (all excused).

Committee Business: Assigned bills and governor's appointees to subcommittees; approved SSBs 221 and 222 as committee bills; recommended passage of Senate File 340.

Adjourned: 2:15 p.m.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 14, 1991, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 218 — Relating to the formula used to calculate part-time student financial aid awards under the tuition grant program.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 268 passed the Senate on March 14, 1991.

WILMER RENSINK

MR. PRESIDENT: I move to reconsider the vote by which Senate File 178 failed to pass the Senate on March 18, 1991.

LINN FUHRMAN

MR. PRESIDENT: I move to reconsider the vote by which Senate File 187 passed the Senate on March 18, 1991.

JOHN P. KIBBIE

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 14, 1991, and recommended the appointees be confirmed:

Richard Marr for reappointment to the Engineering and Land Surveying Examining Board.

Ruth McAndrews for reappointment to the Optometry Examining Board.

As members of the State Board of Examiners for Nursing Home Administrators:

Steven C. Dowd and Drucilla M. Straub for reappointment.

Lorraine J. May for reappointment to the State Racing and Gaming Commission.

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: SENATE FILE 388 (SSB 97), a bill for an act providing investigators of the board of nursing and board of dental examiners with the powers of peace officers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Sturgeon, Deluhery, Drake, Gronstal, Hagerla, Murphy, Peterson and Varn. Nays, 2: Hester and Pate. Absent or not voting, 5: Rosenberg, Fuhrman, Connolly, Horn and Slife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 340, a bill for an act relating to retirement benefits of members of the Iowa public employees' retirement system who retire due to disability and providing an effective date and applicability date.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Kibbie, Lloyd-Jones, Nystrom, Buhr, Drake, Gronstal, Horn, Kramer, Lind, Murphy, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 6: Dieleman, Doyle, McLaren, Priebe, Rife and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 389 (SSB 222), a bill for an act relating to the department of human rights commission of Latino affairs and commission on the status of blacks.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes. 13: Kibbie, Lloyd-Jones, Nystrom, Buhr, Drake, Gronstal, Horn, Kramer, Lind, Murphy, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 6: Dieleman, Doyle, McLaren, Priebe, Rife and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 390 (SSB 221), a bill for an act relating to the reorganization of the disaster services division of the department of public defense by renaming the division, providing for financial assistance, renaming local emergency management commissions and managers, making administrative changes, and making other amendments relevant to the reorganization.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes. 13: Kibbie, Lloyd-Jones, Nystrom, Buhr, Drake, Gronstal, Horn, Kramer, Lind, Murphy, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 6: Dieleman, Doyle, McLaren, Priebe, Rife and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

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

Twenty-nine twelfth grade students from Greene High School, Greene, Iowa, accompanied by Rodger Hoelscher. Senator Jensen.

STUDY BILLS RECEIVED

SSB 309 Agriculture

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.

SSB 310 Transportation

Relating to the appointment and salary of the director of transportation.

SSB 311 Transportation

Relating to deferment of repayments to the Iowa railway finance authority.

SSB 312 Local Government

Relating to election of public hospital trustees.

SSB 313 Business & Labor Relations

Establishing a guaranty fund for individual employers which self-insure for their workers' compensation liability and providing for assessments.

SSB 314 Business & Labor Relations

Relating to workers' compensation self-insurance, imposing civil and criminal penalties, and providing an appropriation.

SSB 315 Education

To include students attending eligible courses of study at qualified proprietary schools in the vocational-technical tuition grant program, and providing for rulemaking by the college student aid commission.

SSB 316 Human Resources

Relating to the reassignment of duties from the division of children, youth, and families of the department of human rights to the division of child and family services within the department of human services.

SSB 317 Agriculture

Relating to the regulation of dairy products, and providing effective dates.

SSB 318 Judiciary

Relating to the confidentiality of victim-identifying information in cases of sexual abuse.

SSB 319 Judiciary

Relating to alcohol possession by minors and providing penalties.

SSB 320 Judiciary

Relating to good faith and fair dealing in contractual relationships, including employment contracts.

SSB 321 Natural Resources

Relating to the operating of motorboats, snowmobiles, and all-terrain vehicles while intoxicated, including implied consent for chemical testing, and providing penalties.

SSB 322 Natural Resources

Relating to trapping and providing a penalty.

SSB 323 Business & Labor Relations

Relating to collective bargaining.

SUBCOMMITTEE ASSIGNMENTS**Senate Resolution 7**

AGRICULTURE: Riordan, Chair; Boswell and Rittmer

Senate File 82

APPROPRIATIONS: Husak, Chair; Buhr and Kersten

Senate File 229

APPROPRIATIONS: Welsh, Chair; Boswell and Tieden

Senate File 236

APPROPRIATIONS: Gronstal, Chair; Buhr and Lind

Senate File 278

APPROPRIATIONS: Lloyd-Jones, Chair; Hagerla and Riordan

Senate File 285

AGRICULTURE: Peterson, Chair; Doyle and Soorholtz

Senate File 307

APPROPRIATIONS: Welsh, Chair; Boswell and Tieden

Senate File 322

APPROPRIATIONS: Varn, Chair; Connolly and Lind

Senate File 335

APPROPRIATIONS: Gettings, Chair; Gronstal and Pate

Senate File 348

TRANSPORTATION: Welsh, Chair; Fraise and Nystrom

Senate File 349

AGRICULTURE: Hedge, Chair; Boswell and Rittmer

Senate File 357

HUMAN RESOURCES: Szymoniak, Chair; Rittmer and Sturgeon

Senate File 359

HUMAN RESOURCES: Szymoniak, Chair; Buhr and Kramer

Senate File 360

HUMAN RESOURCES: Sturgeon, Chair; Hannon and Taylor

Senate File 361

HUMAN RESOURCES: Buhr, Chair; Hannon and Taylor

Senate File 364

STATE GOVERNMENT: Running, Chair; Nystrom and Priebe

Senate File 366

STATE GOVERNMENT: Dieleman, Chair; Drake and Murphy

Senate File 367

APPROPRIATIONS: Lloyd-Jones, Chair; Gronstal and Tinsman

Senate File 368

BUSINESS AND LABOR RELATIONS: Peterson, Chair; Kinley and Slife

Senate File 380

TRANSPORTATION: Welsh, Chair; Dieleman and Kersten

House File 372

AGRICULTURE: Peterson, Chair; Doyle and Soorholtz

House File 380

HUMAN RESOURCES: Murphy, Chair; Hannon and Rittmer

SSB 309

AGRICULTURE: Husak, Chair; Miller and Rittmer

SSB 310

TRANSPORTATION: Fraise, Chair; Connolly and Jensen

SSB 311

TRANSPORTATION: Drake, Chair; Fraise and Lloyd-Jones

SSB 312

LOCAL GOVERNMENT: Miller, Chair; Fraise and Jensen

SSB 313

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

SSB 314

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

SSB 316

HUMAN RESOURCES: Buhr, Chair; Horn and Tinsman

SSB 317

AGRICULTURE: Hester, Chair; Fraise and Vande Hoef

SSB 318

JUDICIARY: Rosenberg, Chair; Murphy and Slife

SSB 319

JUDICIARY: Rosenberg, Chair; Hester and Varn

SSB 320

JUDICIARY: Sturgeon, Chair; Murphy and Pate

SSB 321

NATURAL RESOURCES: Riordan, Chair; Dieleman, Hagerla, Hedge and Sturgeon

SSB 322

NATURAL RESOURCES: Rosenberg, Chair; Priebe and Tieden

SSB 323

BUSINESS AND LABOR RELATIONS: Running, Chair; Buhr and Rensink

AMENDMENTS FILED

S—3120	S.F.	4	Eugene Fraise Emil J. Husak John P. Kibbie John Peterson John W. Jensen Wilmer Rensink Richard Vande Hoef Jim Kersten Alvin V. Miller Jim Riordan Berl E. Priebe Leonard L. Boswell
S—3121	S.F.	341	Wally Horn

S-3122	S.F.	92	House amendment
S-3123	S.F.	369	Linn Fuhrman
S-3124	S.F.	330	Mike Connolly
S-3125	S.F.	330	Mike Connolly
S-3126	S.F.	330	Mike Connolly
S-3127	S.F.	187	Mark Hagerla
S-3128	S.F.	317	William D. Palmer
S-3129	S.F.	362	Jim Kersten

AFTERNOON SESSION

The Senate reconvened at 4:55 p.m., President Welsh presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 15, 1991, passed the following bill in which the concurrence of the Senate is asked:

House File 479, a bill for an act relating to appropriations for state departments, agencies, programs, funds, and INTERNET, and adjusting the school foundation aid program, delaying the effective date of certain tax rate reductions, credits, or rent reimbursements, redirecting net lottery revenues, relating to the amount of federal income taxes deductible for the state individual income tax, and providing for effective and applicability dates.

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

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 15, by Rensink and Sturgeon, a concurrent resolution requesting the Iowa congressional delegation to support enhancement of federal medicare reimbursement to health care providers located in rural Iowa.

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

INTRODUCTION OF BILLS

Senate File 398, by Tinsman, Rensink, Hedge and Jensen, 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 malpractice actions.

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

Senate File 399, by Tinsman, 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 400, by Borlaug, 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 401, by Husak, a bill for an act relating to operating a golf cart on a city street and making penalties applicable.

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

Senate File 402, by Murphy, a bill for an act relating to records of adoptions finalized on or before April 26, 1945.

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

Senate File 403, by Husak, a bill for an act relating to the state income tax refund checkoff for Olympics.

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

Senate File 404, by Priebe, a bill for an act relating to state employment, requiring furloughs and pay reductions for certain employees, and limiting the hiring of certain employees.

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

Senate File 405, by Taylor, a bill for an act relating to county and township ambulance service.

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

Senate File 406, by Taylor, a bill for an act relating to the use of phonics as a technique in the teaching of reading in grades kindergarten through three.

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

Senate File 407, 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 and passed on file.

Senate File 408, by Taylor and Dieleman, a bill for an act relating to limitations on immunity from liability for department of human services employees and others in cases of child abuse.

Read first time and passed on file.

Senate File 409, by Taylor, Borlaug, Connolly, Welsh, Horn and Husak, a bill for an act relating to the sale of alcoholic liquor by the alcoholic beverages division of the department of commerce.

Read first time and passed on file.

Senate File 410, by Taylor and Dieleman, a bill for an act relating to limitations on initiating child abuse investigations.

Read first time and passed on file.

Senate File 411, by Buhr, a bill for an act relating to the availability of certain information concerning nonprofit agencies or corporations receiving public funds.

Read first time and passed on file.

Senate File 412, by committee on Human Resources, a bill for an act relating to the department of inspections and appeals by expanding its investigatory authority, providing that certain information regarding health care facilities be available to the public, relating to health care facilities under receivership, providing additional grounds for suspension and revocation of certain licenses issued by the department, increasing criminal penalties for wanton neglect of a resident of a health care facility, and providing an effective date.

Read first time and placed on calendar.

QUORUM CALL

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

The vote revealed 39 present, 11 absent and a quorum present.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 302** be referred from the Regular Calendar to committee on **Business and Labor Relations**.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 259

On motion of Senator Fraise, Senate File 259, a bill for an act relating to counties, amending county recorders' filing provisions, including parcel number designations on plats of survey, amending the procedure for late filing of homestead and military property tax credits, amending the real estate transfer tax exemption, requiring both the county auditor and treasurer to submit tax dedication documentation for participation in the resource enhancement and protection program, and establishing constructive notice of right-of-way easements in drainage district, was taken up for consideration.

Senator Fraise offered amendment S—3108 filed by him on March 13, 1991, to pages 1, 2 and the title page of the bill and moved its adoption.

Amendment S—3108 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. 259) the vote was:

Ayes, 47:

Borlaug

Boswell

Buhr

Connolly

Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kinley	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Running	Slife	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none:

Absent or not voting, 3:

Kibbie Kramer Nystrom

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

House File 110

On motion of Senator Varn, House File 110, a bill for an act relating to collateral acceptable to secure a loan or other transaction with a state bank, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 110) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kinley	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Running	Slife	Soorholtz	Sturgeon

Szymoniak
Vande Hoef

Taylor
Varn

Tieden
Welsh

Tinsman

Nays, none:

Absent or not voting, 3:

Kibbie

Kramer

Nystrom

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

Senate File 146

On motion of Senator Varn, Senate File 146, a bill for an act relating to the time of making decisions for and notice of final decisions for increases in tuition, fees, or charges at institutions of higher education under the control of the state board of regents, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Varn offered amendment S—3090 filed by the committee on Education on March 7, 1991, to page 1 of the bill.

Senator Varn asked and received unanimous consent that action on amendment S—3090 and Senate File 146 be deferred.

Senate File 313

On motion of Senator Szymoniak, Senate File 313, a bill for an act relating to the accreditation process for schools and school districts, 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. 313) the vote was:

Ayes, 29:

Buhr
Doyle
Hannon
Kibbie
Miller

Connolly
Fraise
Hester
Kinley
Palmer

Deluhery
Gettings
Horn
Lind
Pate

Dieleman
Gronstal
Hutchins
Lloyd-Jones
Rosenberg

Running
Szymoniak
Welsh

Slife
Taylor

Soorholtz
Tinsman

Sturgeon
Varn

Nays, 19:

Borlaug
Hagerla
Kersten
Priebe
Rittmer

Boswell
Hedge
McLaren
Rensink
Tieden

Drake
Husak
Murphy
Rife
Vande Hoef

Fuhrman
Jensen
Peterson
Riordan

Absent or not voting, 2:

Kramer

Nystrom

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

BUSINESS PENDING

Senate File 146

The Senate resumed consideration of Senate File 146 and amendment S—3090 by the committee on Education to page 1 of the bill, previously deferred.

Senator Varn offered amendment S—3131 filed by him from the floor to amendment S—3090 and moved its adoption.

Amendment S—3131 was adopted by a voice vote.

Senator Varn moved the adoption of amendment S—3090 as amended, which motion prevailed by 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. 146) the vote was:

Ayes, 48:

Borlaug
Deluhery
Fraise
Hagerla
Horn

Boswell
Dieleman
Fuhrman
Hannon
Husak

Buhr
Doyle
Gettings
Hedge
Hutchins

Connolly
Drake
Gronstal
Hester
Jensen

Kersten	Kibbie	Kinley	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Kramer Nystrom

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

Senate File 318

On motion of Senator Deluhery, Senate File 318, a bill for an act creating a statewide dual party relay service system, establishing telephone utility assessments, and authorizing distribution of telecommunications devices to the deaf, 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. 318) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Kramer

Nystrom

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 413, by committee on Human Resources, a bill for an act relating to the Iowa pharmacy practice Act.

Read first time and placed on calendar.

Senate File 414, by Szymoniak, a bill for an act relating to landlords and tenants.

Read first time and passed on file.

Senate File 415, by Kersten, a bill for an act relating to the disposition of seized and forfeited property, and establishing a revolving fund for payments to certain persons providing information regarding certain criminal activities in controlled substance cases.

Read first time and passed on file.

Senate File 416, by Pate, a bill for an act requiring the sterilization of dogs and cats adopted from animal shelters and pounds.

Read first time and passed on file.

Senate File 417, by Riordan a bill for an act relating to limitations on alterations of service bays at full-service stations operated under a franchise agreement.

Read first time and passed on file.

Senate File 418, by Riordan, a bill for an act to establish rural medical education programs.

Read first time and passed on file.

Senate File 419, by Miller, a bill for an act relating to voting hours for drainage or levee district trustee elections.

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

Senate File 420, by Priebe, a bill for an act relating to the denial of payment of certain health insurance claims.

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

APPENDIX

REPORTS OF STANDING COMMITTEE (Place nominees on En Bloc Confirmation Calendar)

TRANSPORTATION

Pursuant to Senate Rule 59, the committee on Transportation assigned to investigate the following Governor's appointments, completed its investigations on March 18, 1991, and recommended the appointees be confirmed:

Donald A. Anderson and Maryann L. Shinrock for reappointment as members of the Iowa Highway Research Board.

BILLS ASSIGNED TO COMMITTEE

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

S. J. R.	8	Rules & Administration
S. F.	365	Commerce
S. F.	386	Business & Labor Relations
S. F.	387	Education
S. F.	391	State Government
S. F.	392	Natural Resources
S. F.	393	State Government
S. F.	395	Human Resources
S. F.	396	Human Resources
S. F.	397	Human Resources
S. F.	398	Judiciary
S. F.	399	Education
S. F.	400	Business & Labor Relations
S. F.	401	Transportation
S. F.	402	Human Resources
S. F.	403	Appropriations
H. F.	419	Transportation
H. F.	479	Appropriations

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber March 13 and 14, 1991.

Had I been present, I would have voted "aye" on Senate Files 233, 268 and 310; and House Files 199 and 294.

BILL HUTCHINS

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 259 passed the Senate on March 18, 1991.

ALVIN MILLER

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Doug Gross be removed from "En Bloc Confirmation Calendar" and placed on the Individual Confirmation Calendar."

JAMES R. RIORDAN

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: SENATE FILE 269, a bill for an act regulating transient food service establishments and providing for licensing fees.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3130.

Final Vote: Ayes, 9: Hannon, Buhr, Horn, Murphy, Riordan, Rittmer, Sturgeon, Szymoniak and Tinsman. Nays, 1: Hagerla. Absent or not voting, 2: Kramer and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 412 (SSB 156), a bill for an act relating to the department of inspections and appeals by expanding its investigatory authority, providing that certain information regarding health care facilities be available to the public, relating to health care facilities under receivership, providing additional grounds for suspension and revocation of certain licenses issued by the department, increasing criminal penalties for wanton neglect of a resident of a health care facility, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Hannon, Buhr, Hagerla, Horn, Murphy, Riordan, Rittmer, Sturgeon, Szymoniak and Tinsman. Nays, none. Absent or not voting, 2: Kramer and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 413 (SSB 74), a bill for an act relating to the Iowa pharmacy practice Act.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Hannon, Buhr, Hagerla, Horn, Murphy, Riordan, Rittmer, Sturgeon, Szymoniak and Tinsman. Nays, none. Absent or not voting, 2: Kramer and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: HOUSE FILE 385, a bill for an act requiring the state department of transportation to publish an official Iowa map.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Fraise, Connolly, Drake, Dieleman, Gettings, Jensen, Kersten, Kinley, Lloyd-Jones, Pate and Welsh. Nays, none. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3130	S.F.	269	Human Resources
S-3131	S.F.	146	Richard Varn

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:57 p.m., until 9:00 a.m., Tuesday, March 19, 1991.

JOURNAL OF THE SENATE

SIXTY-FIFTH CALENDAR DAY
FORTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 19, 1991

The Senate met in regular session at 9:04 a.m., President pro tempore Lloyd-Jones presiding.

Prayer was offered by the Reverend Randolph McHone, pastor of the Grace Lutheran Church, Waterloo, Iowa.

The Journal of Monday, March 18, 1991, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Nystrom for the day on request of Senator Hagerla.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 14, 1991, passed the following bill in which the concurrence of the Senate is asked:

House File 391, a bill for an act relating to the sale of alcoholic liquor, wine, and beer on Sunday.

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

INTRODUCTION OF BILLS

Senate File 421, by Varn, a bill for an act relating to the state communications network.

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

Senate File 422, by committee on State Government, a bill for an act allowing certain elections to be conducted by mail ballots, providing penalties, and providing for the prospective repeal of the Act.

Read first time and placed on calendar.

Senate File 423, by Taylor and Dieleman, a bill for an act relating to child abuse reporting and imposing penalties.

Read first time and passed on file.

Senate File 424, by Taylor and Dieleman, a bill for an act relating to department of human services recommendations and techniques concerning child abuse investigations and foster care case permanency planning.

Read first time and passed on file.

QUORUM CALL

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

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

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:

Sandra A. Thompson as a member of the Campaign Finance Disclosure Commission.

Ronald C. Evans as a member of the Chiropractic Examining Board.

Allan L. Axeem, Danny C. Carroll, Bonnie B. Dull, Sandra G. Evans, Hubert M. Houser and Thomas F. Nugent as members of the Commission on Community Action Agencies.

Carlton W. Callison and Marcia Dudden as members of the State Board of Education.

Lorenzo Jasso and Thomas Lee Lippert as members of the State Foster Care Review Board.

Marcia Dudden, Gene Gardner, Barbara Gentry, John V. Hartung and Mary C. Williams as members of the Higher Education Strategic Planning Council.

David J. Lyons as Commissioner of Insurance.

Drucilla M. Strab as a member of the State Board of Examiners for Nursing Home Administrators.

James R. Tabor 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, 47:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Slife	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none:

Absent or not voting, 3:

Murphy	Nystrom	Running
--------	---------	---------

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:36 a.m., until 4:30 p.m.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. C. R.	15	Human Resources
S. F.	385	Local Government
S. F.	394	Judiciary
S. F.	404	Appropriations
S. F.	405	Local Government
S. F.	406	Education
S. F.	407	Education
S. F.	408	Judiciary
S. F.	409	State Government
S. F.	410	Human Resources
S. F.	414	Judiciary
S. F.	415	Judiciary
S. F.	416	Agriculture
S. F.	417	Small Business & Economic Development
S. F.	418	Education
S. F.	419	Local Government
S. F.	420	Commerce
S. F.	421	Commerce
S. F.	423	Judiciary
S. F.	424	Human Resources

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: March 18, 1991, 2:39 p.m.

Members Present: Hannon, Chair; Buhr, Vice Chair; Hagerla, Ranking Member; Horn, Murphy, Riordan, Rittmer, Sturgeon, Szymoniak and Tinsman.

Members Absent: Kramer and Taylor (both excused).

Committee Business: Assigned bills to subcommittees; approved SSBs 156 and 74 as committee bills; recommended passage of Senate File 269 as amended; SSB 279 failed committee approval; deferred action on SSB 129 and Senate File 357; amended SSB 166 and ordered redrafted as a committee bill.

Adjourned: 3:35 p.m.

JUDICIARY

Convened: March 18, 1991, 3:51 p.m.

Members Present: Sturgeon, Chair; Rosenberg, Vice Chair; Fuhrman, Ranking Member; Connolly, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson, Slife and Varn.

Members Absent: none.

Committee Business: Discussed and amended SSB 248.

Adjourned: 6:09 p.m.

STATE GOVERNMENT

Convened: March 18, 1991, 1:31 p.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Lind, McLaren, Murphy, Priebe, Rife, Running, Soorholtz and Welsh.

Members Absent: Nystrom, Ranking Member; Kramer and Vande Hoef (all excused).

Committee Business: Recommended confirmation of governor's appointees; approved SSB 62 as a committee bill; amended SSB 282 and ordered redrafted as a committee bill.

Adjourned: 2:36 p.m.

TRANSPORTATION

Convened: March 18, 1991, 2:43 p.m.

Members Present: Fraise, Chair; Connolly, Vice Chair; Drake, Ranking Member; Dieleman, Gettings, Jensen, Kersten, Kinley, Lloyd-Jones, Pate and Welsh.

Members Absent: Nystrom (excused).

Committee Business: Recommended confirmation of governor's appointments; presentation by Tom Jackson, Economic Analysis Department of the Iowa DOT, regarding the distribution of the estimated FY 92 change in RUTF for secondary road budget; deferred action on SSB 311; recommended passage of House File 385; amended Senate File 40 and ordered redrafted; assigned bills to subcommittees.

Adjourned: 3:42 p.m.

STUDY BILLS RECEIVED

SSB 324 Human Resources

Relating to the types of child abuse cases included in the central registry.

SSB 325 Commerce

Relating to the transfer of the regulatory authority of the superintendent of savings and loan associations to the director of the department of commerce and the superintendent of banking.

SSB 326 Education

A Senate Resolution relating to the development of two classes of five-on-five women's basketball for the state women's basketball tournament.

SSB 327 Business & Labor Relations

Relating to benefits provided to permanent part-time public employees.

SSB 328 Local Government

Relating to the classified civil service status of two second deputy sheriffs in certain counties.

SSB 329 Commerce

Relating to entities and subject matter subject to regulation under the regulated industries unit of the division of insurance, including business opportunity promotions, continuing care and senior adult congregate living retirement communities, and loan

brokers, establishing certain fees, and making penalties applicable.

SSB 330 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 331 Business & Labor Relations

Relating to employees of the public employment relations board.

SSB 332 Transportation

Requiring confidential use of social security numbers on noncommercial driver's license applications.

SSB 333 Environment & Energy Utilities

Relating to energy efficiency by expanding the entities entitled to financial assistance for implementing energy conservation measures, requiring implementation of life cycle cost analyses and providing exemptions from the implementation requirements, requiring the appropriation of abandoned utility refunds and deposits, establishing energy efficiency standards for certain products, establishing various energy efficiency-related programs and projects, and providing for a sales and use tax credit for the purchase of fuel-efficient motor vehicles.

SSB 334 State Government

Relating to campaign finance disclosure by changing the definition of a candidate's committee, requiring the reporting to the treasurer of a committee of all contributions received by a person for the committee, requiring disclosure reports of out-of-state political action committees, changing the number of disclosure reports required in nonelection years, providing that the treasurer of a committee is not responsible for filing disclosure reports or liable for civil penalties, allowing contributions from family-owned corporations, directing the use of leftover campaign funds, and providing for a civil penalty for violations regarding placement of political signs.

SSB 335 State Government

Relating to health care disciplines or occupations which are unregulated or outside of a profession's current scope of practice, providing for an application and review process and fees, and creating a fund.

SSB 336 Judiciary

Relating to voter approval of storm water drainage system projects and providing for retroactive applicability.

SUBCOMMITTEE ASSIGNMENTS**Senate File 283**

WAYS AND MEANS: Murphy, Chair; Drake and Szymoniak

Senate File 293

WAYS AND MEANS: Murphy, Chair; Szymoniak and Taylor

Senate File 294

WAYS AND MEANS: McLaren, Chair; Fraise and Husak

Senate File 302

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

Senate File 333

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

Senate File 338

WAYS AND MEANS: Dieleman, Chair; Drake and Fraise

Senate File 346

COMMERCE: Palmer, Chair; Slife and Varn

Senate File 351

WAYS AND MEANS: Husak, Chair; Hester and Murphy

Senate File 352

WAYS AND MEANS: Husak, Chair; Connolly and Taylor

Senate File 362

WAYS AND MEANS: Rosenberg, Chair; Hedge and Husak

Senate File 375

ENVIRONMENT AND ENERGY UTILITIES: Hannon, Chair; Fraise and Kersten

Senate File 386

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

Senate File 391

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

Senate File 392

NATURAL RESOURCES: Priebe, Chair; Dieleman and Tieden

Senate File 393

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

Senate File 400

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

House File 386

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

SSB 324

HUMAN RESOURCES: Murphy, Chair; Rittmer and Sturgeon

SSB 325

COMMERCE: Deluhery, Chair; Kersten and Sturgeon

SSB 327

BUSINESS AND LABOR RELATIONS: Buhr, Chair; Slife and Sturgeon

SSB 328

LOCAL GOVERNMENT: Miller, Chair; Borlaug and Fraise

SSB 329

COMMERCE: Deluhery, Chair; Doyle and Kersten

SSB 330

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

SSB 331

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

SSB 332

TRANSPORTATION: Drake, Chair; Connolly and Fraise

SSB 334

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

SSB 335

STATE GOVERNMENT: Buhr, Chair; Kramer and Running

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 appointment, completed its investigation on March 19, 1991, and recommended the appointee be confirmed:

Tom N. Sarvis for reappointment as a member of the Credit Union Review Board.

STATE GOVERNMENT

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the following Governor's appointments, completed its investigations on March 18 and 19, 1991, and recommended the appointees be confirmed:

Thomas L. Erpelding for appointment as a member of the Accountancy Examining Board.

Wayne R. Venter for reappointment as a member of the Alcoholic Beverages Commission.

Coral M. Jud for appointment as a member of the Board of Examiners for the Licensing and Regulation of Hearing Aid Dealers.

Eugene M. Meister for appointment as a member of the Board of Nursing Examiners.

Dana L. Barrer for appointment as a member of the Campaign Finance Disclosure Commission.

Charles Finch and Richard Garrells for reappointment as a member of the Dietetic Examining Board.

M. Susan Erickson for reappointment as a member of the Landscape Architectural Examining Board.

Emmett B. Mathiasen for appointment as a member of the Medical Examining Board.

Peter R. Teahen for reappointment as a member of the Mortuary Science Examining Board.

Brenda M. Salocker for reappointment as a member of the Podiatry Examining Board.

Carl S. Davis for reappointment as a member of the Psychology Examining Board.

Nancy E. Welter for reappointment as a member of the Respiratory Care Advisory Committee.

Michael S. Pomper for reappointment as a member of the Speech Pathology and Audiology Examining Board.

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 19, 1991, and recommended the appointees be confirmed:

Ted R. Chapler for appointment as Executive Director of the Iowa Finance Authority.

Margaret Clements and Betty J. Davis for reappointment as members of the Iowa Finance Authority.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE RESOLUTION 7, a senate resolution to urge and request that the Senate Agriculture Committee and House Agriculture Committee of the United States Congress support American agriculture by immediately working to ensure that the federal 1990 Farm Bill improves family farm profitability in order to enhance this nation's vitality and economic revitalization.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Priebe, Peterson, Soorholtz, Boswell, Doyle, Fraise, Hedge, Hester, Husak, McLaren, Miller, Palmer, Riordan, Rittmer and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 429 (SSB 69), a bill for an act relating to agricultural land held by corporations, limited partnerships, and trusts, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Priebe, Peterson, Soorholtz, Boswell, Doyle, Fraise, Hedge, Hester, Husak, McLaren, Miller, Palmer, Riordan, Rittmer and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 430 (SSB 257), a bill for an act relating to the agricultural development authority, by establishing programs to assist ruminant livestock producers, establishing a fund, and making appropriations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Priebe, Peterson, Soorholtz, Boswell, Doyle, Fraise, Hedge, Hester, Husak, McLaren, Miller, Palmer, Riordan, Rittmer and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 431 (LSB 1155), a bill for an act relating to financial responsibility requirements for commercial applicators of pesticides.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Priebe, Peterson, Soorholtz, Boswell, Doyle, Fraise, Hedge, Hester, Husak, McLaren, Miller, Riordan, Rittmer and Vande Hoef. Nays, 1: Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: SENATE FILE 52, 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: DO PASS.

Final Vote: Ayes, 12: Rosenberg, Gronstal, Jensen, Borlaug, Deluhery, Fraise, Hannon, Hedge, Kersten, Miller, Soorholtz, and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 216, a bill for an act relating to requirements for insulation in housing projects assisted under the rental assistance programs of the United States department of housing and urban development and providing a five-year grace period for owners of existing housing projects.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Rosenberg, Gronstal, Jensen, Borlaug, Deluhery, Fraise, Hannon, Hedge, Kersten, Miller, Soorholtz, and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 223, a bill for an act relating to packaging by establishing a package review board and an advisory committee of the board.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Rosenberg, Gronstal, Jensen, Borlaug, Deluhery, Fraise, Hannon, Hedge, Miller, Soorholtz, and Varn. Nays, 1: Kersten.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 422 (SSB 62), a bill for an act allowing certain elections to be conducted by mail ballots, providing penalties, and providing for the prospective repeal of the Act.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Kibbie, Lloyd-Jones, Buhr, Dieleman, Doyle, Gronstal, Horn, Murphy, Priebe, Running and Welsh. Nays, 5: Drake, Lind, McLaren, Rife and Soorholtz. Absent or not voting, 3: Nystrom, Kramer and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 4:37 p.m., President Welsh presiding.

INTRODUCTION OF BILLS

Senate File 425, by Szymoniak, a bill for an act relating to the city development board, its powers and duties, and the annexation of land by cities and providing an effective date.

Read first time and passed on file.

Senate File 426, by Dieleman and Taylor, a bill for an act requiring the director of human services to establish a discipline policy concerning state employees engaged in child abuse investigations and treatment activities.

Read first time and passed on file.

Senate File 427, by Priebe, a bill for an act relating to horse and dog racing at racetracks licensed for pari-mutuel wagering, by providing for the simultaneous telecast of races, and imposing a fee on certain pari-mutuel wagering and making payments to promote Iowa-bred horses and dogs.

Read first time and passed on file.

Senate File 428, by Varn, a bill for an act relating to the creation of a student aid recovery agency to be attached to the Iowa college student aid commission and establishing a fund.

Read first time and passed on file.

Senate File 429, by committee on Agriculture, a bill for an act relating to agricultural land held by corporations, limited partnerships, and trusts, and providing penalties.

Read first time and placed on calendar.

Senate File 430, by committee on Agriculture, a bill for an act relating to the agricultural development authority, by establishing programs to assist ruminant livestock producers, establishing a fund, and making appropriations.

Read first time and placed on calendar.

Senate File 431, by committee on Agriculture, a bill for an act relating to financial responsibility requirements for commercial applicators of pesticides.

Read first time and placed on calendar.

Senate File 432, by committee on Education, a bill for an act relating to participation in athletic conferences by accredited public and nonpublic schools and providing for rulemaking by the state board of education and for hearing and final action by the director of the department of education under certain circumstances.

Read first time and placed on calendar.

Senate File 433, by committee on Commerce, a bill for an act relating to the amounts of certain supervisory fees assessed a savings and loan association.

Read first time and placed on calendar.

Senate File 434, by committee on Commerce, a bill for an act relating to judgment liens.

Read first time and placed on calendar.

Senate File 435, by committee on Commerce, a bill for an act relating to the transfer of regulatory authority over mortgage bankers and brokers from the superintendent of savings and loans to the superintendent of banking.

Read first time and placed on calendar.

Senate File 436, 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.

MOTION TO RECONSIDER WITHDRAWN

Senate File 268

Senator Rensink withdrew the motion to reconsider Senate File 268, a bill for an act establishing and allocating moneys to the

arts and cultural enhancement and endowment program, filed by him on March 18, 1991, and found on page 671 of the Senate Journal.

APPENDIX

BILL ASSIGNED TO COMMITTEE

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

S.F. 425 Local Government

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 March 19, 1991, and recommended the appointees be confirmed:

Calvin W. Halliburton for reappointment as a member of the Board of Educational Examiners.

Arthur A. Neu for reappointment as a member of the First in the Nation in Education Foundation Governing Board.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 436 (SSB 288), 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, 11: Priebe, Peterson, Soorholtz, Fraise, Hedge, Husak, McLaren, Miller, Palmer, Riordan and Rittmer. Nays, none. Absent or not voting, 4: Boswell, Doyle, Hester and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: SENATE FILE 433 (SSB 271), a bill for an act relating to the amounts of certain supervisory fees assessed a savings and loan association.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Deluhery, Slife, Doyle, Gettings, Gronstal, Jensen, Kersten, Lind, Priebe, Sturgeon, Tieden and Varn. Nays, none. Absent or not voting, 3: Kinley, Nystrom and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 434 (SSB 284), a bill for an act relating to judgment liens.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Deluhery, Slife, Doyle, Gettings, Gronstal, Jensen, Kersten, Lind, Priebe, Sturgeon, Tieden and Varn. Nays, none. Absent or not voting, 3: Kinley, Nystrom and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 435 (SSB 273), a bill for an act relating to the transfer of regulatory authority over mortgage bankers and brokers from the superintendent of savings and loans to the superintendent of banking.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Deluhery, Slife, Doyle, Gettings, Gronstal, Jensen, Kersten, Lind, Priebe, Sturgeon, Tieden and Varn. Nays, none. Absent or not voting, 3: Kinley, Nystrom and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 432 (formerly Senate File 61), a bill for an act to require the department of education to create athletic conferences for school districts and accredited nonpublic schools in order to permit schools to participate in athletic events with schools of comparable size and close geographic proximity.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Connolly, Horn, Deluhery, Dieleman, Kibbie, Kramer, Lind, Murphy, Running, Szymoniak, Tinsman and Varn. Nays, 2: Rensink and Tieden. Absent or not voting, 1: Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILL

Senate File 437, by Husak and Soorholtz, a bill for an act relating to veterans affairs, providing for the establishment of a department of veterans affairs, transferring control of the Iowa veterans home to the department of veterans affairs, and providing properly related matters.

Read first time under Rule 28 and **passed on file.**

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 4:42 p.m., until 9:00 a.m., Wednesday, March 20, 1991.

JOURNAL OF THE SENATE

SIXTY-SIXTH CALENDAR DAY
FORTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 20, 1991

The Senate met in regular session at 9:04 a.m., President Welsh presiding.

Prayer was offered by Dr. Gerald Stevens, pastor of the Community Church, Hudson, Iowa.

The Journal of Tuesday, March 19, 1991, was approved.

INTRODUCTION OF BILLS

Senate File 438, by Vande Hoef, a bill for an act relating to the choice of a pharmacist or pharmacy under an insurance policy or contract.

Read first time and passed on file.

Senate File 439, by Lloyd-Jones, Jensen and Kramer, a bill for an act requiring parking fees for state capitol complex parking lots.

Read first time and passed on file.

Senate File 440, by Running, a bill for an act eliminating the right to recover damages for emotional or mental distress in contract cases, except those cases involving actual physical injury, and providing for the Act's applicability.

Read first time and passed on file.

Senate File 441, by committee on Business and Labor Relations, a bill for an act relating to workers' compensation self-insurance, imposing civil and criminal penalties, and providing an appropriation,

Read first time and placed on calendar.

Senate File 442, by committee on Business and Labor Relations, a bill for an act establishing a guaranty fund for individual employers which self-insure for their workers' compensation liability and providing for assessments.

Read first time and placed on calendar.

Senate File 443, by committee on Business and Labor Relations, a bill for an act relating to workers' compensation medical benefits and weekly benefit claims, extraterritorial jurisdiction, burial expenses, and minimum benefit payments.

Read first time and placed on calendar.

Senate File 444, by committee on Judiciary, a bill for an act relating to law enforcement, victim services, and domestic abuse, establishing certain training and certification requirements, establishing and increasing certain criminal penalties, imposing mandatory minimum sentences, establishing a domestic abuse services fund, establishing an income tax checkoff for domestic abuse, increasing certain court costs and fees, eliminating certain court costs, requiring batterers treatment by offenders, establishing a pilot program, and containing effective date and applicability provisions.

Read first time and placed on calendar.

Senate File 445, by committee on Judiciary, a bill for an act relating to the forfeiture of the rights of junior lienholders with respect to real estate contracts and providing an effective date.

Read first time and placed on calendar.

HOUSE MESSAGE RECEIVED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 18, 1991, adopted the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 8, a concurrent resolution petitioning the United States Navy for the return of the battleship USS Iowa's silver service.

President pro tempore Lloyd-Jones took the chair at 9:18 a.m.

MOTION TO RECONSIDER WITHDRAWN

Senate File 259

Senator Miller withdrew the motion to reconsider Senate File 259, a bill for an act relating to counties, amending county recorders' filing provisions, including parcel number designations on plats of survey, amending the procedure for late filing of homestead and military property tax credits, amending the real estate transfer tax exemption, requiring both the county auditor and treasurer to submit tax dedication documentation for participation in the resource enhancement and protection program, and establishing constructive notice of right-of-way easements in drainage districts, filed by him on March 18, 1991, and found on page 691 of the Senate Journal.

President Welsh took the chair at 9:29 a.m.

SENATE INSISTS

Senate File 209

Senator Boswell called up for consideration Senate File 209, a bill for an act relating to and making supplemental appropriations for the remainder of the fiscal year ending June 30, 1991, to the department of human services, national conference of state legislatures, department of general services, department of revenue and finance, department of public safety, department of inspections and appeals, college student aid commission, board of regents institutions, office of lieutenant governor, department of transportation, pioneer lawmakers, the office of the state public defender, department of human rights, Iowa finance authority, department of economic development, department of corrections, and extending ethanol fuel project, and increasing the court civil penalty surcharge, and providing effective dates, 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 209** on the part of the Senate: Senators Boswell, Chair; Husak, Szymoniak, Lind and Tieden.

INTRODUCTION OF BILLS

Senate File 446, by committee on Agriculture, a bill for an act relating to agricultural chemicals, by regulating the use of chemicals in irrigation distribution systems, providing for fees, providing for penalties, and providing for an effective date and date of applicability.

Read first time and placed on calendar.

Senate File 447, by Priebe, Hannon, Tieden, Murphy, Gettings, Kibbie, Peterson, Soorholtz, Hedge, McLaren, Kersten, Husak, Fraise and Boswell, a bill for an act providing for state payment of the costs of services provided to persons with mental retardation, developmental disabilities, or mental illness and providing an effective date.

Read first time and passed on file.

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

March 15, 1991

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 1991 Code of Iowa Sections:

Angela M. O'Rourke-Hartwig, Iowa City, Johnson County, to fulfill an unexpired term beginning immediately and ending April 30, 1993.

Warren Lawson, Johnston, Polk County, for reconfirmation as Adjutant General pursuant to Section 29A.11. Upon reconfirmation, Warren Lawson, Adjutant General, will be subject for reconfirmation during the 1995 session of the General Assembly.

James E. Smith, Des Moines, Polk County, for reconfirmation as Administrator of the Division of Community Action Agencies pursuant to Section 601K.2. Upon reconfirmation, James E. Smith, Administrator of the Division of Community Action Agencies, will be subject to reconfirmation during the 1995 session of the General Assembly.

Sharon K. Sievers, Des Moines, Polk County, for appointment to the Agricultural Development Authority pursuant to Section 175.3 to fulfill an unexpired term beginning immediately and ending April 30, 1992.

Glen D. Huntington, Alta, Buena Vista County, for appointment to the Architectural Examining Board pursuant to Section 118.1 for a term beginning May 1, 1991, and ending April 30, 1994.

Dennis Ruffcorn, Missouri Valley, Harrison County, for appointment to the Barber Examining Board pursuant to Section 147.14(1) for a term beginning May 1, 1991, and ending April 30, 1994.

To the Board of Corrections pursuant to Section 246.104 for terms beginning May 1, 1991, and ending April 30, 1995:

Richard R. Vande Mey, Nevada, Story County, for appointment and Donald O. Vold, Forest City, Winnebago County, for reappointment.

Jacqueline M. Parkin, Fairfield, Jefferson County, for appointment to the Board of Educational Examiners pursuant to Section 260.3 for a term beginning May 1, 1991, and ending April 30, 1995.

For appointment to the Board of Nursing Examiners pursuant to Section 147.14(3):

Nancy E. Knutstrom, Davenport, Scott County, for a term beginning May 1, 1991, and ending April 30, 1994, and Guy W. Richardson, Jefferson, Greene County, to fulfill an unexpired term beginning immediately and ending April 30, 1992.

Dennis Nagel, Des Moines, Polk County, for reappointment as Chairperson of the Utilities Board pursuant to Section 474.1 for a term beginning May 1, 1991, and ending April 30, 1993.

Ramona K. Kennedy, Cherokee, Cherokee County, for reappointment to the Chiropractic Examining Board pursuant to Section 147.14(8) for a term beginning May 1, 1991, and ending April 30, 1994.

Edward J. Stanek, Des Moines, Polk County, for reconfirmation as Commissioner of the Lottery pursuant to Section 99E.3. Upon reconfirmation, Edward J. Stanek, Commissioner of the Lottery, will be subject for reconfirmation during the 1995 session of the General Assembly.

Lorraine M. Vopava, Protivin, Howard County, for appointment to the Commission on Judicial Qualifications pursuant to Section 602.2102 for a term beginning May 1, 1991, and ending April 30, 1997.

For appointment to the Commission on the Status of Blacks pursuant to Section 601K.142:

Anna Mae Weems, Waterloo, Black Hawk County, to fulfill an unexpired term beginning immediately and ending April 30, 1994, and Maude E. White, Des Moines, Polk County, to fulfill an unexpired term beginning immediately and ending April 30, 1992.

Stephanie Ann Johnson, Des Moines, Polk County, for appointment to the Commission on Community Action Agencies pursuant to Section 601K.92A for a term beginning May 1, 1991, and ending April 30, 1994.

Patrick R. Sell, Story City, Story County, for appointment to the Commission on the Deaf pursuant to Section 601K.112 for a term beginning May 1, 1991, and ending April 30, 1994.

Jim D. Davis, Bettendorf, Scott County, for reappointment to the Council on Human Services pursuant to Section 217.2 for a term beginning May 1, 1991, and ending April 30, 1997.

To the County Finance Committee pursuant to Section 333A.2 for terms beginning May 1, 1991, and ending April 30, 1995:

James E. Benbow, Des Moines, Polk County, for reappointment; Robert I. Kramme, Alleman, Polk County, for appointment; Duane J. Vande Hoef, Sibley, Osceola County, for appointment and Sharon L. Winchell, Atlantic, Cass County, for appointment.

Reuvena M. Bruxvoort, Oskaloosa, Mahaska County, for appointment to the Cosmetology Examining Board pursuant to Section 147.14(1) for a term beginning May 1, 1991, and ending April 30, 1994.

To the Dental Examining Board pursuant to Section 147.14(4) for terms beginning May 1, 1991, and ending April 30, 1994:

R. Bruce Cochrane, Fort Dodge, Webster County, for appointment; Carolyn A. McNeill, Perry, Dallas County, for reappointment and Vicki Reschly, Davenport, Scott County, for reappointment.

Mary K. Carlson, Humboldt, Humboldt County, for appointment to the Dietetic Examining Board pursuant to Section 147.14(11) for a term beginning May 1, 1991, and ending April 30, 1994.

Christopher G. Atchison, West Des Moines, Polk County, for appointment as Director of Public Health pursuant to Section 135.2 for a term beginning April 1, 1991, to serve at the pleasure of the Governor.

Gerald D. Bair, Ankeny, Polk County, for reconfirmation as Director of Revenue and Finance pursuant to Section 421.2. Upon reconfirmation, Gerald Bair, Director of Revenue and Finance, will be subject for reconfirmation during the 1995 session of the General Assembly.

R. Creig Slayton, Des Moines, Polk County, for reconfirmation as Director of the Department for the Blind pursuant to Section 2.32(8). Upon reconfirmation, R. Creig Slayton, Director of the Department for the Blind, will be subject to reconfirmation during the 1995 session of the General Assembly.

William H. Jackson, Des Moines, Polk County, for reconfirmation as Director of the Department of Cultural Affairs pursuant to Section 303.1. Upon reconfirmation, William H. Jackson, Director of the Department of Cultural Affairs, will be subject for reconfirmation during the 1995 session of the General Assembly.

Betty Grandquist, Des Moines, Polk County, for reconfirmation as Director of the Department of Elder Affairs pursuant to Section 249D.22. Upon reconfirmation, Betty Grandquist, Director of the Department of Elder Affairs, will be subject for reconfirmation during the 1995 session of the General Assembly.

Larry J. Wilson, Des Moines, Polk County, for reconfirmation as Director of the Department of Natural Resources pursuant to Section 455A.3. Upon reconfirmation, Larry J. Wilson, Director of the Department of Natural Resources, will be subject for reconfirmation during the 1995 session of the General Assembly.

Thomas E. Donahue, Des Moines, Polk County, for reconfirmation as Director of the Department of Personnel pursuant to Section 19A.1A. Upon reconfirmation, Thomas E. Donahue, Director of the Department of Personnel, will be subject for reconfirmation during the 1995 session of the General Assembly.

For appointment to the Drug Abuse Prevention and Education Advisory Council pursuant to Section 80E.2:

Michael K. Oelrich, Le Claire, Scott County, for a term beginning May 1, 1991, and ending April 30, 1995, and Connie Sue Ricklefs, Anamosa, Jones County, to fulfill an unexpired term beginning immediately and ending April 30, 1993.

For reappointment to the Environmental Protection Commission pursuant to Section 455A.6 for terms beginning May 1, 1991, and ending April 30, 1995:

Charlotte Mohr, Eldridge, Scott County; Gary Priebe, Algona, Kossuth County; Nancy Lee Siebenmann, Cedar Rapids, Linn County, and Clark Yeager, Ottumwa, Wapello County.

Robert D. Wilson, Clive, Polk County as Industrial Commissioner pursuant to Section 86.1 for a term beginning May 1, 1991, and ending April 30, 1997.

To the Investment Board of the IPERS pursuant to Section 97B.8:

Sandra Lee Adkins, Waterloo, Black Hawk County, for appointment to fulfill an unexpired term beginning immediately and ending April 30, 1993, and Donald E. Snyder, Forest City, Winnebago County, for reappointment for a term beginning May 1, 1991, and ending April 30, 1997.

For reappointment to the Iowa Board of Veterinary Medicine pursuant to Section 169.5 for terms beginning May 1, 1991, and ending April 30, 1994:

Dean Frey, North Liberty, Linn County, and Jane A. McCall, Manchester, Delaware County.

James H. Crane, Emmetsburg, Palo Alto County, for appointment to the Iowa Finance Authority pursuant to Section 220.2 to fulfill an unexpired term beginning immediately and ending April 30, 1993.

John V. Hartung, Indianola, Warren County, for appointment to the Iowa Higher Education Loan Authority pursuant to Section 261A.6 for a term beginning May 1, 1991, and ending April 30, 1997.

To the Iowa Highway Research Board pursuant to Section 307D.4:

Mardith A. Baenziger, Ames, Story County, for appointment to fulfill an unexpired term beginning immediately and ending April 30, 1993; Virginia L. Blackburn, Ames, Story County, for appointment to fulfill an unexpired term beginning immediately and ending April 30, 1991; Virginia L. Blackburn, Ames, Story County, for reappointment to a term beginning May 1, 1991, and ending April 30, 1995; Sandra Q. Larson, Ankeny, Polk County, for appointment to fulfill an unexpired term beginning immediately and ending April 30, 1993; Morris E. Mikkelsen, Dike, Grundy County, for appointment to a term beginning May 1, 1991, and ending April 30, 1995; Donna Lee Smith, Dubuque, Dubuque County, for appointment to a term beginning May 1, 1991, and ending April 30, 1995, and Sally J. Steffen, Ottumwa, Wapello County, for appointment to a term beginning May 1, 1991, and ending April 30, 1995.

Bernal F. Koehrsen, Jr., Waterloo, Black Hawk County, for appointment to the Iowa Law Enforcement Academy Council pursuant to Section 80B.6 for a term beginning May 1, 1991, and ending April 30, 1995.

For appointments to the Iowa Lottery Board pursuant to Section 99E.5 to serve at the pleasure of the Governor:

Connie M. Alt, Cedar Rapids, Linn County, and Ross M. Sutton, Urbandale, Polk County. These appointments will be subject for reconfirmation during the 1995 session of the General Assembly pursuant to Section 2.32(8).

Jane Ann Schlabaugh, Kalona, Washington County, for appointment to the Iowa Product Development Corporation pursuant to Section 28.83 for a term beginning May 1, 1991, and ending April 30, 1995.

Sally M. O'Donnell, Sioux City, Woodbury County, for appointment to the Iowa State Civil Rights Commission pursuant to Section 601A.3 for a term beginning May 1, 1991, and ending April 30, 1995.

Monty Mitchell, Davenport, Scott County, for appointment to the Landscape Architectural Examining Board pursuant to Section 118A.3 for a term beginning May 1, 1991, and ending April 30, 1994.

For reappointment to the Medical Examining Board pursuant to Section 147.14(2) for terms beginning May 1, 1991, and ending April 30, 1994:

Charlotte A. Cleavenger, Ames, Boone County, and Ann O'Neill, Armstrong, Emmet County.

To the Mental Health and Mental Retardation Commission pursuant to Section 225C.5 for terms beginning May 1, 1991, and ending April 30, 1994:

Myron L. Gookin, Fairfield, Jefferson County, for reappointment; Gilbert C. Hoogendoorn, George, Lyon County, for appointment; Keniston H. Hoppenworth, Tripoli, Bremer County, for reappointment; Vilas L. Morris, Jr., Cedar Falls, Black Hawk County, for reappointment; Robert E. Petersen, Walcott, Scott County, for appointment and Michael D. Stallman, Cedar Rapids, Linn County, for appointment.

Marjorie L. Reth, Independence, Buchanan County, for appointment to the Mortuary Science Examining Board pursuant to Section 147.14(1) for a term beginning May 1, 1991, and ending April 30, 1994.

For reappointment to the Narcotics Enforcement Advisory Council to Section 80E.3 for terms beginning May 1, 1991, and ending April 30, 1995:

Dennis L. Fiser, Cedar Rapids, Linn County; Lori Lewis, Mason City, Cerro Gordo County, and William M. McCarthy, Des Moines, Polk County.

Mark Doll, Council Bluffs, Pottawattamie County, for appointment to the Natural Resource Commission pursuant to Section 455A.5 for a term beginning May 1, 1991, and ending April 30, 1997.

Colleen M. Reilly, Cedar Rapids, Linn County, for reappointment to the Optometry Examining Board pursuant to Section 147.14(6) for a term beginning May 1, 1991, and ending April 30, 1994.

Elsie E. Mellott, Red Oak, Montgomery County, for appointment to the Personnel Commission pursuant to Section 19A.6 for a term beginning May 1, 1991, and ending April 30, 1997.

Arlan (Jack) Van Norman, Swea City, Kossuth County, for appointment to the Pharmacy Examining Board pursuant to Section 147.14(5) for a term beginning May 1, 1991, and ending April 30, 1994:

For appointment to the Physical and Occupational Therapy Examining Board for terms beginning May 1, 1991, and ending April 30, 1994:

James E. Hughes, Cresco, Howard County, and Lee W. Johnson, Ottumwa, Wapello County.

To the Real Estate Commission pursuant to Section 117.8 for terms beginning May 1, 1991, and ending April 30, 1994:

Russell D. Nading, Fairfax, Linn County, for appointment and Marlys S. Nielsen, Chariton, Lucas County, for reappointment.

Steven G. Berry, Des Moines, Polk County, for appointment to the Respiratory Care Advisory Committee pursuant to Section 135F.13 for a term beginning May 1, 1991, and ending April 30, 1994.

To the School Budget Review Committee pursuant to Section 257.30:

Eleanor M. Birch, Iowa City, Johnson County, for appointment to a term beginning immediately and ending April 30, 1992; Patrick D. Cavanaugh, West Des Moines, Polk County, for appointment to a term beginning immediately and ending April 30, 1991; Patrick D. Cavanaugh, West Des Moines, Polk County, for reappointment to a term beginning May 1, 1991, and ending April 30, 1994, and Judith M. Thoreson, Algona, Kossuth County, for appointment to a term beginning immediately and ending April 30, 1993.

Erlene Veverka, Prairie City, Jasper County, for appointment to the Social Work Examining Board pursuant to Section 147.14(1) for a term beginning May 1, 1991, and ending April 30, 1994.

Michael G. Genz, West Des Moines, Polk County, for reappointment to the Speech Pathology and Audiology Examining Board pursuant to Section 147.14(9) for a term beginning May 1, 1991, and ending April 30, 1994.

Elizabeth A. Saylor, Iowa City, Johnson County, for appointment to the State Board of Examiners for Nursing Home Administrators pursuant to Section 135E.2 for a term beginning May 1, 1991, and ending April 30, 1994.

For appointment to the State Board of Regents pursuant to Section 262.6 for terms beginning May 1, 1991, and ending April 30, 1997:

Thomas C. Dorr, Marcus, Cherokee County; Melissa L. Johnson, Webb, Clay County, and John E. Tyrrell, Manchester, Delaware County.

Harold W. White, Estherville, Emmet County, for appointment to the State Board of Tax Review pursuant to Section 421.1 for a term beginning May 1, 1991, and ending April 30, 1997.

For appointment to the State Foster Care Review Board pursuant to Section 237.16:

Flora E. Haker, Vinton, Benton County, to fulfill an unexpired term beginning immediately and ending April 30, 1993, and Stephen A. Kuhn, Indianola, Warren County, for a term beginning May 1, 1991, and ending April 30, 1994.

Gaylon L. Halverson, Cedar Falls, Black Hawk County, for appointment to the State Health Facilities Council pursuant to Section 135.62 for a term beginning May 1, 1991, and ending April 30, 1997.

For appointment to the State Judicial Nominating Commission pursuant to Section 46.1 for terms beginning May 1, 1991, and ending April 30, 1997:

John M. McCann, Des Moines, Polk County, and Mary Jane Zimmerman, Grinnell, Poweshiek County.

For appointment to the State Soil Conservation Committee pursuant to Section 467A.4 for terms beginning May 1, 1991, and ending April 30, 1997:

Wendell C. Pellett, Atlantic, Cass County, and Diane C. Thompson, Forest City, Winnebago County.

Marlin M. Volz, Jr., Davenport, Scott County, for appointment to the State Transportation Commission pursuant to Section 307.3 for a term beginning May 1, 1991, and ending April 30, 1995.

Jay D. Stewart, Polk City, Polk County, for appointment to the Title Guaranty Division Board pursuant to Section 220.2 for a term beginning May 1, 1991, and ending April 30, 1997.

Emmit J. George, Iowa City, Johnson County, for appointment to the Utilities Board pursuant to Section 474.1 for a term beginning May 1, 1991, and ending April 30, 1997.

To the Wallace Technology Transfer Foundation of Iowa pursuant to Section 28.154:

Varel G. Bailey, Anita, Cass County, for appointment to fulfill an unexpired term beginning immediately and ending April 30, 1994; Warren B. Dunham, Ames, Story County, for appointment to fulfill an unexpired term beginning immediately and ending April 30, 1992, and Rose Rennekamp, North Liberty, Johnson County, for reappointment to a term beginning May 1, 1991, and ending April 30, 1995.

The term of Judy Kappmeyer-Elleson on the Accountancy Examining Board will expire April 30, 1991. This appointment to the Accountancy Examining Board has been deferred pursuant to Section 2.32(4) because no candidate has been selected for this position.

The appointment of Administrator of the Division of Children, Youth and Families has been deferred pursuant to Section 2.32(4) because no candidate has been selected for this position.

The appointment of Administrator of the Division of Latino Affairs has been deferred pursuant to Section 2.32(4) because no candidate has been selected for this position.

The appointment of Director of the Department of Commerce has been deferred pursuant to Section 2.32(4) because no candidate has been selected for this position.

The appointment of the Director of the Department of Management has been deferred pursuant to Section 2.32(4) because no candidate has been selected for this position.

The appointments of the Iowa Advance Funding Authority have been deferred pursuant to Section 2.32(4) because this board has been inactive for several years and I will be submitting language to eliminate this board.

I have been informed that Thomas C. Dorr has resigned from the Wallace Technology Transfer Foundation of Iowa. This resignation is effective immediately.

Sincerely,
TERRY E. BRANSTAD
Governor

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:31 a.m., until 4:30 p.m.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	411	Commerce
S. F.	426	Human Resources
S. F.	427	State Government
S. F.	428	Education
S. F.	437	State Government

CERTIFICATES OF RECOGNITION

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

Florence Breyman, Fairfield — For celebration of her 107th birthday on March 16, 1991. Senator Hedge (3-16-91).

Coach Blair and the Bravettes of Cherokee — For advancement to the 1991 "Sweet 16" of Iowa, six-on-six basketball tournament by winning the regional finals. Senator Vande Hoef (3-18-91).

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 March 19, 1991, and recommended the appointees be confirmed:

Jean Klingaman and Harold C. McCormick for reappointment as members of the Board of Corrections.

Barbara Binnie for reappointment as a member of the Board of Parole.

Kenneth A. Robinson for reappointment as a member of the Iowa State Civil Rights Commission.

NATURAL RESOURCES

Pursuant to Senate Rule 59, the committee on Natural Resources assigned to investigate the following Governor's appointment, completed its investigation on March 20, 1991, and recommended the appointee be confirmed:

Elwyn T. Gaskill for reappointment as a member of the Natural Resource Commission.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: March 19, 1991, 8:00 a.m.

Members Present: Priebe, Chair; Peterson, Vice Chair; Soorholtz, Ranking Member; Boswell, Doyle, Fraise, Hedge, Hester, Husak, McLaren, Miller, Palmer, Riordan, Rittmer and Vande Hoef.

Members Absent: none.

Committee Business: Approved SSBs 288, 257, 69, 256 and LSB1155SC as committee bills; recommended passage of Senate Resolution 7; amended and approved SSB 286 and ordered redrafted as a committee bill; assigned bills to subcommittees.

Adjourned: 8:52 a.m.

BUSINESS AND LABOR RELATIONS

Convened: March 19, 1991, 1:30 p.m.

Members Present: Running, Chair; Sturgeon, Vice Chair; Fuhrman, Ranking Member; Buhr, Kinley, Palmer, Peterson, Rensink, Slife and Taylor.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended confirmation of governor's appointee; approved SSBs 313 and 314 as committee bills; amended and approved SSBs 194, 298, 323 and 169 as committee bills.

Adjourned: 2:35 p.m.

COMMERCE

Convened: March 19, 1991, 10:35 a.m.

Members Present: Deluhery, Chair; Slife, Ranking Member; Doyle, Gettings, Gronstal, Jensen, Kersten, Lind, Priebe, Sturgeon, Tieden and Varn.

Members Absent: Kinley, Vice Chair; Nystrom and Palmer (all excused).

Committee Business: Assigned bills to subcommittees; amended Senate File 142 and ordered redrafted as a committee bill; approved SSBs 273, 284 and 271 as committee bills; deferred action on Senate File 226, SSBs 269 and 213; recommended confirmation of governor's appointee.

Adjourned: 11:32 a.m.

EDUCATION

Convened: March 19, 1991, 3:40 p.m.

Members Present: Connolly, Chair; Horn, Vice Chair; Taylor, Ranking Member; Deluhery, Dieleman, Kibbie, Kramer, Lind, Murphy, Rensink, Running, Szymoniak, Tieden, Tinsman and Varn.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended confirmation of governor's appointees; approved Senate File 61 as a committee bill; deferred action on SSBs 203 and 209 and Senate File 106.

Adjourned: 4:14 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: March 19, 1991, 1:37 p.m.

Members Present: Rosenburg, Chair; Gronstal, Vice Chair; Jensen, Ranking Member; Borlaug, Deluhery, Fraise, Hannon, Hedge, Kersten, Miller, Soorholtz and Varn.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate Files 223, 52 and 216; approved SSBs 224 and 262 as committee bills.

Adjourned: 2:32 p.m.

JUDICIARY

Convened: March 19, 1991, 3:41 p.m.

Members Present: Sturgeon, Chair; Rosenberg, Vice Chair; Fuhrman, Ranking Member; Connolly, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson, Slife and Varn.

Members Absent: none.

Committee Business: Recommended confirmation of governor's appointees; approved SSB 248 as redrafted; approved SSBs 305 and 266 as committee bills; recommended passage of Senate Files 291 and 177; amended SSBs 177, 236 and 278; recommended passage of Senate File 27 as amended.

Adjourned: 5:37 p.m.

WAYS AND MEANS

Convened: March 19, 1991, 9:47 a.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hedge, Ranking Member; Connolly, Drake, Fraise, Fuhrman, Hester, McLaren, Palmer, Rosenberg, Szymoniak and Taylor.

Members Absent: Deluhery and Murphy (excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 9:57 a.m.

STUDY BILLS RECEIVED

SSB 337 Human Resources

A Joint Resolution to nullify an administrative rule of the department of human services relating to limitations of supplemental payments for health facilities services under medicaid and providing an effective date.

SSB 338 Human Resources

A Joint Resolution to nullify an administrative rule of the department of human services relating to reimbursement for psychiatric medical institutions for children, and providing an effective date.

SSB 339 Local Government

Relating to authorized expenditures of enhanced 911 service surcharge revenues.

SSB 340 Education

Relating to school instruction and attendance of children of compulsory school attendance age.

SSB 341 State Government

Providing for voluntary limitation of campaign expenditures for certain elective officers and providing penalties.

SSB 342 Commerce

Relating to the establishment of consumer savings banks.

SSB 343 Business & Labor Relations

Relating to this state's labor laws administered by the labor commissioner by amending provisions of the Code concerning occupational safety and health penalties, boiler inspections, child labor laws, and out-of-state contractor bonding requirements.

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 9**

RULES AND ADMINISTRATION: Lloyd-Jones, Chair; Gettings and Jensen

Senate Concurrent Resolution 11

RULES AND ADMINISTRATION: Husak, Chair; Hutchins and Jensen

Senate Concurrent Resolution 12

RULES AND ADMINISTRATION: Lloyd-Jones, Chair; Gettings and Soorholtz

Senate Concurrent Resolution 14

RULES AND ADMINISTRATION: Lloyd-Jones, Chair; Kinley and Rife

Senate Joint Resolution 7

RULES AND ADMINISTRATION: Lloyd-Jones, Chair; Husak and Jensen

Senate File 354

EDUCATION: Horn, Chair; Murphy and Taylor

Senate File 365

COMMERCE: Palmer, Chair; Deluhery and Nystrom

Senate File 371

EDUCATION: Kibbie, Chair; Horn and Tinsman

Senate File 381

HUMAN RESOURCES: Murphy, Chair; Hagerla and Hannon

Senate File 387

EDUCATION: Szymoniak, Chair; Deluhery and Tieden

Senate File 394

JUDICIARY: Varn, Chair; Hagerla and Rosenberg

Senate File 398

JUDICIARY: Varn, Chair; Hagerla and Horn

Senate File 399

EDUCATION: Connolly, Chair; Murphy and Tinsman

Senate File 401

TRANSPORTATION: Kinley, Chair; Gettings and Nystrom

Senate File 403

APPROPRIATIONS: Husak, Chair; Boswell and Tieden

Senate File 408

JUDICIARY: Murphy, Chair; Deluhery and Fuhrman

Senate File 409

STATE GOVERNMENT: Horn, Chair; Kibbie and Soorholtz

Senate File 411

COMMERCE: Kinley, Chair; Deluhery and Lind

Senate File 414

JUDICIARY: Murphy, Chair; Pate and Peterson

Senate File 415

JUDICIARY: Varn, Chair; Horn and Slife

Senate File 416

AGRICULTURE: Hester, Chair; Boswell and Vande Hoef

Senate File 419

LOCAL GOVERNMENT: Miller, Chair; Borlaug and Fraise

Senate File 420

COMMERCE: Palmer, Chair; Doyle, Gronstal, Jensen and Slife

Senate File 421

COMMERCE: Deluhery, Chair; Tieden and Varn

Senate File 423

JUDICIARY: Rosenberg, Chair; Hagerla and Murphy

Senate File 427

STATE GOVERNMENT: Priebe, Chair; Buhr and Soorholtz

Senate File 437

STATE GOVERNMENT: Kibbie, Chair; Dieleman and Soorholtz

House File 419

TRANSPORTATION: Lloyd-Jones, Chair; Connolly and Jensen

**SSB 310
(Reassigned)**

TRANSPORTATION: Connolly, Chair; Dieleman, Drake, Gettings and Jensen

SSB 315

EDUCATION: Connolly, Chair; Horn and Kramer

SSB 326

EDUCATION: Varn, Chair; Connolly and Rensink

SSB 333

ENVIRONMENT AND ENERGY UTILITIES: Deluhery, Chair; Borlaug, Jensen, Rosenberg and Varn

SSB 336

JUDICIARY: Sturgeon, Chair; Gronstal and Pate

SSB 337

HUMAN RESOURCES: Hannon, Chair; Rittmer and Szymoniak

SSB 338

HUMAN RESOURCES: Szymoniak, Chair; Sturgeon and Tinsman

SSB 339

LOCAL GOVERNMENT: Miller, Chair; Fraise and Jensen

SSB 341

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

SSB 342

COMMERCE: Kinley, Chair; Deluhery and Lind

COMMITTEE REPORTS**AGRICULTURE**

Final Bill Action: SENATE FILE 446 (SSB 256), a bill for an act relating to agricultural chemicals, by regulating the use of chemicals in irrigation distribution systems, providing for fees, providing for penalties, and providing for an effective date and date of applicability.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Priebe, Peterson, Soorholtz, Fraise, Hedge, Hester, Husak, McLaren, Miller, Palmer, Riordan, Rittmer and Vande Hoef. Nays, none. Absent or not voting, 2: Boswell and Doyle.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BUSINESS AND LABOR RELATIONS

Final Bill Action: SENATE FILE 441 (SSB 314), a bill for an act relating to workers' compensation self-insurance, imposing civil and criminal penalties, and providing an appropriation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Running, Sturgeon, Fuhrman, Buhr, Kinley, Palmer, Peterson, Rensink, Slife and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 442 (SSB 313), a bill for an act establishing a guaranty fund for individual employers which self-insure for their workers' compensation liability and providing for assessments.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Running, Sturgeon, Buhr, Kinley, Palmer, Peterson, Slife and Taylor. Nays, 2: Fuhrman and Rensink.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 443 (SSB 169), a bill for an act relating to workers' compensation medical benefits and weekly benefit claims, extraterritorial jurisdiction, burial expenses, and minimum benefit payments.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Running, Sturgeon, Fuhrman, Buhr, Kinley, Palmer, Peterson, Rensink, Slife and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 457 (SSB 323), a bill for an act relating to collective bargaining.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Running, Sturgeon, Buhr, Kinley, Palmer, Peterson and Slife. Nays, 3: Fuhrman, Rensink and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 458 (SSB 194), a bill for an act including within the scope of collective bargaining negotiations insurance coverage for early retirees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Running, Sturgeon, Fuhrman, Buhr, Kinley, Palmer, Peterson, Rensink, Slife and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 459 (SSB 298), a bill for an act relating to equipment used for the construction of and maintenance of way for railroad tracks by establishing safety standards and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Running, Sturgeon, Buhr, Kinley, Palmer, Peterson and Slife. Nays, 3: Fuhrman, Rensink and Taylor.

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 Business and Labor Relations Committee on Senate Files 457, 458 and 459 and they were attached to the committee reports.

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: SENATE FILE 448 (SSB 262), a bill for an act relating to hazardous waste and hazardous substance disposal sites.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Rosenberg, Gronstal, Jensen, Borlaug, Deluhery, Fraise, Hannon, Hedge, Kersten, Miller, Soorholtz, and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 451 (SSB 224), a bill for an act relating to the imposition of an increased solid waste tonnage fee.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Rosenberg, Gronstal, Jensen, Borlaug, Deluhery, Fraise, Hannon, Hedge, Kersten, Miller, Soorholtz, and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 43, a bill for an act relating to access to and the use of dependent adult abuse information.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Hannon, Buhr, Hagerla, Horn, Kramer, Murphy, Riordan, Rittmer, Sturgeon, Szymoniak, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 381, a bill for an act relating to the required provision of case management services by supervisory personnel employed by the department of human services.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Hannon, Buhr, Hagerla, Horn, Kramer, Murphy, Riordan, Rittmer, Sturgeon, Szymoniak, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 455 (SSB 166), a bill for an act relating to the restructuring of the codified provisions relating to dependent adult abuse and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hannon, Buhr, Hagerla, Horn, Kramer, Murphy, Riordan, Rittmer, Sturgeon, Szymoniak, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 27, a bill for an act relating to notice of filing of petitions seeking to establish guardianships and conservatorships.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3134.

Final Vote: Ayes, 12: Sturgeon, Rosenberg, Fuhrman, Connolly, Deluhery, Drake, Gronstal, Hagerla, Hester, Peterson, Slife and Varn. Nays, none. Absent or not voting, 3: Horn, Murphy and Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 177, a bill for an act prohibiting discriminatory practices based upon a person's sexual orientation.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Sturgeon, Rosenberg, Fuhrman, Connolly, Drake, Gronstal, Hagerla, Horn, Murphy, Peterson, and Varn. Nays, 4: Deluhery, Hester, Pate and Slife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 291, a bill for an act relating to the date of completion of the transfer of responsibilities for certain child support orders from the department of human services to the judicial department.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Sturgeon, Rosenberg, Fuhrman, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson and Slife. Nays, none. Absent or not voting, 2: Connolly and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 444 (SSB 248), a bill for an act relating to law enforcement, victim services, and domestic abuse, establishing certain training and certification requirements, establishing and increasing certain criminal penalties, imposing mandatory minimum sentences, establishing a domestic abuse services fund, establishing an income tax checkoff for domestic abuse, increasing certain court costs and fees, eliminating certain court costs, requiring batterers

treatment by offenders, establishing a pilot program, and containing effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Sturgeon, Rosenberg, Fuhrman, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson, Slife and Varn. Nays, none. Absent or not voting, 2: Connolly and Deluhery.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 445 (SSB 266), a bill for an act relating to the forfeiture of the rights of junior lienholders with respect to real estate contracts and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Sturgeon, Rosenberg, Fuhrman, Connolly, Deluhery, Gronstal, Hagerla, Hester, Pate, Peterson, Slife and Varn. Nays, none. Absent or not voting, 3: Drake, Horn and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 450 (SSB 293), a bill for an act relating to the enforcement of child custody and visitation orders.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Sturgeon, Fuhrman, Connolly, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Peterson, Slife and Varn. Nays, 1: Rosenberg. Absent or not voting, 2: Murphy and Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 453 (SSB 305), a bill for an act relating to judicial officers having jurisdiction over civil commitment proceedings and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Sturgeon, Rosenberg, Fuhrman, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson, Slife and Varn. Nays, none. Absent or not voting, 2: Connolly and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 80, a bill for an act relating to liability of municipalities for torts on municipal extensions of primary roads.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Miller, Szymoniak, Rittmer, Borlaug, Buhr, Fraise, Hannon and Vande Hoef. Nays, none. Absent or not voting, 2: Boswell and Jensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 279, a bill for an act relating to the requirements for approval of certain cremation permits.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Miller, Szymoniak, Rittmer, Borlaug, Buhr, Fraise, Hannon and Vande Hoef. Nays, none. Absent or not voting, 2: Boswell and Jensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 419, a bill for an act relating to voting hours for drainage or levee district trustee elections.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Miller, Szymoniak, Rittmer, Borlaug, Buhr, Fraise, Hannon and Vande Hoef. Nays, none. Absent or not voting, 2: Boswell and Jensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 460 (formerly S.F. 173), a bill for an act relating to the establishment of certain county roads and legalizing the proceedings concerning the establishment of certain county roads.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Miller, Szymoniak, Rittmer, Borlaug, Buhr, Fraise, Hannon and Vande Hoef. Nays, none. Absent or not voting, 2: Boswell and Jensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: SENATE FILE 35, a bill for an act relating to the disposal of deer killed along secondary roads.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Palmer, Kibbie, Hester, Dieleman, Hagerla, Hedge, Priebe, Rensink, Riordan, Rosenberg, Sturgeon and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 217, a bill for an act authorizing nonambulatory persons to use all-terrain vehicles for hunting on private land and subjecting violators to a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Palmer, Kibbie, Hester, Dieleman, Hagerla, Hedge, Priebe, Rensink, Riordan, Rosenberg, Sturgeon and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 392, a bill for an act relating to the issuance of special hunting permits by the department of natural resources.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Palmer, Kibbie, Hester, Dieleman, Hagerla, Hedge, Priebe, Rensink, Riordan and Tieden. Nays, 2: Rosenberg and Sturgeon.

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 Natural Resources Committee on Senate File 392 and they were attached to the committee report.

RULES AND ADMINISTRATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 11, a resolution protecting the lack of progress and results of investigations of Americans missing in action in Southeast Asia.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Hutchins, Welsh, Rife, Gettings, Husak, Jensen, Kinley, Lloyd-Jones and Soorholtz. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 63, a bill for an act relating to motor vehicle accident reporting levels.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Fraise, Connolly, Drake, Dieleman, Gettings, Jensen, Kersten, Kinley, Lloyd-Jones, Nystrom and Pate. Nays, none. Absent or not voting, 1: Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 454 (formerly Senate File 40), a bill for an act requiring the state department of transportation to conduct a light rail study.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Fraise, Connolly, Drake, Dieleman, Gettings, Jensen, Kersten, Kinley, Lloyd-Jones, Nystrom and Pate. Nays, none. Absent or not voting, 1: Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 461 (SSB 332), a bill for an act requiring confidential use of social security numbers on noncommercial driver's license applications.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Fraise, Connolly, Drake, Dieleman, Gettings, Jensen, Kersten, Kinley, Lloyd-Jones, Nystrom and Pate. Nays, none. Absent or not voting, 1: Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 462 (SSB 111), a bill for an act making it a felony to buy, sell, exchange, give away, or possess various vehicle identification number plates, labels, stickers, or rivets, removing, holding, or using a

manufacturers vehicle identification plate as a fraudulent practice and creating a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Fraise, Connolly, Drake, Dieleman, Gettings, Jensen, Kersten, Kinley, Lloyd-Jones, Nystrom and Pate. Nays, none. Absent or not voting, 1: Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 4:58 p.m., President pro tempore Lloyd-Jones presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 18, 1991, passed the following bills in which the concurrence of the Senate is asked:

House File 309, a bill for an act relating to maximum lengths of saddle mounted or full mounted power unit combination vehicles and the length of draw bar or other connections on certain towing vehicles.

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

House File 417, a bill for an act relating to private club expense deductions for individual and corporate state income tax purposes.

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

House File 426, a bill for an act relating to Pearl Harbor motor vehicle registration plates.

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

INTRODUCTION OF BILLS

Senate File 448, by committee on Environment and Energy Utilities a bill for an act relating to hazardous waste and hazardous substance disposal sites.

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

Senate File 449, by Kinley, a bill for an act relating to disputes between landlords and tenants.

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

Senate File 450, by committee on Judiciary, a bill for an act relating to the enforcement of child custody and visitation orders.

Read first time and placed on calendar.

Senate File 451, by committee on Environment and Energy Utilities, a bill for an act relating to the imposition of an increased solid waste tonnage fee.

Read first time and placed on calendar.

Senate File 452, by Kinley, a bill for an act relating to the administration of fairs.

Read first time and passed on file.

Senate File 453, by committee on Judiciary, a bill for an act relating to judicial officers having jurisdiction over civil commitment proceedings and providing an effective date.

Read first time and placed on calendar.

Senate File 454, by committee on Transportation, a bill for an act authorizing the state department of transportation to contract for a light rail study.

Read first time and placed on calendar.

Senate File 455, by committee on Human Resources, a bill for an act relating to the restructuring of the codified provisions relating to dependent adult abuse, and providing penalties.

Read first time and placed on calendar.

Senate File 456, by Taylor, a bill for an act relating to secondary education standards requiring as a condition of graduation a passing grade in courses of instruction that include the Declaration of Independence, the United States Constitution, and the Federalist Papers.

Read first time and passed on file.

Senate File 457, by committee on Business and Labor Relations, a bill for an act relating to collective bargaining.

Read first time and placed on calendar.

Senate File 458, by committee on Business and Labor Relations, a bill for an act including within the scope of collective bargaining negotiations insurance costs for retirees.

Read first time and placed on calendar.

Senate File 459, by committee on Business and Labor Relations, a bill for an act relating to equipment used for the construction of and maintenance of way for railroad tracks by establishing safety standards and providing a penalty.

Read first time and placed on calendar.

Senate File 460, by committee on Local Government, a bill for an act relating to the establishment of certain county roads and legalizing the proceedings concerning the establishment of certain county roads.

Read first time and placed on calendar.

Senate File 461, by committee on Transportation, a bill for an act requiring confidential use of social security numbers on noncommercial driver's license applications.

Read first time and placed on calendar.

Senate File 462, by committee on Transportation, a bill for an act making it a felony to buy, sell, exchange, give away, or possess various vehicle identification number plates, labels, stickers, or rivets, removing, holding, or using a manufacturers vehicle identification plate as a fraudulent practice and creating a penalty.

Read first time and placed on calendar.

Senate File 463, by Hagerla, a bill for an act relating to arson.

Read first time and passed on file.

Senate File 464, by Kinley, Szymoniak, Palmer, Buhr and Kramer, a bill for an act relating to alternative forms of local government and creating a new alternative form of local government for cities and counties known as a regional service area, with provisions relating to tax collection and service delivery.

Read first time and passed on file.

Senate File 465, by committee on State Government, a bill for an act relating to the department of inspections and appeals by creating new licensing and fee requirements for gaming activities.

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

Senate File 466, by committee on State Government, a bill for an act relating to the authority of departmental policymaking boards, commissions, and councils.

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

Senate File 467, by Riordan, a bill for an act authorizing community colleges to train individuals to conduct gambling games on excursion gambling boats, making it legal for the community colleges to possess certain gambling devices and equipment, and providing for a credit on the wagering tax for the costs of the training.

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

Senate File 468, by Kinley, a bill for an act relating to the conduct of gambling, to simulcasting pari-mutuel races, and to other matters associated with gambling in this state, to provide an effective date and to subject violators to existing penalties.

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

Senate File 469, by committee on Human Resources, a bill for an act relating to the types of child abuse cases included in the central registry.

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

Senate File 470, by committee on Human Resources, a bill for an act relating to federal-state public assistance programs.

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

Senate File 471, by committee on Human Resources, a bill for an act relating to state policies and procedures affecting children.

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

President Welsh took the chair at 5:02 p.m.

QUORUM CALL

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

The vote revealed 39 present, 11 absent and a quorum present.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Dieleman for the remainder of the day on request of Senator Hutchins; Senators Slife and Tieden for the remainder on the day on request of Senator Rife and Senator Taylor for the remainder of the day on request of Senator Jensen.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 326

On motion of Senator Nystrom, Senate File 326, a bill for an act exempting members, employees, and the secretary of the board of trustees for the statewide fire and police retirement system from certain liabilities, providing per diem compensation for board members, appropriating funds to the board, changing the date for completion of an actuarial study, providing that certain cities that did not participate in a chapter 411 retirement system as of May 3, 1990, are not required to participate in the statewide system, and providing retroactive applicability and effective date provisions, was taken up for consideration.

Senator Deluhery asked and received unanimous consent that action on Senate File 326 be deferred.

Senate File 363

On motion of Senator Szymoniak, Senate File 363, a bill for an act to permit advanced nurse practioners to prescribe noncontrolled substances or devices under certain circumstances, 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. 363) the vote was:

Ayes, 46:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Tieden	Vande Hoef
Varn	Welsh		

Nays, none:

Absent or not voting, 4:

Dieleman	Rosenberg	Taylor	Tinsman
----------	-----------	--------	---------

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

Senate File 254

On motion of Senator Riordan, Senate File 254, a bill for an act relating to economic development by transferring funds to the revolving fund of the rural community 2000 program, establishing time frames for the completion of the community builder program, and providing an effective date, was taken up for consideration.

Senator Riordan offered amendment S—3119 filed by Senators Riordan, et al. on March 14, 1991, to strike everything after the enacting clause and to the title page of the bill.

Senator Riordan offered amendment S—3141 filed by him from the floor to page 1 of amendment S—3119 and moved its adoption.

Amendment S—3141 was adopted by a voice vote.

Senator Riordan asked and received unanimous consent that action on amendment S—3119 as amended and **Senate File 254** be **deferred**.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	438	Commerce
S. F.	439	State Government
S. F.	440	Judiciary
S. F.	447	Appropriations
S. F.	449	Judiciary
S. F.	452	State Government
S. F.	456	Education
S. F.	463	Judiciary
S. F.	464	Local Government
S. F.	467	Education
S. F.	468	State Government
H. F.	309	Transportation
H. F.	417	Ways and Means
H. F.	426	Transportation

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 March 20, 1991, and recommended the appointees be confirmed:

Rhea Renee Walker for reappointment as a member of the Board of Educational Examiners.

Mary E. Sievert for reappointment as a member of the First in the Nation in Education Foundation Governing Board.

COMMITTEE REPORTS

EDUCATION

Final Bill Action: SENATE FILE 387, a bill for an act to establish a foreign study program for teachers with funding from phase III of the educational excellence program.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Connolly, Horn, Taylor, Deluhery, Dieleman, Kibbie, Kramer, Lind, Murphy, Rensink, Running, Szymoniak, Tieden, Tinsman and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 428, a bill for an act relating to the creation of a student aid recovery agency to be attached to the Iowa college student aid commission and establishing a fund.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Connolly, Horn, Taylor, Deluhery, Dieleman, Kibbie, Kramer, Lind, Murphy, Rensink, Running, Szymoniak, Tieden, Tinsman and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 469 (SSB 324), a bill for an act relating to the types of child abuse cases included in the central registry.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hannon, Buhr, Hagerla, Horn, Kramer, Murphy, Riordan, Rittmer, Sturgeon, Szymoniak, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 470 (SSB 165), a bill for an act relating to federal-state public assistance programs.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hannon, Buhr, Hagerla, Horn, Kramer, Murphy, Riordan, Rittmer, Sturgeon, Szymoniak, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 471 (SSB 155), a bill for an act relating to state policies and procedures affecting children.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hannon, Buhr, Hagerla, Horn, Kramer, Murphy, Riordan, Rittmer, Sturgeon, Szymoniak, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 465 (SSB 160), a bill for an act relating to the department of inspections and appeals by creating new licensing and fee requirements for gaming activities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Kibbie, Lloyd-Jones, Nystrom, Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, McLaren, Priebe, Running, Soorholtz and Vande Hoef. Nays, 3: Lind, Rife and Welsh. Absent or not voting, 2: Kramer and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 466 (SSB 282), a bill for an act relating to the authority of departmental policymaking boards, commissions, and councils.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Kibbie, Lloyd-Jones, Nystrom, Buhr, Dieleman, Doyle, Gronstal, Horn, McLaren, Priebe, Running, Soorholtz and Welsh. Nays, 4: Drake, Lind, Rife and Vande Hoef. Absent or not voting, 2: Kramer and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3132	S.F.	280	Elaine Szymoniak
S—3133	S.F.	280	Ray Taylor
S—3134	S.F.	27	Judiciary
S—3135	S.F.	260	John W. Jensen
			Alvin V. Miller
			Allen Borlaug
S—3136	S.F.	427	Berl E. Priebe

S—3137	S.F.	85	Joe Welsh
S—3138	S.F.	443	Business & Labor Relations
S—3139	H.F.	385	Eugene Fraise
S—3140	S.F.	48	William Palmer
			Mary Kramer
			Michael Gronstal
			Linn Fuhrman
S—3141	S.F.	254	Jim Riordan

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:25 p.m., until 9:00 a.m., Thursday, March 21, 1991.

JOURNAL OF THE SENATE

SIXTY-SEVENTH CALENDAR DAY
FORTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 21, 1991

The Senate met in regular session at 9:10 a.m., President pro tempore Lloyd-Jones presiding.

Prayer was offered by the Reverend Thad Thomas, pastor of the Mt. Carmel Baptist Church, Waterloo, Iowa.

The Journal of Wednesday, March 20, 1991, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 19, 1991, passed the following bills in which the concurrence of the House was asked:

Senate File 87, a bill for an act relating to the deposit insurance required of certain financial institutions, and providing an effective date.

Senate File 111, a bill for an act relating to the qualifications for licensure of an accounting practitioner.

Senate File 174, a bill for an act classifying the transfer of a nonpayable financial instrument to a livestock dealer or market agency as a fraudulent practice and making penalties applicable.

Senate File 180, a bill for an act to delete the requirement for personal identifying information in the collection of domestic abuse reports.

ALSO: That the House has on March 19, 1991, passed the following bill in which the concurrence of the Senate is asked:

House File 430, a bill for an act relating to the crime victim assistance programs.

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

INTRODUCTION OF BILLS

Senate File 472, by Dieleman and Taylor, a bill for an act relating to child abuse by establishing certain requirements for child abuse investigations, challenge of findings, and release of information.

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

Senate File 473, by committee on Education, a bill for an act relating to accredited schools and school districts, making changes in the department of education's biennial report on the condition of schools, changing the requirements for certain pilot projects, providing exceptions to certain uses of funds received under an instructional support program, and changing the district in which shared-time pupils are counted under the postsecondary enrollment options Act.

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

Senate File 474, by committee on Judiciary, a bill for an act relating to possession of a device for stimulating or depressing a horse or dog during a race, and providing for penalties.

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

Senate File 475, by committee on Judiciary, a bill for an act relating to the enforcement of civil rights law, individual rights, and establishing penalties.

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

Senate File 476, by committee on State Government, a bill for an act relating to campaign finance disclosure by changing the definition of a candidate's committee, requiring the reporting to the treasurer of a committee of all contributions received by a person for the committee, requiring disclosure reports of out-of-state political action committees, changing the number of disclosure reports required in nonelection years, providing that the treasurer of a committee is not responsible for filing disclosure

reports or liable for civil penalties, allowing contributions from family-owned corporations, directing the use of leftover campaign funds, and providing for a civil penalty for violations regarding placement of political signs.

Read first time and placed on calendar.

Senate File 477, by committee on Local Government, a bill for an act relating to co-operative ownership of residential, business property, and providing an applicability date.

Read first time and placed on calendar.

Senate File 478, by committee on Education, a bill for an act to establish a parent education program.

Read first time and placed on calendar.

Senate File 479, by committee on Human Resources, a bill for an act relating to the reassignment of duties from the division of children, youth, and families of the department of human rights to the division of child and family services within the department of human services.

Read first time and placed on calendar.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:29 a.m., until 3:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: March 20, 1991, 2:45 p.m.

Members Present: Connolly, Chair; Horn, Vice Chair; Taylor, Ranking Member; Deluhery, Dieleman, Kibbie, Kramer, Lind, Murphy, Rensink, Running, Szymoniak, Tieden, Tinsman and Varn.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended confirmation of governor's appointees; deferred action on Senate File 106; approved SSBs 203 and 297; recommended passage of Senate Files 428 and 387; SSB 315 failed committee approval.

Adjourned: 3:45 p.m.

HUMAN RESOURCES

Convened: March 20, 1991, 9:45 a.m.

Members Present: Hannon, Chair; Buhr, Vice Chair; Hagerla, Ranking Member; Horn, Kramer, Murphy, Riordan, Rittmer, Sturgeon, Szymoniak, Taylor and Tinsman.

Members Absent: none.

Committee Business: Approved SSBs 166, 155, 279 (as amended), 165, 316 and 324 as committee bills; recommended passage of Senate Files 381 and 43; Senate File 262 failed recommendation for passage.

Adjourned: 10:40 a.m.

JUDICIARY

Convened: March 20, 1991, 3:54 p.m.

Members Present: Sturgeon, Chair; Rosenberg, Vice Chair; Fuhrman, Ranking Member; Connolly, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson and Varn.

Members Absent: Slife (excused).

Committee Business: Recommended confirmation of governor's appointees; approved SSBs 278, 336 and 236 as redrafted; approved SSBs 85, 103, 100 and 238 as committee bills; amended SSB 267 and Senate File 96; recommended passage of Senate File 2.

Adjourned: 4:59 p.m.

LOCAL GOVERNMENT

Convened: March 20, 1991, 10:50 a.m.

Members Present: Miller, Chair; Szymoniak, Vice Chair; Rittmer, Ranking Member; Borlaug, Buhr, Fraise, Hannon and Vande Hoef.

Members Absent: Boswell and Jensen (both excused).

Committee Business: Assigned bills to subcommittees; approved SSBs 294, 295, 339 and 328 as committee bills; recommended passage of Senate Files 80, 419 and 279; approved Senate File 173 as a committee bill; deferred action on SSB 227 and Senate File 26.

Adjourned: 11:39 a.m.

NATURAL RESOURCES

Convened: March 20, 1991, 10:35 a.m.

Members Present: Palmer, Chair; Kibbie, Vice Chair; Hester, Ranking Member; Dieleman, Hagerla, Hedge, Priebe, Rensink, Riordan, Rosenberg, Sturgeon and Tieden.

Members Absent: none.

Committee Business: Recommended confirmation of governor's appointee; approved SSB 321 and LSB 2736 as committee bills; recommended passage of Senate Files 392, 217 and 35.

Adjourned: 11:40 a.m.

RULES AND ADMINISTRATION

Convened: March 20, 1991, 9:40 a.m.

Members Present: Hutchins, Chair; Welsh, Vice Chair; Rife, Ranking Member; Gettings, Husak, Jensen, Kinley, Lloyd-Jones and Soorholtz.

Members Absent: none.

Committee Business: Recommended passage of Senate Concurrent Resolution 11; assigned resolutions to subcommittees; approved assignment of governor's appointees to standing committees; excused governor's appointee H. Idris Thomas from introduction before the Senate.

Adjourned: 9:45 a.m.

STATE GOVERNMENT

Convened: March 20, 1991, 1:37 p.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Lind, McLaren, Priebe, Rife, Running, Soorholtz, Vande Hoef and Welsh.

Members Absent: Kramer and Murphy (both excused).

Committee Business: Approved SSBs 334, 282 and 160 as committee bills; recommended passage of Senate File 273 as amended; Senate Files 282, 153 and 409 failed recommendation for passage.

Adjourned: 2:37 p.m.

TRANSPORTATION

Convened: March 20, 1991, 9:50 a.m.

Members Present: Fraise, Chair; Connolly, Vice Chair; Drake, Ranking Member; Dieleman, Gettings, Jensen, Kersten, Kinley, Lloyd-Jones, Nystrom, Pate and Welsh.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved SSBs 332 and 111 as committee bills; recommended passage of Senate Files 63 and 40.

Adjourned: 10:15 a.m.

STUDY BILLS RECEIVED

SSB 213.1 Commerce

Relating to the method of deregulation and the reimposition of regulation of communication services and facilities.

SSB 213.2 Commerce

Relating to certified exchange boundaries for local exchange utilities.

SSB 213.3 Commerce

Relating to establishing incentive regulation for utilities furnishing communication services.

SSB 344 Business & Labor Relations

Relating to collective bargaining by delineating certain duties and powers of the public employment relations board and eliminating fact-finding as an impasse procedure for certain teachers.

SSB 345 Small Business/Economic Development

Relating to funding for the Iowa finance authority housing trust fund, establishing the Iowa home ownership made easy program, and increasing the real estate transfer tax.

SSB 345.1 Small Business/Economic Development

Relating to funding for the Iowa finance authority housing trust fund, establishing the Iowa home ownership made easy program, and increasing the real estate transfer tax.

SSB 346 Business & Labor Relations

Giving public employees the right to strike.

SSB 347 Judiciary

Relating to the establishment of a confidential intermediary process for disclosure of adoption information and providing a penalty.

SUBCOMMITTEE ASSIGNMENTS**Senate Joint Resolution 5**

RULES AND ADMINISTRATION: Gettings, Chair; Husak and Soorholtz

Senate Joint Resolution 8

RULES AND ADMINISTRATION: Gettings, Chair; Husak and Soorholtz

Senate File 385

LOCAL GOVERNMENT: Miller, Chair; Borlaug and Buhr

Senate File 405

LOCAL GOVERNMENT: Fraise, Chair; Miller and Vande Hoef

Senate File 406

EDUCATION: Murphy, Chair; Horn and Taylor

Senate File 407

EDUCATION: Murphy, Chair; Horn and Taylor

Senate File 417

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Miller, Chair; Running and Vande Hoef

Senate File 418

EDUCATION: Horn, Chair; Lind and Varn

Senate File 425

LOCAL GOVERNMENT: Szymoniak, Chair; Fraise and Rittmer

Senate File 428

EDUCATION: Varn, Chair; Connolly and Tieden

Senate File 438

COMMERCE: Gronstal, Chair; Doyle, Jensen, Palmer and Slife

Senate File 439

STATE GOVERNMENT: Kibbie, Chair; Kramer and Lloyd-Jones

Senate File 440

JUDICIARY: Varn, Chair; Horn and Slife

Senate File 449

JUDICIARY: Murphy, Chair; Pate and Peterson

Senate File 452

STATE GOVERNMENT: Soorholtz, Chair; Dieleman and Priebe

Senate File 463

JUDICIARY: Connolly, Chair; Deluhery and Hagerla

Senate File 464

LOCAL GOVERNMENT: Szymoniak, Chair; Borlaug and Buhr

Senate File 468

STATE GOVERNMENT: Buhr, Chair; Priebe and Soorholtz

House File 309

TRANSPORTATION: Drake, Chair; Gettings and Kinley

House File 358

LOCAL GOVERNMENT: Fraise, Chair; Borlaug and Jensen

House File 426

TRANSPORTATION: Dieleman, Chair; Drake and Fraise

SSB 213.1

COMMERCE: Deluhery, Chair; Nystrom and Palmer

SSB 213.2

COMMERCE: Deluhery, Chair; Nystrom and Palmer

SSB 213.3

COMMERCE: Deluhery, Chair; Nystrom and Palmer

SSB 340

EDUCATION: Connolly, Chair; Murphy and Tinsman

SSB 343

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

SSB 344

BUSINESS AND LABOR RELATIONS: Running, Chair; Buhr and Rensink

SSB 345

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Riordan, Chair; Kramer and Running

SSB 345.1

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Riordan, Chair; Kramer and Running

SSB 346

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

SSB 347

JUDICIARY: Murphy, Chair; Deluhery and Fuhrman

**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 March 21, 1991:

AGRICULTURE

Sharon K. Sievers — Agricultural Development Authority

Wendell C. Pellett and Diane C. Thompson — State Soil Conservation Committee

BUSINESS AND LABOR RELATIONS

Robert D. Wilson — Industrial Commissioner

COMMERCE

Jay D. Stewart — Title Guaranty Division Board

EDUCATION

Jacqueline M. Parkin — Board of Educational Examiners

William H. Jackson — Director of the Department of Cultural Affairs

Eleanor M. Birch, Patrick D. Cavanaugh and Judith M. Thoreson — School Budget Review Committee

John V. Hartung — Iowa Higher Education Loan Authority

Thomas C. Dorr, Melissa L. Johnson and John E. Tyrrell — State Board of Regents

ENVIRONMENT AND ENERGY UTILITIES

Charlotte Mohr, Gary Priebe, Nancy Lee Siebenmann and Clark Yeager — Environmental Protection Commission

Emmit J. George — Utilities Board

Dennis Nagel — Chairperson of the Utilities Board

HUMAN RESOURCES

Myron L. Gookin, Gilbert C. Hoogendoorn, Keniston H. Hoppenworth, Vilas L. Morris, Jr., Robert E. Petersen and Michael D. Stallman as members of the Mental Health and Mental Retardation Commission.

James E. Smith — Administrator of Division of Community Action Agencies

Stephanie Ann Johnson — Commission on Community Action Agencies

R. Creig Slayton — Director of the Department for the Blind

Gaylon L. Halverson — State Health Facilities Council

Flora E. Haker and Stephen A. Kuhn — State Foster Care Review Board

Betty Grandquist — Director of the Department of Elder Affairs

Patrick R. Sell — Commission on the Deaf

Christopher G. Atchison — Director of Public Health

Jim D. Davis — Council on Human Services

JUDICIARY

Sally M. O'Donnell — Iowa State Civil Rights Commission

Richard R. Vander Mey and Donald O. Vold — Board of Corrections

Michael K. Oelrich and Connie Sue Ricklefs — Drug Abuse Prevention and Education Advisory Council

John M. McCann and Mary Jane Zimmerman — State Judicial Nominating Commission

Lorraine M. Vopava — Commission on Judicial Qualifications

Dennis L. Fiser, Lori Lewis and William M. McCarthy — Narcotics Enforcement Advisory Council

LOCAL GOVERNMENT

James E. Benbow, Robert I. Kramme, Duane J. Vande Hoef and Sharon L. Winchell — County Finance Committee

NATURAL RESOURCES

Mark Doll — Natural Resource Commission

Larry J. Wilson — Director of the Department of Natural Resources

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Jane Ann Schlabaugh — Iowa Product Development Corporation

Varel G. Bailey, Warren B. Dunham and Rose Rennekamp — Wallace Technology Transfer Foundation of Iowa

STATE GOVERNMENT

Arlan (Jack) Van Norman — Pharmacy Examining Board

Elizabeth A. Saylor — State Board of Examiners for Nursing Home Administrators

Colleen M. Reilly — Optometry Examining Board

Elsie E. Mellott — Personnel Commission

Thomas E. Donahue — Director of the Department of Personnel

Nancy E. Knutstrom and Guy W. Richardson — Board of Nursing Examiners

Marjorie L. Reth — Mortuary Science Examining Board

Charlotte A. Cleavenger and Ann O'Neill — Medical Examining Board

Ramona K. Kennedy — Chiropractic Examining Board

Maude E. White and Anna Mae Weems — Commission on the Status of Blacks

Dennis Ruffcorn — Barber Examining Board

Glen D. Huntington — Architectural Examining Board

Warren Lawson — Adjutant General

Steven G. Berry — Respiratory Care Advisory Committee

Angela M. O'Rourke-Hartwig — Accountancy Examining Board

Mary K. Carlson — Dietetic Examining Board

R. Bruce Cochrane, Carolyn A. McNeill and Vicki Reschly — Dental Examining Board

Michael G. Genz — Speech Pathology and Audiology Examining Board

Erlene Veverka — Social Work Examining Board

Russell D. Nading and Marlys S. Nielsen — Real Estate Commission

James E. Hughes and Lee W. Johnson — Physical and Occupational Therapy Examining Board

Reuvena M. Bruxvoort — Cosmetology Examining Board

Monty Mitchell — Landscape Architectural Examining Board

Connie M. Alt and Ross M. Sutton — Iowa Lottery Board

Edward J. Stanek — Commissioner of the Lottery

Sandra Lee Adkins and Donald E. Snyder — Investment Board of the IPERS

Dean Frey and Jane A. McCall — Iowa Board of Veterinary Medicine

TRANSPORTATION

Bernal F. Koehrsen, Jr. — Iowa Law Enforcement Academy Council

Mardith A. Baenzinger, Virginia L. Blackburn, Sandra Q. Larson, Morris E. Mikkelsen, Donna Lee Smith and Sally J. Steffen - Iowa Highway Research Board

Marlin M. Volz, Jr. — State Transportation Commission

WAYS AND MEANS

Harold W. White — State Board of Tax Review

Gerald D. Bair — Director of Revenue and Finance

James H. Crane — Iowa Finance Authority

BILL HUTCHINS, Chair

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate Chamber on March 20, 1991.

Had I been present, I would have voted "aye" on Senate File 363.

MAGGIE TINSMAN

BILLS ASSIGNED TO COMMITTEE

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

S.F.	472	Judiciary
H.F.	430	Judiciary

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 21, 1991, and recommended the appointees be confirmed:

William G. Sizer and H. Idris Thomas for reappointment as members of the Credit Union Review Board.

JUDICIARY

Jack F. Breithaupt for reappointment as a member of the Commission on Judicial Qualifications.

Ruby Abebe for reappointment as a member of the Iowa State Civil Rights Commission.

STATE GOVERNMENT

Harriet A. Healy for appointment as a member of the Campaign Finance Disclosure Commission.

Roger A. Chapman for reappointment as a member of the Cosmetology Examining Board.

Jolee L. Belzung for reappointment as a member of the Engineering and Land Surveying Examining Board.

Gary A. Kirchhof for reappointment as a member of the State Board of Examiners for Nursing Home Administrators.

L.C. Pike for reappointment as a member of the State Racing and Gaming Commission.

COMMITTEE REPORTS

COMMERCE

Final Bill Action: SENATE FILE 143, a bill for an act relating to the perpetual care of cemeteries and cemetery lots and spaces.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3147.

Final Vote: Ayes, 13: Deluhery, Kinley, Slife, Doyle, Gettings, Gronstal, Jensen, Kersten, Lind, Nystrom, Palmer, Priebe and Varn. Nays, none. Absent or not voting, 2: Sturgeon and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 490 (formerly S.F. 142), a bill for an act relating to the availability of certain formation relating to escrow accounts maintained in connection with real estate loans.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Deluhery, Kinley, Slife, Doyle, Gettings, Gronstal, Jensen, Kersten, Lind, Nystrom, Palmer, Priebe, Sturgeon, Tieden and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 491 (SSB 269), a bill for an act relating to the rental of motor vehicles for a period of sixty days or less from a location in this state, and providing civil and criminal penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Deluhery, Kinley, Slife, Doyle, Gettings, Gronstal, Jensen, Kersten, Lind, Nystrom, Palmer, Priebe, Sturgeon, Tieden and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 473 (SSB 203), a bill for an act relating to accredited schools and school districts, making changes in the department of education's biennial report on the condition of schools, changing the requirements for certain pilot projects, providing exceptions to certain uses of funds received under an instructional support program, and changing the district in which shared-time pupils are counted under the postsecondary enrollment options Act.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Connolly, Horn, Taylor, Dieleman, Kibbie, Kramer, Lind, Murphy, Rensink, Running, Szymoniak, Tieden, Tinsman and Varn. Nays, none. Absent or not voting, 1: Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 478 (SSB 297), a bill for an act to reestablish a parent education program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Connolly, Horn, Taylor, Deluhery, Dieleman, Kibbie, Kramer, Lind, Murphy, Rensink, Running, Szymoniak, Tieden, Tinsman and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: *SENATE FILE 479 (SSB 316), a bill for an act relating to the reassignment of duties from the division of children, youth, and families of the department of human rights to the division of child and family services within the department of human services.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hannon, Buhr, Hagerla, Horn, Kramer, Murphy, Riordan, Rittmer, Sturgeon, Szymoniak, 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 479 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 489 (SSB 279), a bill for an act relating to professional licensure suspension, and revocation upon delinquency in child support payments by licensees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Hannon, Buhr, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, 4: Hagerla, Horn, Kramer and Rittmer. Absent or not voting, 1: Szymoniak.

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 489 and they were attached to the committee report.

JUDICIARY

Final Bill Action: SENATE FILE 2, a bill for an act relating to sexual exploitation by a counselor or therapist and providing penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3143.

Final Vote: Ayes, 14: Sturgeon, Rosenberg, Fuhrman, Connolly, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson and Varn. Nays, none. Absent or not voting, 1: Slife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 474 (SSB 236), a bill for an act relating to possession of a device for stimulating or depressing a horse or dog during a race, and providing for or increasing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Sturgeon, Rosenberg, Fuhrman, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate and Peterson. Nays, none. Absent or not voting, 4: Connolly, Deluhery, Slife and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 475 (SSB 278), a bill for an act relating to the enforcement of civil rights law, individual rights, and establishing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Sturgeon, Rosenberg, Fuhrman, Gronstal, Hagerla, Hester, Horn, Murphy, Pate and Peterson. Nays, none. Absent or not voting, 5: Connolly, Deluhery, Drake, Slife and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 480 (SSB 103), a bill for an act increasing the penalties for wanton neglect of a resident of a health care facility.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Sturgeon, Rosenberg, Fuhrman, Connolly, Deluhery, Drake, Gronstal, Hagerla, Horn, Murphy, Pate, Peterson and Varn. Nays, 1: Hester. Absent or not voting, 1: Slife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 481 (SSB 336), a bill for an act relating to voter approval of storm water drainage system projects and providing for retroactive applicability.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Sturgeon, Rosenberg, Fuhrman, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson and Varn. Nays, none. Absent or not voting, 2: Connolly and Slife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 482 (SSB 100), a bill for an act relating to aiding and abetting and retaliation under the civil rights law.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Sturgeon, Rosenberg, Fuhrman, Connolly, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson and Varn. Nays, none. Absent or not voting, 1: Slife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 483 (SSB 238), a bill for an act relating to providing interpreters for hearing impaired persons impaneled as jurors.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Sturgeon, Rosenberg, Fuhrman, Connolly, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson and Varn. Nays, none. Absent or not voting, 1: Slife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 484 (SSB 85), a bill for an act relating to operating a motor vehicle while under the influence by eliminating the restitution limit.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Sturgeon, Rosenberg, Fuhrman, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy and Pate. Nays, 1: Peterson. Absent or not voting, 3: Connolly, Slife and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 477 (SSB 295), a bill for an act relating to co-operative ownership of residential, business property, and providing an applicability date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Miller, Szymoniak, Rittmer, Borlaug, Buhr, Fraise, Hannon and Vande Hoef. Nays, none. Absent or not voting, 2: Boswell and Jensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 485 (SSB 339), a bill for an act relating to authorized expenditures of enhanced 911 service surcharge revenues.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Miller, Szymoniak, Rittmer, Borlaug, Buhr, Fraise, Hannon and Vande Hoef. Nays, none. Absent or not voting, 2: Boswell and Jensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 488 (SSB 294), a bill for an act relating to the appointment of the clerk or secretary to a city civil service commission.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Miller, Szymoniak, Rittmer, Borlaug, Buhr, Fraise, Hannon and Vande Hoef. Nays, none. Absent or not voting, 2: Boswell and Jensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 492 (SSB 328), a bill for an act relating to the classified civil service status of two second deputy sheriffs in certain counties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Miller, Szymoniak, Rittmer, Borlaug, Buhr, Fraise and Vande Hoef. Nays, none. Absent or not voting, 3: Boswell, Hannon and Jensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: *SENATE FILE 486 (SSB 321), a bill for an act relating to the operating of motorboats, snowmobiles, and all-terrain vehicles while intoxicated, including implied consent for chemical testing, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Palmer, Kibbie, Hester, Dieleman, Priebe, Rensink, Riordan, Sturgeon and Tieden. Nays, 3: Hagerla, Hedge and Rosenberg.

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 Natural Resources Committee on Senate File 486 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 487 (LSB 2736), a bill for an act relating to payment of property taxes on lands purchased by the department of natural resources or county conservation boards.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Palmer, Kibbie, Hester, Dieleman, Hagerla, Hedge, Priebe, Rensink and Tieden. Nays, 3: Riordan, Rosenberg and Sturgeon.

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 Natural Resources Committee on Senate File 487 and they were attached to the committee report.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 234, a bill for an act relating to the creation of a taxpayers' bill of rights and privileges, and an office of taxpayer ombudsman within the department of revenue and finance.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3148.

Final Vote: Ayes, 17: Kibbie, Lloyd-Jones, Nystrom, Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Rife, Running, Soorholtz, Vande Hoef and Welsh. Nays, none. Absent or not voting, 2: Lind and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 273, a bill for an act authorizing a class "B" wine permittee who also holds a class "E" liquor control license to sell wine to liquor control licensees and providing for interstate reciproval wine sales.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3142.

Final Vote: Ayes, 16: Kibbie, Lloyd-Jones, Nystrom, Buhr, Doyle, Drake, Gronstal, Horn, Lind, McLaren, Priebe, Rife, Running, Soorholtz, Vande Hoef and Welsh. Nays, 1: Dieleman. Absent or not voting, 2: Kramer and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 476 (SSB 334), a bill for an act relating to campaign finance disclosure by changing the definition of a candidate's committee, requiring the reporting to the treasurer of a committee of all contributions received by a person for the committee, requiring disclosure reports of out-of-state political action committees, changing the number of disclosure reports required in nonelection years, providing that the treasurer of a committee is not responsible for filing disclosure reports or liable for civil penalties, allowing contributions from family-owned corporations, directing the use of leftover campaign funds, and providing for a civil penalty for violations regarding placement of political signs.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes. 17: Kibbie, Lloyd-Jones, Nystrom, Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Lind, McLaren, Priebe, Rife, Running, Soorholtz, Vande Hoef and Welsh. Nays, none. Absent or not voting, 2: Kramer and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 3:22 p.m., Senator Husak presiding.

HOUSE MESSAGE RECEIVED

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

MR. PRESIDENT: I am directed to inform your honorable body that the members of the **conference committee**, appointed March 21, 1991, on **Senate File 209**, a bill for an act relating to and making supplemental appropriations for the remainder of the fiscal year ending June 30, 1991, to the department of human services, national conference of state legislatures, department of general services, department of revenue and finance, department of public safety, department of inspections and appeals, college student aid commission, board of regents institutions, office of lieutenant governor, department of transportation, pioneer lawmakers, the office of the state public defender, department of human rights, Iowa finance authority, department of economic development, department of corrections, and extending ethanol fuel project, and increasing the court civil penalty surcharge, and providing effective dates, on the part of the House are: The Representative from Dubuque, Mr. Jochum, Chair; the Representative from Mills, Mr. Harbor; the Representative from Pottawattamie, Mr. Hester; the Representative from Clinton, Mr. Ollie; the Representative from Carroll, Mr. Peterson.

INTRODUCTION OF BILLS

Senate File 480, by committee on Judiciary, a bill for an act increasing the penalties for wanton neglect of a resident of a health care facility.

Read first time and placed on calendar.

Senate File 481, by committee on Judiciary, a bill for an act relating to voter approval of storm water drainage system projects and providing for retroactive applicability.

Read first time and placed on calendar.

Senate File 482, by committee on Judiciary, a bill for an act relating to aiding and abetting and retaliation under the civil rights law.

Read first time and placed on calendar.

Senate File 483, by committee on Judiciary, a bill for an act relating to providing interpreters for hearing impaired persons impaneled as jurors.

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

Senate File 484, by committee on Judiciary, a bill for an act relating to operating a motor vehicle while under the influence by eliminating the restitution limit.

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

Senate File 485, by committee on Local Government, a bill for an act relating to authorized expenditures of enhanced 911 service surcharge revenues.

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

Senate File 486, by committee on Natural Resources, a bill for an act relating to the operating of motorboats, snowmobiles, and all-terrain vehicles while intoxicated, including implied consent for chemical testing, and providing penalties.

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

Senate File 487, by committee on Natural Resources a bill for an act relating to payment of property taxes on lands purchased by the department of natural resources.

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

Senate File 488, by committee on Local Government, a bill for an act relating to the appointment of the clerk or secretary to a city civil service commission.

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

Senate File 489, by committee on Human Resources, a bill for an act relating to professional licensure suspension and revocation upon delinquency in child support payments by licensees, and providing a repeal and an effective date.

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

Senate File 490, by committee on Commerce, a bill for an act relating to the availability of certain information relating to escrow accounts maintained in connection with real estate loans.

Read first time and placed on calendar.

Senate File 491, by committee on Commerce, a bill for an act relating to the rental of motor vehicles for a period of sixty days or less from a location in this state, and providing civil and criminal penalties.

Read first time and placed on calendar.

Senate File 492, by committee on Local Government, a bill for an act relating to the classified civil service status of two second deputy sheriffs in certain counties.

Read first time and placed on calendar.

Senate File 493, by Husak, Doyle, Deluhery, Priebe, Tieden, Fraise, Boswell, Riordan, Kibbie, Hester, Jensen, Gettings, Peterson, Pate, Soorholtz, Murphy, Taylor, Rensink, Lind, Borlaug, Vande Hoef, Hedge, Kersten, Fuhrman, Miller, Welsh, Nystrom, McLaren, Sturgeon, Rittmer, Rosenberg, Rife and Drake, a bill for an act establishing a state funding formula for the state to assume the costs of services provided to adults with mental retardation, a developmental disability, or mental illness, and providing an effective date.

Read first time and passed on file.

Senate File 494, by committee on Commerce, a bill for an act relating to the transfer of the regulatory authority of the superintendent of savings and loan associations to the director of the department of commerce and the superintendent of banking.

Read first time and placed on calendar.

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

The Senate resumed session, Senator Boswell presiding.

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

The Senate resumed session, President pro tempore Lloyd-Jones presiding.

INTRODUCTION OF BILLS

Senate File 495, by committee on Judiciary, a bill for an act relating to the ability of a mentally disabled person to obtain a marriage license or an annulment, and findings by the court in guardianship proceedings concerning capacity to contract a valid marriage.

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

Senate File 496, by committee on Judiciary, a bill for an act relating to persons convicted of public offenses, relating to the department of corrections and its programs and facilities, and establishing additional public offenses and criminal penalties.

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

Senate File 497 by Husak, a bill for an act relating to the state communications network by providing an opportunity for local exchange telephone utilities to submit a proposal concerning the network and providing an effective date.

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

Senate File 498, by committee on Business and Labor Relations, a bill for an act to provide interest on delayed medical benefits payments, and to provide an administrative remedy for delay in, or termination of, medical benefits.

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

APPENDIX

ANNOUNCEMENT OF SPECIAL AWARD

Senator McLaren presented Robin Gross, student at Iowa State University, who is one of 85 students in the United States to receive a Truman Fund Scholarship given by the Truman Foundation. The \$30,000 scholarship will be applied to her senior year at ISU and a graduate school of her choice. In addition to being a full-time student, Robin is serving as a Senate Intern for Senator McLaren during the 1991 session.

REPORTS OF STANDING COMMITTEE

(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 21, 1991, and recommended the appointees be confirmed:

Michael R. Ellis, William G. Gerhard and Merlin D. Hulse for reappointment to the Job Service Advisory Council.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	493	Appropriations
S. F.	497	Appropriations

COMMITTEE REPORTS

BUSINESS AND LABOR RELATIONS

Final Bill Action: SENATE FILE 498 (SSB 168), a bill for an act to provide interest on delayed medical benefits payments, and to provide an administrative remedy for delay in, or termination of, medical benefits.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Running, Sturgeon, Fuhrman, Buhr, Palmer, Peterson, Rensink, Slife and Taylor. Nays, none. Absent or not voting, 1: Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: SENATE FILE 494 (SSB 325), a bill for an act relating to the transfer of the regulatory authority of the superintendent of savings and loan associations to the director of the department of commerce and the superintendent of banking.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Deluhery, Kinley, Slife, Doyle, Gettings, Gronstal, Jensen, Kersten, Lind, Palmer, Sturgeon and Varn. Nays, none. Absent or not voting, 3: Nystrom, Priebe and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: SENATE FILE 59, a bill for an act increasing the penalty for littering.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3154.

Final Vote: Ayes, 12: Rosenberg, Gronstal, Jensen, Borlaug, Deluhery, Fraise, Hannon, Hedge, Kersten, Miller, Soorholtz, and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 225, a bill for an act relating to the development, within the department of economic development, of programs to promote the production and use of products containing recycled materials.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3153.

Final Vote: Ayes, 12: Rosenberg, Gronstal, Jensen, Borlaug, Deluhery, Fraise, Hannon, Hedge, Kersten, Miller, Soorholtz, and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 324, a bill for an act relating to authorized actions of local air pollution programs under the jurisdiction of the department of natural resources and providing penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3155.

Final Vote: Ayes, 12: Rosenberg, Gronstal, Jensen, Borlaug, Deluhery, Fraise, Hannon, Hedge, Kersten, Miller, Soorholtz, and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 375, a bill for an act relating to waste tire management and imposing a fee.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3151.

Final Vote: Ayes, 12: Rosenberg, Gronstal, Jensen, Borlaug, Deluhery, Fraise, Hannon, Hedge, Kersten, Miller, Soorholtz, and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 245, a bill for an act providing immunity from liability for volunteers.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3150.

Final Vote: Ayes, 12: Sturgeon, Fuhrman, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson, Slife and Varn. Nays, 3: Rosenberg, Connolly and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 495 (SSB 177), 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: Sturgeon, Fuhrman, Connolly, Drake, Gronstal, Hagerla, Hester, Horn, Pate, Peterson, Slife and Varn. Nays, none. Absent or not voting, 3: Rosenberg, Deluhery and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 496 (SSB 267), a bill for an act relating to persons convicted of public offenses, relating to the department of corrections and its programs and facilities, and establishing additional public offenses and criminal penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Sturgeon, Fuhrman, Drake, Gronstal, Hagerla, Hester, Horn, Pate, Peterson, Slife and Varn. Nays, none. Absent or not voting, 4: Rosenberg, Connolly, Deluhery and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 227, a bill for an act relating to the assessing of a service charge in lieu of property taxes for the providing of police and fire protection by a city for real property which is totally or partially exempt from property tax, including government-owned real property, and providing an applicability date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3152.

Final Vote: Ayes, 9: Miller, Szymoniak, Rittmer, Borlaug, Boswell, Buhr, Fraise, Hannon and Jensen. Nays, none. Absent or not voting, 1: Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 464, a bill for an act relating to alternative forms of local government and creating a new alternative form of local government for cities and counties known as a regional service area, with provisions relating to tax collection and service delivery.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Miller, Szymoniak, Rittmer, Borlaug, Boswell, Buhr, Fraise, Hannon, Jensen and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3142	S. F.	273	State Government
S-3143	S. F.	2	Judiciary
S-3144	S. F.	280	Ray Taylor
S-3145	S. F.	387	Elaine Szymoniak
S-3146	S. F.	27	Mark Hagerla
S-3147	S. F.	143	Commerce
S-3148	S. F.	234	State Government
S-3149	S. F.	257	Beverly Hannon
S-3150	S. F.	245	Judiciary
S-3151	S. F.	375	Environment & Energy Utilities
S-3152	S. F.	227	Local Government
S-3153	S. F.	225	Environment & Energy Utilities
S-3154	S. F.	59	Environment & Energy Utilities
S-3155	S. F.	324	Environment & Energy Utilities

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:24 p.m., until 10:00 a.m., Monday, March 25, 1991.

JOURNAL OF THE SENATE

SEVENTY-FIRST CALENDAR DAY
FORTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 25, 1991

The Senate met in regular session at 10:08 a.m., President Welsh presiding.

Prayer was offered by the Reverend Robert Elfvin, pastor of the St. Luke's Episcopal Church, Des Moines, Iowa.

The Journal of Thursday, March 21, 1991, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Rosenberg for the day on request of Senator Hutchins and Senator Rittmer until he arrives on request of Senator Rife.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 21, 1991, passed the following bill in which the concurrence of the House was asked:

Senate File 121, a bill for an act relating to the reversion of appropriations for the planning and construction of armories for the department of public defense and providing an effective date.

ALSO: That the House has on March 20, 1991, adopted the following resolutions in which the concurrence of the House was asked:

Senate Concurrent Resolution 4, a concurrent resolution protesting the withholding of Federal Unemployment Tax Act (FUTA) funds by the federal government.

Senate Concurrent Resolution 7, a concurrent resolution relating to a Biennial Memorial Session.

ALSO: That the House has on March 20, 1991, passed the following bill in which the concurrence of the House was asked:

Senate File 151, a bill for an act relating to peer review of certain certified public accountants.

ALSO: That the House has on March 20, 1991, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 12, a concurrent resolution relating to Pioneer Lawmakers.

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

ALSO: That the House has on March 20, 1991, passed the following bills in which the concurrence of the Senate is asked:

House File 92, a bill for an act relating to establishing commencement dates and terms of office for airport commissioners by ordinance.

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

House File 168, a bill for an act relating to primary election nomination petitions and to nomination affidavits filed by candidates for the general assembly.

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

House File 197, a bill for an act relating to the operation and dissolution of certain special districts organized to provide a municipal service.

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

House File 373, a bill for an act authorizing the issuance of warning citations by state conservation officers and employees who are peace officers.

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

House File 459, a bill for an act relating to the administration of the employment security law by the division of job service of the department of employment services and providing an effective date.

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

House File 483, a bill for an act relating to permit fees for highway advertising devices.

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

House File 485, a bill for an act to establish a math and science grant program under the administration of the department of education, creating a math and science account, and providing for licensing changes by the board of educational examiners.

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

House File 486, a bill for an act to permit the board of educational examiners to deem national board certificate holders as meeting the requirements for Iowa teachers' licenses or endorsements.

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

House File 487, a bill for an act relating to the imposition of the state sales, services, and use tax on pay television service provided by a municipality.

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

ALSO: That the House has on March 19, 1991, passed the following bills in which the concurrence of the Senate is asked:

House File 91, a bill for an act exempting certain decorative fountains from regulation as swimming pools and spas.

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

House File 353, a bill for an act relating to the possession or use of a device or appliance to stimulate or depress a race horse or dog and providing penalties.

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

INTRODUCTION OF BILLS

Senate File 499, by committee on Judiciary, a bill for an act relating to the requirements for financing statements pursuant to the uniform commercial code.

Read first time and placed on calendar.

Senate File 500, by committee on Business and Labor Relations, a bill for an act relating to employees of the public employment relations board.

Read first time and placed on calendar.

Senate File 501, by committee on Business and Labor Relations, a bill for an act relating to collective bargaining by delineating certain duties and powers of the public employment relations board and eliminating fact-finding as an impasse procedure for certain teachers.

Read first time and placed on calendar.

Senate File 502, by committee on Business and Labor Relations, 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.

Read first time and placed on calendar.

Senate File 503, 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 concerning occupational safety and health penalties, boiler inspections, child labor laws, and out-of-state contractor bonding requirements.

Read first time and placed on calendar.

Senate File 504, by committee on Commerce, a bill for an act relating to the method of deregulation of communication services and facilities.

Read first time and placed on calendar.

Senate File 505, by committee on State Government, a bill for an act providing for voluntary limitation of campaign expenditures for certain elective officers and providing penalties.

Read first time and placed on calendar.

Senate File 506, by committee on Commerce, a bill for an act relating to establishing incentive regulation for utilities furnishing communication services.

Read first time and placed on calendar.

Senate File 507, by committee on Commerce, a bill for an act relating to the authority of the superintendent of banking to remove officers and directors of state banks and to prohibit an institution-affiliated party from participating in the conduct of the affairs of a state bank, and providing civil penalties.

Read first time and placed on calendar.

Senate File 508, by committee on Environment and Energy Utilities, a bill for an act relating to energy efficiency by expanding the entities entitled to financial assistance for implementing energy conservation measures, requiring implementation of life cycle cost analyses and providing exemptions from the implementation requirements, requiring the appropriation of abandoned utility refunds and deposits, establishing energy efficiency standards for certain products, establishing various energy efficiency-related programs and projects, and providing for a sales and use tax credit for the purchase of fuel-efficient motor vehicles.

Read first time and placed on calendar.

Senate File 509, by committee on Small Business and Economic Development, a bill for an act relating to funding for the Iowa finance authority housing trust fund, establishing the Iowa home ownership made easy program, and increasing the real estate transfer tax.

Read first time and placed on calendar.

Senate File 510, by committee on Agriculture, a bill for an act relating to renewable fuels, and providing for fees and taxes.

Read first time and placed on calendar.

Senate File 511, by committee on Commerce, a bill for an act relating to certified exchange boundaries for local exchange utilities.

Read first time and placed on calendar.

Senate File 512, by committee on Environment and Energy Utilities, a bill for an act relating to air emission standards and limitations and imposing a fee.

Senate File 513, by committee on Agriculture, a bill for an act relating to increasing the impact of state assistance.

Read first time and placed on calendar.

Senate File 514, by committee State Government, a bill for an act relating to audit of licensees operations of excursion boat gambling.

Read first time and placed on calendar.

Senate File 515, by committee on State Government, a bill for an act relating to the confidential reporting of terminations of pregnancy and establishing a penalty.

Read first time and placed on calendar.

Senate File 516, by committee on Commerce, a bill for an act relating to the regulation of insurance.

Read first time and placed on calendar.

Senate File 517, by committee on Agriculture, a bill for an act providing for the rescue and maintenance of neglected animals, providing for penalties, and providing for the repeal of a provision.

Read first time and placed on calendar.

Senate File 518, by committee on Commerce, a bill for an act relating to the financial supervision and solvency oversight of insurance companies by the commissioner of insurance and accreditation of the insurance division as an approved insurance regulator by the national association of insurance commissioners, imposing civil liability, authorizing administrative and criminal

penalties, and providing effective dates and applicability provisions.

Read first time and placed on calendar.

QUORUM CALL

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

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

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

Pursuant to Senate Rule 59, I hereby request that the name of Lorraine J. May be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar".

JOE J. WELSH

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:

James Maret as Consumer Advocate.

Tom N. Sarvis as a member of the Credit Union Review Board.

Charles Finch as a member of the Dietetic Examining Board.

Calvin W. Halliburton as a member of the Board of Educational Examiners.

Richard Marr as a member of the Engineering and Land Surveying Examining Board.

Teree L. Caldwell-Johnson as a member of the State Health Facilities Council.

Marvin Pomerantz as a member of the Higher Education Strategic Planning Council.

Donald D. Anderson as a member of the Iowa Highway Research Board.

Betty J. Davis as a member of the Iowa Finance Authority.

Ted R. Chapler as Executive Director of the Iowa Finance Authority.

Emmett B. Mathiasen as a member of the Medical Examining Board.

Peter R. Teahen as a member of the Mortuary Science Examining Board.

Eugene M. Meister as a member of the Board of Nursing Examiners.

Drucilla M. Straub and Steven C. Dowd as members of the State Board of Examiners for Nursing Home Administrators.

Don Gingerich as a member of the Iowa Product Development Corporation.

Michael S. Pomper as a member of the Speech Pathology and Audiology Examining Board.

Senator Hutchins moved that the foregoing appointments be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Running	Slife
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Rosenberg Soorholtz

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 257

On motion of Senator Hannon, Senate File 257, a bill for an act changing the definition of targeted small business and providing an effective date, was taken up for consideration.

Senator Hannon offered amendment S—3149 filed by her on March 21, 1991, to page 1 of the bill and moved its adoption.

Amendment S—3149 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. 257) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Running	Slife
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Rosenberg Soorholtz

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

Senate File 314

On motion of Senator Szymoniak, Senate File 314, 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 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. 314) the vote was:

Ayes, 34:

Buhr	Connolly	Deluhery	Dieleman
Doyle	Drake	Fraise	Gettings
Gronstal	Hagerla	Hannon	Horn
Hutchins	Jensen	Kibbie	Kinley
Kramer	Lloyd-Jones	McLaren	Murphy
Nystrom	Palmer	Pate	Rensink
Rife	Riordan	Running	Slife
Sturgeon	Szymoniak	Taylor	Tinsman
Varn	Welsh		

Nays, 14:

Borlaug	Boswell	Fuhrman	Hedge
Hester	Husak	Kersten	Lind
Miller	Peterson	Priebe	Rittmer
Tieden	Vande Hoef		

Absent or not voting, 2:

Rosenberg Soorholtz

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

Senate File 331

On motion of Senator Dieleman, Senate File 331, a bill for an act extending traffic enforcement authority to mobile home parks, 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. 331) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Running	Slife
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Rosenberg Soorholtz

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

Senate File 345

On motion of Senator Buhr, Senate File 345, a bill for an act relating to state programs and institutions serving persons with mental retardation, developmental disabilities, or mental illness, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 345) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Running	Slife
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Rosenberg Soorholtz

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

Senate File 340

On motion of Senator Nystrom, Senate File 340, a bill for an act relating to retirement benefits of members of the Iowa public employees' retirement system who retire due to disability and providing an effective date and applicability date, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 340) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller

Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Running	Slife
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Rosenberg Soorholtz

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

Senate Resolution 7

On motion of Senator Riordan, Senate Resolution 7, a senate resolution to urge and request that the Senate Agriculture Committee and House Agriculture Committee of the United States Congress support American agriculture by immediately working to ensure that the federal 1990 Farm Bill improves family farm profitability in order to enhance this nation's vitality and economic revitalization, with report of committee recommending passage, was taken up for consideration.

Senator Riordan moved the adoption of Senate Resolution 7, which motion prevailed by a voice vote and the resolution was adopted.

UNFINISHED BUSINESS (Deferred March 12, 1991)

Senate File 77

The Senate resumed consideration of Senate File 77, a bill for an act relating to the duties of the lieutenant governor and providing an effective date, deferred on March 12, 1991.

Senator Priebe withdrew amendment S—3102 filed by him on March 12, 1991, to page 1 of the bill.

Senator Pate asked and received unanimous consent that action on Senate File 77 be deferred.

UNFINISHED BUSINESS
(Deferred March 20, 1991)

Senate File 254

The Senate resumed consideration of Senate File 254, a bill for an act relating to economic development by transferring funds to the revolving fund of the rural community 2000 program, establishing time frames for the completion of the community builder program, and providing an effective date, and amendment S—3119 as amended by Senators Riordan, et al., to strike everything after the enacting clause and to the title page of the bill, deferred on March 20, 1991.

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

MR. PRESIDENT, I move to reconsider the vote by which amendment S—3141 to amendment S—3119 to Senate File 254 was adopted by the Senate on March 20, 1991.

The motion prevailed by voice vote and amendment S—3141 by Senator Riordan to page 1 of amendment S—3119 was taken up for reconsideration.

Senator Riordan called for a division of amendment S—3141 to amendment S—3119: lines 3-6 as division S—3141A and lines 7-10 as division S—3141B.

Senator Riordan moved the adoption of division S—3141A, which motion prevailed by voice vote.

Senator Riordan asked and received unanimous consent that action on division S—3141B be deferred.

Senator Riordan offered amendment S—3159 filed by him from the floor to page 3 of amendment S—3119 and moved its adoption.

Amendment S—3159 was adopted by a voice vote.

Senator Riordan withdrew division S—3141B to amendment S—3119, previously deferred.

Senator Riordan moved the adoption of amendment S—3119 as amended, which motion prevailed by 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. 254) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Running	Slife
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Rosenberg 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 (Regular Calendar)

Senate File 193

On motion of Senator Murphy, Senate File 193, 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, providing for a temporary waiver of certain licensing requirements, and providing other properly related matters, was taken up for consideration.

President pro tempore Lloyd-Jones took the chair at 11:16 a.m.

Senator Gronstal offered amendment S—3076 filed by him on February 25, 1991, to strike everything after the enacting clause and to the title page of the bill.

Senator Gronstal offered amendment S—3091 filed by him on March 7, 1991, to page 2 of amendment S—3076 and moved its adoption.

Amendment S—3091 was adopted by a voice vote.

Senator Gronstal moved the adoption of amendment S—3076 as amended.

A record roll call was requested.

On the question "Shall amendment S—3076 as amended be adopted?" (S.F. 193) the vote was:

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

Ayes, 24:

Borlaug	Buhr	Connolly	Fuhrman
Gettings	Gronstal	Hedge	Hester
Husak	Jensen	Kersten	Kinley
Kramer	Lloyd-Jones	Palmer	Peterson
Rife	Rittmer	Sturgeon	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 24:

Boswell	Deluhery	Dieleman	Doyle
Drake	Fraise	Hagerla	Hannon
Horn	Hutchins	Kibbie	Lind
McLaren	Miller	Murphy	Nystrom
Pate	Priebe	Rensink	Riordan
Running	Slife	Szymoniak	Taylor

Absent or not voting, 2:

Rosenberg	Soorholtz
-----------	-----------

Amendment S—3076 lost.

(Action on Senate File 193 was deferred.)

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:05 p.m., until 2:30 p.m.

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 appointment, completed its investigation on March 20, 1991, and recommended the appointee be confirmed:

James Maret for reappointment as Consumer Advocate.

TRANSPORTATION

Pursuant to Senate Rule 59, the committee on Transportation assigned to investigate the following appointment, completed its investigation on March 18, 1991, and recommended the appointee be confirmed:

Billy M. McCall for reappointment as a member of the Iowa Highway Research Board.

SUBCOMMITTEE ASSIGNMENTS FOR GOVERNOR'S APPOINTEES

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committees on March 21, 1991, to investigate the appointment and reappointment of the following Governor's appointees:

AGRICULTURE

As a member of the Agricultural Development Authority:

SHARON K. SIEVERS: Palmer, Chair; Riordan and Soorholtz

As members of the State Soil Conservation Committee:

WENDELL C. PELLET: Hester, Chair; Vande Hoef and McLaren

DIANE C. THOMPSON: Miller, Chair; Priebe and Soorholtz

COMMERCE

As a member of the Title Guaranty Division Board:

JAY D. STEWART: Kinley, Chair; Palmer and Slife

EDUCATION

As a member of the Board of Educational Examiners:

JACQUELINE M. PARKIN: Szymoniak, Chair; Deluhery and Kramer

As Director of the Department of Cultural Affairs:

WILLIAM H. JACKSON: Deluhery, Chair; Horn and Lind

As a member of the Iowa Higher Education Loan Authority:

JOHN V. HARTUNG: Murphy, Chair; Connolly and Tieden

As members of the School Budget Review Committee:

ELEANOR M. BIRCH: Deluhery, Chair; Running and Tinsman

PATRICK D. CAVANAUGH: Szymoniak, Chair; Kibbie and Taylor

JUDITH M. THORESON: Kibbie, Chair; Dieleman and Tinsman

As members of the State Board of Regents:

THOMAS C. DORR: Varn, Chair; Horn and Tinsman

MELISSA L. JOHNSON: Horn, Chair; Murphy and Kramer

JOHN E. TYRRELL: Horn, Chair; Murphy and Taylor

ENVIRONMENT AND ENERGY UTILITIES

As members of the Environmental Protection Commission:

CHARLOTTE MOHR: Varn, Chair; Rosenberg and Soorholtz

GARY PRIEBE: Miller, Chair; Rosenberg and Hedge

NANCYLEE SIEBENMANN: Jensen, Chair; Borlaug and Fraise

CLARK YEAGER: Varn, Chair; Rosenberg and Soorholtz

As Chairperson of the Utilities Board:

DENNIS NAGEL: Rosenberg, Chair; Gronstal and Jensen

As a member of the Utilities Board:

EMMIT J. GEORGE: Rosenberg, Chair; Gronstal and Jensen

JUDICIARY

As members of the Board of Corrections:

RICHARD R. VANDER MEY: Gronstal, Chair; Peterson and Slife
DONALD O. VOLD: Peterson, Chair; Gronstal and Fuhrman

As a member of the Commission on Judicial Qualifications:

LORRAINE M. VOPAVAL: Slife, Chair; Drake and Varn

As members of the Drug Abuse Prevention and Education Advisory Council:

MICHAEL K. OELRICH: Deluhery, Chair; Rosenberg and Hagerla
CONNIE SUE RICKLEFS: Connolly, Chair; Rosenberg and Hagerla

As a member of the Iowa State Civil Rights Commission:

SALLY M. O'DONNELL: Sturgeon, Chair; Varn and Hester

As members of the Narcotics Enforcement Advisory Council:

DENNIS L. FISER: Hagerla, Chair; Deluhery and Connolly
LORI LEWIS: Hester, Chair; Varn and Rosenberg
WILLIAM M. McCARTHY: Pate, Chair; Peterson and Deluhery

As members of the State Judicial Nominating Commission:

JOHN M. McCANN: Peterson, Chair; Pate and Horn
MARY JANE ZIMMERMAN: Horn, Chair; Deluhery and Drake

LOCAL GOVERNMENT

As members of the County Finance Committee:

JAMES E. BENBOW: Szymoniak, Chair; Miller and Rittmer
ROBERT I. KRAMME: Buhr, Chair; Fraise and Vande Hoef
DUANE J. VANDE HOEF: Rittmer, Chair; Boswell and Hannon
SHARON L. WINCHELL: Boswell, Chair; Fraise and Jensen

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

As a member of the Iowa Product Development Corporation:

JANE ANN SCHLABAUGH: Rittmer, Chair; Kramer and Hannon

As members of the Wallace Technology Transfer Foundation of Iowa:

VAREL G. BAILEY: Peterson, Chair; Kibbie and Vande Hoef
WARREN B. DUNHAM: Riordan, Chair; Pate and Running

ROSE RENNEKAMP: Running, Chair; Pate and Miller

STATE GOVERNMENT

As a member of the Accountancy Examining Board:

ANGELA M. O'ROURKE-HARTWIG: Lloyd-Jones, Chair; Murphy and Lind

As Adjutant General:

WARREN LAWSON: Buhr, Chair; Kramer and Kibbie

As a member of the Architectural Examining Board:

GLEN D. HUNTINGTON: Vande Hoef, Chair; Priebe and Drake

As a member of the Barber Examining Board:

DENNIS RUFFCORN: Gronstal, Chair; Running and McLaren

As members of the Board of Nursing Examiners:

NANCY E. KNUTSTROM: Drake, Chair; Doyle and Horn

GUY W. RICHARDSON: Priebe, Chair; Dieleman and Kramer

As a member of the Chiropractic Examining Board:

RAMONA K. KENNEDY: Priebe, Chair; Vande Hoef and Kibbie

As Commissioner of the Lottery:

EDWARD J. STANEK: Buhr, Chair; Kramer and Nystrom

As members of the Commission on the Status of Blacks:

ANNA MAE WEEMS: Lind, Chair; Running and Horn

MAUDE E. WHITE: Buhr, Chair; Kramer and Murphy

As a member of the Cosmetology Examining Board:

REUVENA M. BRUXVOORT: Dieleman, Chair; Buhr and Kramer

As members of the Dental Examining Board:

R. BRUCE COCHRANE: Doyle, Chair; Priebe and Nystrom

CAROLYN A. McNEILL: Nystrom, Chair; Kramer and Running

VICKI RESCHLY: Drake, Chair; Rife and Running

As a member of the Dietetic Examining Board:

MARY K. CARLSON: Priebe, Chair; Kibbie and Vande Hoef

As Director of the Department of Personnel:

THOMAS E. DONAHUE: Murphy, Chair; Lind and Priebe

As members of the Investment Board of the IPERS:

SANDRA LEE ADKINS: Lind, Chair; Horn and Dieleman

DONALD E. SNYDER: Priebe, Chair; Doyle and Nystrom

As members of the Iowa Board of Veterinary Medicine:

DEAN FREY: Running, Chair; Horn and Soorholtz

JANE A. McCALL: Welsh, Chair; Murphy and Soorholtz

As members of the Iowa Lottery Board:

CONNIE M. ALT: Running, Chair; Horn and Nystrom

ROSS M. SUTTON: Buhr, Chair; Nystrom and Murphy.

As a member of Landscape Architectural Examining Board:

MONTY MITCHELL: Drake, Chair; Lind and Doyle

As members of the Medical Examining Board:

CHARLOTTE A. CLEAVENGER: Nystrom, Chair; Kibbie and Doyle

ANN O'NEILL: Kibbie, Chair; Priebe and Vande Hoef

As a member of the Mortuary Science Examining Board:

MARJORIE L. RETH: Murphy, Chair; Lind and Running

As a member of the Optometry Examining Board:

COLLEEN M. REILLY: Running, Chair; Horn and Lind

As a member of the Personnel Commission:

ELSIE E. MELLOTT: McLaren, Chair; Nystrom and Buhr

As a member of the Pharmacy Examining Board:

ARLAN (JACK) VAN NORMAN: Priebe, Chair; Kibbie and Vande Hoef

As members of the Physical and Occupational Therapy Examining Board:

JAMES E. HUGHES: Murphy, Chair; Priebe and McLaren

LEE W. JOHNSON: Dieleman, Chair; Buhr and Nystrom

As members of the Real Estate Commission:

RUSSELL D. NADING: Running, Chair; Horn and Lind

MARLYS S. NIELSEN: Dieleman, Chair; Doyle and Soorholtz

As a member of the Respiratory Care Advisory Committee:

STEVEN G. BERRY: Buhr, Chair; Welsh and Kramer

As a member of the Social Work Examining Board:

ERLENE VEVERKA: Dieleman, Chair; Lloyd-Jones and McLaren

As a member of the Speech Pathology and Audiology Examining Board:

MICHAEL G. GENZ: Buhr, Chair; Kramer and Welsh

As a member of the State Board of Examiners for Nursing Home Administrators:

ELIZABETH A. SAYLOR: Lloyd-Jones, Chair; Buhr and Kramer

TRANSPORTATION

As members of the Iowa Highway Research Board:

MARDITH A. BAENZINGER: Kersten, Chair; Lloyd-Jones and Jensen

VIRGINIA L. BLACKBURN: Lloyd-Jones, Chair; Dieleman and Nystrom

SANDRA Q. LARSON: Kinley, Chair; Connolly and Drake

MORRIS E. MIKKELSEN: Jensen, Chair; Fraise and Pate

DONNA LEE SMITH: Connolly, Chair; Welsh and Jensen

SALLY J. STEFFEN: Gettings, Chair; Fraise and Pate

As a member of the Iowa Law Enforcement Academy Council:

BERNAL F. KOEHRSEN, JR.: Gettings, Chair; Welsh and Pate

As a member of the State Transportation Commission:

MARLIN M. VOLZ, JR.: Drake, Chair; Welsh and Dieleman

WAYS AND MEANS

As Director of Revenue and Finance:

GERALD D. BAIR: Palmer, Chair; Fraise and McLaren

As a member of the Iowa Finance Authority:

JAMES H. CRANE: Murphy, Chair; Rosenberg and Fuhrman

As a member of the State Board of Tax Review:

HAROLD W. WHITE: Fraise, Chair; Husak and Drake

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: March 21, 1991, 8:00 a.m.

Members Present: Priebe, Chair; Peterson, Vice Chair; Soorholtz, Ranking Member; Doyle, Fraise, Hedge, Hester, Husak, McLaren, Miller, Palmer, Riordan, Rittmer and Vande Hoef.

Members Absent: Boswell (excused).

Committee Business: Assigned Senate File 416 to a subcommittee; amended and approved SSBs 317, 34 and 199 as committee bills.

Adjourned: 9:05 a.m.

AGRICULTURE

Convened: March 21, 1991, 3:30 p.m.

Members Present: Priebe, Chair; Peterson, Vice Chair; Soorholtz, Ranking Member; Doyle, Fraise, Hedge, Hester, Husak, McLaren, Miller, Palmer, Riordan, Rittmer and Vande Hoef.

Members Absent: Boswell (excused).

Committee Business: Amended and approved SSB 289 as a committee bill; approved SSB 348 as a committee bill.

Adjourned: 3:40 p.m.

BUSINESS AND LABOR RELATIONS

Convened: March 21, 1991, 1:40 p.m.

Members Present: Running, Chair; Sturgeon, Vice Chair; Fuhrman, Ranking Member; Buhr, Palmer, Peterson, Rensink, Slife and Taylor.

Members Absent: Kinley (excused).

Committee Business: Assigned bills to subcommittees; recommended confirmation of governor's appointees; approved SSBs 168, 343, 331, 344 and 330 as committee bills.

Adjourned: 2:30 p.m.

COMMERCE

Convened: March 21, 1991, 11:05 a.m.

Members Present: Deluhery, Chair; Kinley, Vice Chair; Slife, Ranking Member; Doyle, Gettings, Gronstal, Jensen, Kersten, Lind, Nystrom, Palmer, Priebe, Sturgeon, Tieden and Varn.

Members Absent: none.

Committee Business: Assigned bills and governor's appointees to subcommittees; recommended confirmation of governor's appointees; placed SSB 285 and Senate File 249 on calendar without recommendation; approved Senate File 142 and SSBs 269, 277, 299, 281, 300, 325, 213.1, 213.2, 213.3 and 329 as committee bills; recommended passage of Senate File 346; recommended passage of Senate Files 411, 276, 36 and 143 as amended.

Adjourned: 5:30 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: March 21, 1991, 1:40 p.m.

Members Present: Rosenburg, Chair; Gronstal, Vice Chair; Jensen, Ranking Member; Borlaug, Deluhery, Fraise, Hannon, Hedge, Kersten, Miller, Soorholtz and Varn.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate Files 324, 59, 375 and 225 as amended; amended and approved SSBs 170 and 333 as committee bills.

Adjourned: 2:33 p.m.

JUDICIARY

Convened: March 21, 1991, 2:46 p.m.

Members Present: Sturgeon, Chair; Rosenberg, Vice Chair; Fuhrman, Ranking Member; Connolly, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson, Slife and Varn.

Members Absent: none.

Committee Business: Approved SSBs 267 and 177 as redrafted as committee bills; approved SSB 234 as a committee bill; recommended passage of Senate File 245 as amended.

Adjourned: 3:17 p.m.

LOCAL GOVERNMENT

Convened: March 21, 1991, 3:40 p.m.

Members Present: Miller, Chair; Szymoniak, Vice Chair; Rittmer, Ranking Member; Borlaug, Boswell, Buhr, Fraise, Hannon, Jensen and Vande Hoef.

Members Absent: none.

Committee Business: Assigned bills and governor's appointees to subcommittees; recommended passage of Senate File 227 as amended; recommended passage of Senate File 464.

Adjourned: 3:54 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: March 21, 1991, 11:15 a.m.

Members Present: Riordan, Chair; Hannon, Vice Chair; Borlaug, Ranking Member; Boswell, Kibbie, Kramer, Miller, Pate, Peterson, Rittmer, Running and Vande Hoef.

Members Absent: none.

Committee Business: Assigned Senate File 417 and governor's appointees to subcommittees; recommended confirmation of governor's appointees; approved SSB 345.1 as amended as a committee bill.

Adjourned: 11:55 a.m.

STATE GOVERNMENT

Convened: March 21, 1991, 10:31 a.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Rife, Running, Soorholtz and Vande Hoef.

Members Absent: Welsh (excused).

Committee Business: Recommended passage of Senate File 234 as amended; amended and approved SSBs 247 and 218 as committee bills; approved SSB 341 as a committee bill.

Recessed: 11:03 a.m.

Reconvened: March 21, 1991, 4:00 p.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Rife, Running, Soorholtz, Vande Hoef and Welsh.

Members Absent: none.

Committee Business: Recommended passage of Senate Files 452, 364, 427, 159, 366 and 10; reconsidered, amended and approved SSB 247 as a committee bill.

Adjourned: 4:40 p.m.

TRANSPORTATION

Convened: March 21, 1991, 1:25 p.m.

Members Present: Fraise, Chair; Gettings, Jensen, Kersten, Lloyd-Jones, Nystrom and Pate.

Members Absent: Connolly, Vice Chair; Drake, Ranking Member; Dieleman, Kinley (excused) and Welsh (excused).

Committee Business: Recommended confirmation of governor's appointee; discussed and deferred action on Senate File 380.

Adjourned: 1:30 p.m.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 510 (SSB 199), a bill for an act establishing a program to finance the production of corn products, by providing for administration of the program, establishing a fund to support the program, and providing an assessment on the purchase of corn, and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Priebe, Peterson, Soorholtz, Doyle, Fraise, Hedge, Hester, Husak, McLaren, Miller, Palmer, Riordan, Rittmer and Vande Hoef. Nays, none. Absent or not voting, 1: Boswell.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 513 (SSB 348), a bill for an act relating to increasing the impact of state assistance.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Priebe, Peterson, Soorholtz, Doyle, Fraise, Hedge, Hester, Husak, McLaren, Miller, Palmer, Riordan, Rittmer and Vande Hoef. Nays, none. Absent or not voting, 1: Boswell.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 517 (SSB 289), a bill for an act providing for the rescue and maintenance of neglected animals, providing for penalties, and providing for the repeal of a provision.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Priebe, Peterson, Soorholtz, Boswell, Doyle, Fraise, Hedge, Hester, Husak, McLaren, Miller, Palmer, Riordan, Rittmer and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BUSINESS AND LABOR RELATIONS

Final Bill Action: SENATE FILE 500 (SSB 331), a bill for an act relating to employees of the public employment relations board.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Running, Sturgeon, Buhr, Palmer, Peterson, Rensink, Slife and Taylor. Nays, 1: Fuhrman. Absent or not voting, 1: Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 501 (SSB 344), a bill for an act relating to collective bargaining by delineating certain duties and powers of the public employment relations board and eliminating fact-finding as an impasse procedure for certain teachers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Running, Sturgeon, Fuhrman, Buhr, Palmer, Peterson, Rensink, Slife and Taylor. Nays, none. Absent or not voting, 1: Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 502 (SSB 330), 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, 9: Running, Sturgeon, Fuhrman, Buhr, Palmer, Peterson, Rensink, Slife and Taylor. Nays, none. Absent or not voting, 1: Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 503 (SSB 343), a bill for an act relating to this state's labor laws administered by the labor commissioner by amending provisions of the Code concerning occupational safety and health penalties, boiler inspections, child labor laws, and out-of-state contractor bonding requirements.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Running, Sturgeon, Fuhrman, Buhr, Palmer, Peterson, Rensink, Slife and Taylor. Nays, none. Absent or not voting, 1: Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: SENATE FILE 36, a bill for an act relating to insurance practices involving estimates for the cost of repairs or services upon a motor vehicle and making certain practices deceptive acts.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3161.

Final Vote: Ayes, 15: Deluhery, Kinley, Slife, Doyle, Gettings, Gronstal, Jensen, Kersten, Lind, Nystrom, Palmer, Priebe, Sturgeon, Tieden and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 249, a bill for an act relating to providing funeral and cemetery products and services by establishing a consumer protection fund and a fee on the filing of death certificates.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 15: Deluhery, Kinley, Slife, Doyle, Gettings, Gronstal, Jensen, Kersten, Lind, Nystrom, Palmer, Priebe, Sturgeon, Tieden and Varn. 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 Commerce Committee on Senate File 249 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 276, a bill for an act amending the Iowa Uniform Securities Act, by exempting agricultural cooperative associations from certain requirements provided under the Act, providing for the retroactive application of the Act, and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3160.

Final Vote: Ayes, 15: Deluhery, Kinley, Slife, Doyle, Gettings, Gronstal, Jensen, Kersten, Lind, Nystrom, Palmer, Priebe, Sturgeon, Tieden and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 346, a bill for an act relating to payments made pursuant to public contracts.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Deluhery, Kinley, Slife, Doyle, Gettings, Gronstal, Jensen, Kersten, Lind, Nystrom, Palmer, Priebe, Sturgeon, Tieden and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 411, a bill for an act relating to the availability of certain information concerning nonprofit agencies or corporations receiving public funds.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3162.

Final Vote: Ayes, 14: Deluhery, Kinley, Slife, Doyle, Gettings, Gronstal, Jensen, Kersten, Nystrom, Palmer, Priebe, Sturgeon, Tieden and Varn. Nays, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 504 (SSB 213.1), a bill for an act relating to the method of deregulation and the reimposition of regulation of communication services and facilities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Deluhery, Kinley, Slife, Doyle, Gettings, Gronstal, Jensen, Kersten, Lind, Nystrom, Palmer, Priebe, Sturgeon, Tieden and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 506 (SSB 213.3), a bill for an act relating to establishing incentive regulation for utilities furnishing communication services.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Deluhery, Kinley, Slife, Doyle, Gettings, Gronstal, Jensen, Kersten, Lind, Nystrom, Palmer, Priebe, Sturgeon, Tieden and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 507 (SSB 277), a bill for an act relating to the authority of the superintendent of banking to remove officers and directors of state banks and to prohibit an institution-affiliated party from participating in the conduct of the affairs of a state bank, and providing civil penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Deluhery, Kinley, Slife, Doyle, Gettings, Gronstal, Jensen, Lind, Palmer, and Varn. Nays, 1: Kersten. Absent or not voting, 4: Nystrom, Priebe, Sturgeon and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 511 (SSB 213.2), a bill for an act relating to certified exchange boundaries for local exchange utilities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Deluhery, Kinley, Slife, Doyle, Gettings, Gronstal, Jensen, Kersten, Lind, Nystrom, Palmer, Priebe, Sturgeon, Tieden and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 516 (SSB 285), a bill for an act relating to the regulation of insurance.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 15: Deluhery, Kinley, Slife, Doyle, Gettings, Gronstal, Jensen, Kersten, Lind, Nystrom, Palmer, Priebe, Sturgeon, Tieden and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 518 (SSB 300), a bill for an act relating to the financial supervision and solvency oversight of insurance companies by the commissioner of insurance and accreditation of the insurance division as an approved insurance regulator by the national association of insurance commissioners, imposing civil liability, authorizing administrative and criminal penalties, and providing effective dates and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Deluhery, Kinley, Slife, Doyle, Gettings, Gronstal, Jensen, Kersten, Lind, Nystrom, Palmer, Priebe, and Varn. Nays, none. Absent or not voting, 2: Sturgeon and Tieden.

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 Commerce Committee on Senate File 518 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 519 (SSB 329), a bill for an act relating to entities and subject matter subject to regulation under the regulated industries unit of the division of insurance, including business opportunity promotions, continuing care and senior adult congregate living retirement communities, and loan brokers, establishing certain fees, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Deluhery, Kinley, Slife, Doyle, Gettings, Gronstal, Jensen, Kersten, Lind, Nystrom, Palmer, Priebe, Sturgeon, Tieden and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 520 (SSB 299), a bill for an act relating to securities by regulating transactions involving securities and regulating persons engaged in businesses related to the issuance or trading of securities, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Deluhery, Kinley, Slife, Doyle, Gettings, Gronstal, Jensen, Kersten, Lind, Nystrom, Palmer, Priebe, Sturgeon, Tieden and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: *SENATE FILE 508 (SSB 333), a bill for an act relating to energy efficiency by expanding the entities entitled to financial assistance for implementing energy conservation measures, requiring implementation of life cycle cost analyses and providing exemptions from the implementation requirements, requiring the appropriation of abandoned utility refunds and deposits, establishing energy efficiency standards for certain products, establishing various energy efficiency-related programs and projects, and providing for a sales and use tax credit for the purchase of fuel-efficient motor vehicles.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Rosenberg, Gronstal, Deluhery, Fraise, Hannon, Miller, Soorholtz and Varn. Nays, 4: Jensen, Borlaug, Hedge and Kersten.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Environment and Energy Utilities Committee on Senate File 508 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 512 (SSB 170), a bill for an act relating to air emission and water quality, pretreatment, and effluent standards and limitations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Rosenberg, Gronstal, Jensen, Borlaug, Deluhery, Fraise, Hannon, Hedge, Kersten, Miller, Soorholtz, and Varn. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Environment and Energy Utilities Committee on Senate File 512 and they were attached to the committee report.

JUDICIARY

Final Bill Action: SENATE FILE 499 (SSB 234), a bill for an act relating to the requirements for financing statements pursuant to the uniform commercial code.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Sturgeon, Rosenberg, Fuhrman, Connolly, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Pate, Peterson, Slife and Varn. Nays, none. Absent or not voting, 1: Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: SENATE FILE 509 (SSB 345.1), a bill for an act relating to funding for the Iowa finance authority housing trust fund, establishing the Iowa home ownership made easy program, and increasing the real estate transfer tax.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Riordan, Hannon, Borlaug, Boswell, Kibbie, Miller, Pate, Rittmer, Running and Vande Hoef. Nays, 1: Peterson. Absent or not voting, 1: Kramer.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: *SENATE FILE 10, a bill for an act relating to the establishment and licensure of elder family homes.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3157.

Final Vote: Ayes. 16: Kibbie, Lloyd-Jones, Nystrom, Buhr, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Rife, Running and Soorholtz. Nays, 2: Dieleman and Vande Hoef. Absent or not voting, 1: Welsh.

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 State Government Committee on Senate File 10 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 159, a bill for an act establishing an addiction treatment effective advisory council, prescribing its duties, and providing for sanctions and civil penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3158.

Final Vote: Ayes. 17: Kibbie, Lloyd-Jones, Nystrom, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Rife, Running, Soorholtz and Vande Hoef. Nays, 1: Buhr. Absent or not voting, 1: Welsh.

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 State Government Committee on Senate File 159 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 364, a bill for an act relating to joint investment of funds by public entities.

Recommendation: DO PASS.

Final Vote: Ayes. 16: Kibbie, Lloyd-Jones, Nystrom, Dieleman, Buhr, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Priebe, Running, Soorholtz and Vande Hoef. Nays, 1: Rife. Absent or not voting, 2: Murphy and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Final Bill Action: SENATE FILE 366, a bill for an act relating to the definition of governmental body for purposes of the open meetings law.

Recommendation: DO PASS.

Final Vote: Ayes. 17: Kibbie, Lloyd-Jones, Nystrom, Buhr, Dieleman, Doyle, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Rife, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 2: Drake and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 427, a bill for an act relating to horse and dog racing at racetracks licenses for pari-mutuel wagering, by providing for the simultaneous telecast of races, and imposing a fee on certain pari-mutuel wagering and making payments to promote Iowa-bred horses and dogs.

Recommendation: DO PASS.

Final Vote: Ayes. 14: Kibbie, Lloyd-Jones, Nystrom, Doyle, Drake, Gronstal, Kramer, Lind, McLaren, Murphy, Priebe, Rife, Running and Soorholtz. Nays, 3: Buhr, Dieleman and Vande Hoef. Absent or not voting, 2: Horn and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 452, a bill for an act relating to the administration of fairs.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3156.

Final Vote: Ayes, 13: Kibbie, Nystrom, Dieleman, Doyle, Drake, Gronstal, Horn, McLaren, Priebe, Rife, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 6: Lloyd-Jones, Buhr, Kramer, Lind, Murphy and Welsh.

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 State Government Committee on Senate File 452 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 505 (SSB 341), a bill for an act providing for voluntary limitation of campaign expenditures for certain elective officers and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Kibbie, Lloyd-Jones, Buhr, Dieleman, Doyle, Gronstal, Horn, Murphy, Priebe and Running. Nays, 8: Nystrom, Drake, Kramer, Lind, McLaren, Rife, Soorholtz and Vande Hoef. Absent or not voting, 1: Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 514 (SSB 218), a bill for an act relating to excursion boat gambling.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 18: Kibbie, Lloyd-Jones, Nystrom, Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Rife, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 1: Welsh.

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 State Government Committee on Senate File 514 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 515 (SSB 247), a bill for an act relating to the confidential reporting of terminations of pregnancy and establishing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Kibbie, Nystrom, Dieleman, Doyle, Lind, Murphy, Priebe, Running, Vande Hoef and Welsh. Nays, 9: Lloyd-Jones, Buhr, Drake, Gronstal, Horn, Kramer, McLaren, Rife and Soorholtz.

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 State Government Committee on Senate File 515 and they were attached to the committee report.

PETITIONS

The following petitions were presented and placed on file by:

Senator Jensen from two hundred six residents of Bremer County favoring continued funding of REAP.

Senator Lind from seventy-nine residents of Iowa favoring legislation exempting veterinary services from sales taxation.

AMENDMENTS FILED

S—3156	S.F.	452	State Government
S—3157	S.F.	10	State Government
S—3158	S.F.	159	State Government
S—3159	S.F.	254	Jim Riordan
S—3160	S.F.	276	Commerce
S—3161	S.F.	36	Commerce
S—3162	S.F.	411	Commerce
S—3163	S.F.	317	Michael Gronstal
S—3164	S.F.	193	Michael E. Gronstal

AFTERNOON SESSION

The Senate reconvened at 2:36 p.m., President Welsh presiding.

INTRODUCTION OF BILLS

Senate File 519, by committee on Commerce, a bill for an act relating to entities and subject matter subject to regulation under the regulated industries unit of the division of insurance, including business opportunity promotions, continuing care an senior adult congregate living retirement communities, and loan brokers, establishing certain fees, and making penalties applicable.

Read first time and placed on calendar.

Senate File 520, by committee on Commerce, a bill for an act relating to securities by regulating transactions involving securities and regulating persons engaged in businesses related to the issuance or trading of securities, and providing penalties.

Read first time and placed on calendar.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 21, 1991, passed the following bill in which the concurrence of the Senate is asked:

House File 501, a bill for an act relating to establishing a durable power of attorney authorized to make health care decisions.

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 37 present, 13 absent and a quorum present.

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that the following bills be referred from the Regular Calendar to committee:

S.F.	223	State Government
S.F.	487	Ways and Means
S.F.	460	Judiciary

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 291

On motion of Senator Sturgeon, Senate File 291, a bill for an act relating to the date of completion of the transfer of responsibilities for certain child support orders from the department of human services to the judicial department, with report of committees on Human Resources and Judiciary 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. 291) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Rosenberg

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

Senate File 281

On motion of Senator Murphy, Senate File 281, a bill for an act relating to the posting of annual surveys of health care facilities, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 281) the vote was:

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

Ayes, 24:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Fraise	Gettings	Gronstal
Hannon	Horn	Hutchins	Kibbie
Kinley	Lloyd-Jones	Miller	Palmer
Pate	Peterson	Riordan	Running
Sturgeon	Szymoniak	Varn	Welsh

Nays, 25:

Dieleman	Doyle	Drake	Fuhrman
Hagerla	Hedge	Hester	Husak
Jensen	Kersten	Kramer	Lind
McLaren	Murphy	Nystrom	Priebe
Rensink	Rife	Rittmer	Slife
Soorholtz	Taylor	Tieden	Tinsman
Vande Hoef			

Absent or not voting, 1:

Rosenberg

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

Senate File 413

On motion of Senator Rittmer, Senate File 413, a bill for an act relating to the Iowa pharmacy practice Act, was taken up for consideration.

Senator Vande Hoef asked and received unanimous consent that action on **Senate File 413** be deferred.

Senate File 332

On motion of Senator Gettings, Senate File 332, a bill for an act relating to safety standards for privately owned, public use airports, 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. 332) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Rosenberg

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

Senate File 382

On motion of Senator Kibbie, Senate File 382, a bill for an act relating to rural water districts, 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. 382) the vote was:

Ayes, 30:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Doyle	Drake	Gronstal
Hannon	Horn	Husak	Hutchins
Jensen	Kersten	Kibbie	Kinley
Lloyd-Jones	Miller	Nystrom	Palmer
Rensink	Riordan	Rittmer	Running
Slife	Sturgeon	Szymoniak	Vande Hoef
Varn	Welsh		

Nays, 19:

Borlaug	Fraise	Fuhrman	Gettings
Hagerla	Hedge	Hester	Kramer
Lind	McLaren	Murphy	Pate
Peterson	Priebe	Rife	Soorholtz
Taylor	Tieden	Tinsman	

Absent or not voting, 1:

Rosenberg

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

Senate File 337

On motion of Senator Gettings, Senate File 337, a bill for an act relating to contracts for road, bridge, and culvert construction, was taken up for consideration.

Senator Gettings offered amendment S—3165 filed by Senators Gettings and Fraise from the floor to page 1 of the bill and moved its adoption.

Amendment S—3165 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. 337) the vote was:

Ayes, 45:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tinsman
Vande Hoef			

Nays, 4:

Lind	Tieden	Varn	Welsh
------	--------	------	-------

Absent or not voting, 1:

Rosenberg

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

Senate File 433

On motion of Senator Sturgeon, Senate File 433, a bill for an act relating to the amounts of certain supervisory fees assessed a savings and loan association, was taken up for consideration.

Senator Hutchins asked and received unanimous consent that **Senate File 433** be referred to the committee on **Ways and Means**.

Senate File 434

On motion of Senator Doyle, Senate File 434, a bill for an act relating to judgment liens, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 434) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Running	Slife
Soorholtz	Sturgeon	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Rosenberg Szymoniak

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

Senate File 63

On motion of Senator Lloyd-Jones, Senate File 63, a bill for an act relating to motor vehicle accident reporting levels, was taken up for consideration.

Senator Lloyd-Jones asked and received unanimous consent that action on **Senate File 63** be deferred.

Senate File 448

On motion of Senator Varn, Senate File 448, a bill for an act relating to hazardous waste and hazardous substance disposal sites, was taken up for consideration.

Senator Varn asked and received unanimous consent that action on **Senate File 448** be deferred.

Senate File 454

On motion of Senator Gettings, Senate File 454, a bill for an act authorizing the state department of transportation to contract for a light rail study, was taken up for consideration.

Senator Lloyd-Jones offered amendment S—3167 filed by her from the floor to page 1 of the bill and moved its adoption.

Amendment S—3167 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. 454) the vote was:

Ayes, 47:

Borlaug	Buhr	Connolly	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none:

Absent or not voting, 3:

Boswell	Rosenberg	Tieden
---------	-----------	--------

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

Senate File 461

On motion of Senator Drake, Senate File 461, a bill for an act requiring confidential use of social security numbers on noncommercial driver's license applications, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 461) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Rosenberg

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

Senate File 458

On motion of Senator Running, Senate File 458, a bill for an act including within the scope of collective bargaining negotiations insurance costs for retirees, was taken up for consideration.

Senator Rife asked and received unanimous consent that action on Senate File 458 be deferred.

Senate File 462

On motion of Senator Kinley, Senate File 462, a bill for an act making it a felony to buy, sell, exchange, give away, or possess various vehicle identification number plates, labels, stickers, or rivets, removing, holding, or using a manufacturers vehicle identification plate as a fraudulent practice and creating a penalty, 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. 462) the vote was:

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

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Priebe	Rensink	Rife	Riordan
Rittmer	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Peterson Rosenberg

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

Senate File 490

On motion of Senator Sturgeon, Senate File 490, a bill for an act relating to the availability of certain information relating to escrow accounts maintained in connection with real estate loans, was taken up for consideration.

Senator Sturgeon asked and received unanimous consent that action on **Senate File 490** be **deferred**.

HOUSE AMENDMENT CONSIDERED

Senate File 92

Senator Miller called up for consideration Senate File 92, a bill for an act to create an advisory commission on intergovernmental relations, specify its membership and enumerate its powers and duties, amended by the House, and moved that the Senate concur in House amendment S—3122 filed March 18, 1991.

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

Senator Miller 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. 92) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Rosenberg

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 429

On motion of Senator Doyle, Senate File 429, a bill for an act relating to agricultural land held by corporations, limited partnerships and trusts, and providing penalties, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 429) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Rosenberg

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

BUSINESS PENDING

Senate File 193

The Senate resumed consideration of Senate File 193, 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, providing for a temporary waiver of certain licensing requirements, and providing other properly related matters, previously deferred.

Senator Gronstal asked and received unanimous consent that action on amendment S—3164 filed by him on March 25, 1991, to strike everything after the enacting clause and to the title page of the bill be deferred.

Senator Palmer offered amendment S—3100 filed by Senators Palmer, et. al., on March 11, 1991, to pages 3, 4 and 5 of the bill.

Senator Sturgeon took the chair at 4:09 p.m.

Senator Palmer moved the adoption of amendment S—3100.

A record roll call was requested.

On the question "Shall amendment S—3100 be adopted?" (S.F. 193) the vote was:

Ayes, 32:

Borlaug	Buhr	Deluhery	Dieleman
Doyle	Drake	Fraise	Fuhrman
Gettings	Gronstal	Hedge	Hester
Husak	Hutchins	Jensen	Kersten
Kinley	Kramer	Lloyd-Jones	McLaren
Miller	Murphy	Palmer	Pate
Peterson	Priebe	Rife	Rittmer
Tieden	Tinsman	Vande Hoef	Welsh

Nays, 17:

Boswell	Connolly	Hagerla	Hannon
Horn	Kibbie	Lind	Nystrom
Rensink	Riordan	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Varn			

Absent or not voting, 1:

Rosenberg

Amendment S—3100 was adopted.

With the adoption of amendment S—3100, the Chair ruled amendment S—3164 by Senator Gronstal, previously deferred, out of order.

Senator Varn offered amendment S—3173 filed by Senators Varn, Gronstal and Murphy from the floor, to page 4 of the bill and moved its adoption.

Amendment S—3173 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. 193) the vote was:

Ayes, 38:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Hagerla	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Priebe
Rensink	Rittmer	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Tinsman
Varn	Welsh		

Nays, 11:

Borlaug	Fuhrman	Gronstal	Hannon
Kramer	Peterson	Rife	Riordan
Taylor	Tieden	Vande Hoef	

Absent or not voting, 1:

Rosenberg

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

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 435

On motion of Senator Deluhery, Senate File 435, a bill for an act relating to the transfer of regulatory authority over mortgage bankers and brokers from the superintendent of savings and loans to the superintendent of banking, 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. 435) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Rosenberg

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

Senate File 336

On motion of Senator Lloyd-Jones, Senate File 336, a bill for an act relating to the historical resource development program, was taken up for consideration.

Senator Lloyd-Jones offered amendment S—3166 filed by her from the floor to page 1 of the bill and moved its adoption.

Amendment S—3166 was adopted by a voice vote.

Senator Priebe asked and received unanimous consent that action on **Senate File 336** be deferred.

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 324.

Senate File 324

On motion of Senator Deluhery, Senate File 324, a bill for an act relating to authorized actions of local air pollution programs under the jurisdiction of the department of natural resources and providing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Deluhery offered amendment S—3155 filed by the committee on Environment and Energy Utilities on March 21, 1991, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3155 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. 324) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Rosenberg

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

Senate File 129

On motion of Senator Varn, Senate File 129, a bill for an act relating to the time period within which an information or indictment for sexual exploitation of a minor can be found, 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. 129) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Rosenberg

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

Senate File 343

On motion of Senator Szymoniak, Senate File 343, a bill for an act relating to the medical assistance program, 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. 343) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Rosenberg

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 494.

Senate File 494

On motion of Senator Deluhery, Senate File 494, a bill for an act relating to the transfer of the regulatory authority of the superintendent of savings and loan associations to the director of the department of commerce and the superintendent of banking, was taken up for consideration.

Senator Deluhery asked and received unanimous consent that action on **Senate File 494** be deferred.

Senate File 384

On motion of Senator Fuhrman, Senate File 384, a bill for an act relating to certain statutory provisions concerning the department of corrections, 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. 384) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Hutchins Rosenberg

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

Senate File 389

On motion of Senator Lloyd-Jones, Senate File 389, a bill for an act relating to the department of human rights commission of Latino affairs and commission on the status of blacks, 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. 389) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Rosenberg

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 453.

Senate File 453

On motion of Senator Varn, Senate File 453, a bill for an act relating to judicial officers having jurisdiction over civil commitment proceedings and providing an effective date, 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. 453) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Rosenberg

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

Senate File 329

On motion of Senator Drake, Senate File 329, a bill for an act authorizing the state department of transportation to adopt rules requiring public utilities to comply with the utility accommodation policy for the Iowa primary road system, was taken up for consideration.

Senator Drake offered amendment S—3170 filed by him from the floor to page 1 and the title page of the bill and moved its adoption.

Amendment S—3170 was adopted by a voice vote.

Senator Drake asked and received unanimous consent that action on **Senate File 329** be deferred.

BUSINESS PENDING

Senate File 77

The Senate resumed consideration of Senate File 77, a bill for

an act relating to the duties of the lieutenant governor and providing an effective date, previously deferred.

The Chair ruled amendments S—3105 and S—3106 filed by Senator Lind on March 13, 1991, to amendment S—3102, out of order.

Senator Pate offered amendment S—3168 filed by Senators Pate, et. al., from the floor, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

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

The ayes were 22, nays 26.

Amendment S—3168 lost.

Senator Pate offered amendment S—3169 filed by Senators Pate, et. al., from the floor, to page 1 of the bill.

Senator Priebe withdrew amendment S—3174 filed by him from the floor to amendment S—3169.

Senator Pate moved the adoption of amendment S—3169, which motion prevailed by voice vote.

Senator Lind withdrew amendment S—3172 filed by him from the floor, to page 1 of the bill.

Senator Lloyd-Jones asked and received unanimous consent that action on **Senate File 77** be deferred.

BUSINESS PENDING

Senate File 329

The Senate resumed consideration of Senate File 329 a bill for an act authorizing the state department of transportation to adopt rules requiring public utilities to comply with the utility accommodation policy for the Iowa primary road system, previously deferred.

Senator Priebe offered amendment S—3175 filed by Senators Priebe and Drake from the floor, to page 1 of the bill and moved its adoption.

Amendment S—3175 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 329) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none:

Absent or not voting, 3:

Murphy	Rosenberg	Taylor
--------	-----------	--------

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

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that the following bills be referred from the Regular Calendar to committee:

S. F.	444	Ways and Means
S. F.	428	State Government

INTRODUCTION OF BILLS

Senate File 521, by Gronstal, a bill for an act relating to the corporate income tax by providing that oil corporations that are members of a related group of oil corporations conducting a unitary business shall determine their net business income attributable to the state by allocating and apportioning the entire net business income of the unitary business group including foreign oil corporations, and providing a retroactive applicability date.

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

Senate File 522, by committee on Commerce, a bill for an act relating to franchise agreements by enactment of a model franchise investment Act, establishing criminal penalties and administrative assessments, establishing fees, and providing an effective date.

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

Senate File 523, by committee on Appropriations, a bill for an act relating to the Iowa community cultural grants program.

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

Senate File 524, by committee on Appropriations, a bill for an act relating to the state communications network.

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

Senate File 525, by committee on Agriculture, a bill for an act relating to the regulation of dairy products, and providing effective dates.

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

APPENDIX

SUBCOMMITTEE ASSIGNMENTS FOR APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committees on March 21, 1991, to investigate the appointment and reappointment of the following Governor's appointees:

BUSINESS AND LABOR RELATIONS

As Industrial Commissioner:

ROBERT D. WILSON: Sturgeon, Chair; Running and Fuhrman

HUMAN RESOURCES

As Administrator of the Division of Community Action Agencies:

JAMES E. SMITH: Sturgeon, Chair; Buhr and Kramer

As Director of Public Health:

CHRISTOPHER G. ATCHISON: Buhr, Chair; Hannon and Tinsman

As Director of the Department for the Blind:

R. CREIG SLAYTON: Tinsman, Chair; Szymoniak and Riordan

As Director of the Department of Elder Affairs:

BETTY GRANDQUIST: Hagerla, Chair; Hannon and Szymoniak

As a member of the Commission on Community Action Agencies:

STEPHANIE ANN JOHNSON: Tinsman, Chair; Murphy and Buhr

As a member of the Commission on the Deaf:

PATRICK R. SELL: Szymoniak, Chair; Horn and Taylor

As a member of the Council on Human Services:

JIM D. DAVIS: Horn, Chair; Szymoniak and Kramer

As members of the Mental Health and Mental Retardation Commission:

MYRON L. GOOKIN: Murphy, Chair; Riordan and Hagerla
GILBERT C. HOOGENDOORN: Szymoniak, Chair; Sturgeon and Taylor
KENISTON H. HOPPENWORTH: Horn, Chair; Szymoniak and Rittmer
VILAS L. MORRIS, JR.: Riordan, Chair; Murphy and Taylor
ROBERT E. PETERSEN: Buhr, Chair; Horn and Tinsman
MICHAEL D. STALLMAN: Hannon, Chair; Buhr and Hagerla

As members of the State Foster Care Review Board:

FLORA E. HAKER: Rittmer, Chair; Murphy and Szymoniak
STEPHEN A. KUHN: Kramer, Chair; Horn and Sturgeon

As a member of the State Health Facilities Council:

GAYLON L. HALVERSON: Sturgeon, Chair; Buhr and Tinsman

NATURAL RESOURCES

As Director of the Department of Natural Resources:

LARRY J. WILSON: Palmer, Chair; Priebe and Rensink

As a member of the Natural Resource Commission:

MARK DOLL: Hester, Chair; Tieden and Rosenberg

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 525 (SSB 317), a bill for an act relating to the regulation of dairy products, and providing effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Priebe, Peterson, Soorholtz, Fraise, Hedge, Hester, McLaren, Miller, Palmer, Riordan, Rittmer and Vande Hoef. Nays, none. Absent or not voting, 3: Boswell, Doyle and Husak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 526 (SSB 34), a bill for an act relating to the management of grain, providing for the assessment of fees, providing an effective date, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Priebe, Peterson, Soorholtz, Doyle, Fraise, Hedge, Hester, Husak, McLaren, Miller, Palmer, Riordan, Rittmer and Vande Hoef. Nays, none. Absent or not voting, 1: Boswell.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

APPROPRIATIONS

Final Bill Action: SENATE FILE 278, a bill for an act relating to the salaries paid to chaplains employed in state institutions and providing a retroactive applicability date.

Recommendation: DO PASS.

Final Vote: Ayes, 17: Boswell, Tieden, Buhr, Gettings, Gronstal, Husak, Lind, Lloyd-Jones, McLaren, Pate, Peterson, Rensink, Riordan, Running, Szymoniak, Tinsman and Varn. Nays, none. Absent or not voting, 4: Welsh, Connolly, Hagerla and Kersten.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 403, a bill for an act relating to the state income tax refund checkoff for Olympics.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Boswell, Tieden, Buhr, Gettings, Gronstal, Husak, Lloyd-Jones, McLaren, Pate, Rensink, Riordan, Running, Szymoniak, Tinsman and Varn. Nays, none. Absent or not voting, 6: Welsh, Connolly, Hagerla, Kersten, Lind and Peterson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 523 (SSB 36), a bill for an act relating to the Iowa community cultural grants program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 19: Boswell, Welsh, Tieden, Buhr, Gettings, Gronstal, Hagerla, Husak, Lind, Lloyd-Jones, McLaren, Pate, Peterson, Rensink, Riordan, Running, Szymoniak, Tinsman and Varn. Nays, none. Absent or not voting, 2: Connolly and Kersten.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 524 (LSB 2747), a bill for an act relating to the state communications network.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 19: Boswell, Welsh, Tieden, Buhr, Gettings, Gronstal, Hagerla, Husak, Lind, Lloyd-Jones, McLaren, Pate, Peterson, Rensink, Riordan, Running, Szymoniak, Tinsman and Varn. Nays, none. Absent or not voting, 2: Connolly and Kersten.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: SENATE FILE 522 (SSB 281), a bill for an act relating to franchise agreements by enactment of a model franchise investment Act and provisions relating to motor vehicle fuel franchises, establishing criminal penalties and administrative assessments, establishing fees, and providing applicability and effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Deluhery, Kinley, Slife, Doyle, Gettings, Gronstal, Jensen, Kersten, Lind, Nystrom, Palmer, Priebe, Sturgeon, Tieden and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

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

Boy Scouts from Mt. Vernon, accompanied by Scoutmaster Richard Yoder. Senators Pate and Hannon.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 281 failed to pass the Senate on March 25, 1991.

WILLIAM W. DIELEMAN

MR. PRESIDENT: I move to reconsider the vote by which Senate File 281 failed to pass the Senate on March 25, 1991.

LARRY MURPHY

MR. PRESIDENT: I move to reconsider the vote by which Senate File 382 passed the Senate on March 25, 1991.

JAMES R. RIORDAN

MR. PRESIDENT: I move to reconsider the vote by which Senate File 332 passed the Senate on March 25, 1991.

PAUL PATE

MR. PRESIDENT: I move to reconsider the vote by which Senate File 435 passed the Senate on March 25, 1991.

PATRICK J. DELUHERY

BILLS ASSIGNED TO COMMITTEE

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

S. F.	521	Ways and Means
H. C. R.	12	Rules and Administration
H. F.	91	Human Resources
H. F.	92	Transportation
H. F.	168	State Government
H. F.	197	Local Government
H. F.	373	Natural Resources
H. F.	459	Business & Labor Relations
H. F.	483	Transportation
H. F.	486	Education
H. F.	487	Ways and Means
H. F.	501	Judiciary

SUBCOMMITTEE ASSIGNMENTS

Senate File 404

APPROPRIATIONS: Lloyd-Jones, Chair; Pate and Riordan

Senate File 447

APPROPRIATIONS: Husak, Chair; Gettings and McLaren

Senate File 493

APPROPRIATIONS: Husak, Chair; Gettings and Rensink

Senate File 497

APPROPRIATIONS: Husak, Chair; Gettings and Lind

INTRODUCTION OF BILL

Senate File 526, by committee on Agriculture, a bill for an act relating to the management of grain, providing for the assessment of fees, providing an effective date, and making penalties applicable.

Read first time under Rule 28 and placed on calendar.

AMENDMENTS FILED

S—3165	S. F.	337	Don Gettings Eugene Fraise
S—3166	S. F.	336	Jean Lloyd-Jones
S—3167	S. F.	454	Jean Lloyd-Jones
S—3168	S. F.	77	Paul Pate Ray Taylor John W. Jensen Wilmer Rensink Linn Fuhrman
S—3169	S. F.	77	Paul Pate Ray Taylor John W. Jensen Wilmer Rensink
S—3170	S. F.	329	Richard F. Drake
S—3171	S. F.	294	Berl E. Priebe John E. Soorholtz Derryl McLaren
S—3172	S. F.	77	Jim Lind
S—3173	S. F.	193	Richard Varn Michael E. Gronstal

S-3174	S. F.	77	Larry Murphy
S-3175	S. F.	329	Berl E. Priebe
			Berl E. Priebe
			Richard F. Drake
S-3176	S. F.	101	Richard V. Running
S-3177	S. F.	494	George Kinley
S-3178	S. F.	223	Patrick Deluhery
			Paul Pate

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:40 p.m., until 9:00 a.m., Tuesday, March 26, 1991.

JOURNAL OF THE SENATE

SEVENTY-SECOND CALENDAR DAY
 FORTY-FOURTH SESSION DAY

Senate Chamber
 Des Moines, Iowa, Tuesday, March 26, 1991

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

Prayer was offered by the Reverend Paul Nordstrom, pastor of the Nazareth Lutheran Church, Cedar Falls, Iowa.

The Journal of Monday, March 25, 1991, was approved.

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.	451	Ways and Means
S.F.	508	Ways and Means
S.F.	512	Ways and Means
S.F.	225	Small Business & Economic Development

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:

Roger A. Chapman as a member of the Cosmetology Examining Board.

William G. Sizer and H. Idris Thomas as members of the Credit Union Review Board.

Rhea Renee Walker as a member of the Board of Educational Examiners.

Jolee L. Belzung as a member of the Engineering and Land Surveying Examining Board.

Billy M. McCall as a member of the Iowa Highway Research Board.

William G. Gerhard as a member of the Job Service Advisory Council.

Senator Hutchins moved that the foregoing appointments be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Pate Sturgeon

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 101

On motion of Senator Running, Senate File 101, a bill for an act relating to the loss of pay while on military leave of absence, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Running offered amendment S—3093 filed by the committee on Business and Labor Relations on March 7, 1991, to page 1 of the bill.

Senator Running offered amendment S—3176 filed by him on March 25, 1991, to amendment S—3093 and moved its adoption.

Amendment S—3176 was adopted by a voice vote.

Senator Running moved the adoption of amendment S—3093 as amended, which motion prevailed 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. 101) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluherly	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Hannon

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

Senate File 390

On motion of Senator Nystrom, Senate File 390, a bill for an act relating to the reorganization of the disaster services division of the department of public defense by renaming the division, providing for financial assistance, renaming local emergency management commissions and managers, making administrative changes, and making other amendments relevant to the reorganization, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 390) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Hannon

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

Senate File 422

On motion of Senator Gronstal, Senate File 422, a bill for an act allowing certain elections to be conducted by mail ballots, providing penalties, and providing for the prospective repeal 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. 422) the vote was:

Ayes, 28:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Doyle	Gettings	Gronstal
Hannon	Horn	Husak	Hutchins
Kibbie	Kinley	Lloyd-Jones	Miller
Murphy	Nystrom	Palmer	Peterson
Priebe	Riordan	Rosenberg	Running
Sturgeon	Szymoniak	Varn	Welsh

Nays, 22:

Borlaug	Drake	Fraise	Fuhrman
Hagerla	Hedge	Hester	Jensen
Kersten	Kramer	Lind	McLaren
Pate	Rensink	Rife	Rittmer
Slife	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.

Senate File 431

On motion of Senator Priebe, Senate File 431, a bill for an act relating to financial responsibility requirements for commercial applicators of pesticides, 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. 431) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kramer	Lind

Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Running	Slife	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 3:

Kinley	Palmer	Peterson
--------	--------	----------

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 476.

Senate File 476

On motion of Senator Gronstal, Senate File 476, a bill for an act relating to campaign finance disclosure by changing the definition of a candidate's committee, requiring the reporting to the treasurer of a committee of all contributions received by a person for the committee, requiring disclosure reports of out-of-state political action committees, changing the number of disclosure reports required in nonelection years, providing that the treasurer of a committee is not responsible for filing disclosure reports or liable for civil penalties, allowing contributions from family-owned corporations, directing the use of leftover campaign funds, and providing for a civil penalty for violations regarding placement of political signs, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that action on Senate File 476 be deferred.

Senate File 234

On motion of Senator Running, Senate File 234, a bill for an act relating to the creation of a taxpayers' bill of rights and privileges, and an office of taxpayer ombudsman within the department of revenue and finance, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Running offered amendment S—3148 filed by the committee on State Government on March 21, 1991, to pages 1, 2, 4 and 5 of the bill and moved its adoption.

Amendment S—3148 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. 234) the vote was:

Ayes, 50:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	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.

Senate File 217

On motion of Senator Priebe, Senate File 217, a bill for an act authorizing nonambulatory persons to use all-terrain vehicles for hunting on private land and subjecting violators to a penalty, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 217) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Tieden
Tinsman	Varn	Welsh	

Nays, 3:

Connolly	Taylor	Vande Hoef
----------	--------	------------

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

Senate File 81

On motion of Senator Tinsman, Senate File 81, a bill for an act relating to safety procedures required for water skiers and surfboarders and subjecting violators to an existing penalty, 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?" (S.F. 81) the vote was:

Ayes, 32:

Borlaug	Buhr	Connolly	Deluhery
Dieleman	Doyle	Drake	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hutchins	Jensen	Kibbie
Kinley	Kramer	Lloyd-Jones	Miller
Nystrom	Palmer	Pate	Rife
Rittmer	Rosenberg	Slife	Soorholtz
Szymoniak	Taylor	Tinsman	Vande Hoef

Nays, 18:

Boswell	Fraise	Fuhrman	Gettings
Husak	Kersten	Lind	McLaren
Murphy	Peterson	Priebe	Rensink
Riordan	Running	Sturgeon	Tieden
Varn	Welsh		

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

UNFINISHED BUSINESS (Deferred March 25, 1991)

Senate File 494

The Senate resumed consideration of Senate File 494, a bill for an act relating to the transfer of the regulatory authority of the superintendent of savings and loan associations to the director of the department of commerce and the superintendent of banking, deferred March 25, 1991.

Senator Kinley offered amendment S—3177 filed by him on March 25 to pages 10 and 11 of the bill and moved its adoption.

Amendment S—3177 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. 494) the vote was:

Ayes, 50:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	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.

MOTION TO RECONSIDER WITHDRAWN

Senate File 435

Senator Deluhery withdrew the motion to reconsider Senate File 435, a bill for an act relating to the transfer of regulatory authority over mortgage bankers and brokers from the superintendent of savings and loans to the superintendent of banking, filed by him on March 25, 1991, and found on page 848 of the Senate Journal.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 505.

Senate File 505

On motion of Senator Gronstal, Senate File 505, a bill for an act providing for voluntary limitation of campaign expenditures for certain elective officers and providing penalties, was taken up for consideration.

Senator Pate asked and received unanimous consent that action on Senate File 505 be deferred.

Senate File 279

On motion of Senator Horn, Senate File 279, a bill for an act relating to the requirements for approval of certain cremation permits, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 279) the vote was:

Ayes, 50:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	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.

Senate File 419

On motion of Senator Miller, Senate File 419, a bill for an act relating to voting hours for drainage or levee district trustee elections, 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?" (S.F. 419) the vote was:

Ayes, 50:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	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.

Senate File 441

On motion of Senator Peterson, Senate File 441, a bill for an act relating to workers' compensation self-insurance, imposing civil and criminal penalties, and providing an appropriation, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 441) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Rife

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

Senate File 470

On motion of Senator Buhr, Senate File 470, a bill for an act relating to federal-state public assistance programs, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 470) the vote was:

Ayes, 50:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	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.

Senate File 227

On motion of Senator Szymoniak, Senate File 227, a bill for an act relating to the assessing of a service charge in lieu of property taxes for the providing of police and fire protection by a city for real property which is totally or partially exempt from property tax, including government-owned real property, and providing an applicability date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Szymoniak offered amendment S—3152 filed by the committee on Local Government on March 21, 1991, to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—3152 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. 227) the vote was:

Ayes, 21:

Buhr	Connolly	Deluhery	Gettings
Gronstal	Hannon	Kibbie	Kinley
Kramer	Lloyd-Jones	Miller	Murphy
Palmer	Riordan	Rosenberg	Running
Soorholtz	Sturgeon	Tinsman	Varn
Welsh			

Nays, 29:

Borlaug	Boswell	Dieleman	Doyle
Drake	Fraise	Fuhrman	Hagerla
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kersten	Lind
McLaren	Nystrom	Pate	Peterson
Priebe	Rensink	Rife	Rittmer
Slife	Szymoniak	Taylor	Tieden
Vande Hoef			

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

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 488.

Senate File 488

On motion of Senator Buhr, Senate File 488, a bill for an act relating to the appointment of the clerk or secretary to a city civil service commission, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 488) the vote was:

Ayes, 50:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake

Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	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.

Senate File 471

On motion of Senator Kramer, Senate File 471, a bill for an act relating to state policies and procedures affecting children, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 471) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 3:

Dieleman	Taylor	Tieden
----------	--------	--------

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

Senate File 48

On motion of Senator Szymoniak, Senate File 48, a bill for an act relating to professional titles and abbreviations of physical therapists and physical therapist assistants, and licensure, examination fees, and conditions of practice of physical therapist assistants, with report of committee recommending passage, was taken up for consideration.

Senator Szymoniak offered amendment S—3008 filed by her on January 24, 1991, to page 1 of the bill and moved its adoption.

Amendment S—3008 was adopted by a voice vote.

Senator Szymoniak offered amendment S—3103 filed by her on March 12, 1991, to pages 1 and 2 of the bill.

Senator Palmer offered amendment S—3140 filed by Senators Palmer, et. al., on March 20, 1991, to amendment S—3103.

Senator Szymoniak raised the point of order that amendment S—3140 was not germane.

The Chair ruled the point not well taken and amendment S—3140 in order.

Senator Palmer moved the adoption of amendment S—3140, which motion lost by voice vote.

Senator Szymoniak moved the adoption of amendment S—3103, which motion prevailed by 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. 48) the vote was:

Ayes, 44:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Husak

Hutchins	Jensen	Kersten	Kibbie
Kinley	Kramer	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Running	Soorholtz	Sturgeon	Szymoniak
Tieden	Tinsman	Varn	Welsh

Nays, 4:

Fuhrman	Palmer	Taylor	Vande Hoef
---------	--------	--------	------------

Absent or not voting, 2:

Drake	Slife
-------	-------

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

CONFERENCE COMMITTEE REPORT RECEIVED (Senate File 209)

A conference committee report signed by the following Senate and House members was filed March 26, 1991, on Senate File 209, a bill for an act relating to and making supplemental appropriations for the remainder of the fiscal year ending June 30, 1991, to the department of human services, national conference of state legislatures, department of general services, department of revenue and finance, department of public safety, department of inspections and appeals, college student aid commission, board of regents institutions, office of lieutenant governor, department of transportation, pioneer lawmakers, the office of the state public defender, department of human rights, Iowa finance authority, department of economic development, department of corrections, and extending ethanol fuel project, and increasing the court civil penalty surcharge, and providing effective dates:

On the Part of the Senate:

LEONARD L. BOSWELL, Chair
EMIL HUSAK
ELAINE SZYMONIAK

On the Part of the House:

THOMAS JOCHUM, Chair
C. ARTHUR OLLIE
MICHAEL PETERSON

CONFERENCE COMMITTEE REPORT ADOPTED

Senate File 209

Senator Boswell called up the conference committee report on Senate File 209, a bill for an act relating to and making supplemental appropriations for the remainder of the fiscal year ending June 30, 1991, to the department of human services, national conference of state legislatures, department of general services, department of revenue and finance, department of public safety, department of inspections and appeals, college student aid commission, board of regents institutions, office of lieutenant governor, department of transportation, pioneer lawmakers, the office of the state public defender, department of human rights, Iowa finance authority, department of economic development, department of corrections, and extending ethanol fuel project, and increasing the court civil penalty surcharge, and providing effective dates, filed on March 26, 1991, 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 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. 209) the vote was:

Ayes, 36:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hannon
Horn	Husak	Hutchins	Kibbie
Kinley	Kramer	Lloyd-Jones	McLaren
Miller	Nystrom	Palmer	Pate
Peterson	Priebe	Rife	Riordan
Rittmer	Rosenberg	Running	Soorholtz
Sturgeon	Szymoniak	Varn	Welsh

Nays, 12:

Borlaug	Hagerla	Hedge	Hester
Jensen	Kersten	Lind	Rensink
Taylor	Tieden	Tinsman	Vande Hoef

Absent or not voting, 2:

Murphy

Slife

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

Senator Horn asked and received unanimous consent that **Senate File 209** be **immediately messaged** to the House.

RECESS

On motion of Senator Horn, the Senate recessed at 11:27 a.m., until 2:30 p.m.

APPENDIX

REPORT OF COMMITTEE MEETING

APPROPRIATIONS

Convened: March 25, 1991, 1:35 p.m.

Members Present: Boswell, Chair; Welsh, Vice Chair; Tieden, Ranking Member; Buhr, Gettings, Gronstal, Hagerla, Husak, Lind, Lloyd-Jones, McLaren, Pate, Peterson, Rensink, Riordan, Running, Szymoniak, Tinsman and Varn.

Members Absent: Connolly and Kersten (both excused).

Committee Business: Recommended passage of Senate Files 403 and 278; approved LSB 2747 and SSB 36 as committee bills.

Adjourned: 1:55 p.m.

MOTIONS TO RECONSIDER

I move to reconsider the vote by which Senate File 390 passed the Senate on March 26, 1991.

JOE J. WELSH

MR. PRESIDENT: I move to reconsider the vote by which Senate File 227 failed to pass the Senate on March 26, 1991.

ELAINE SZYMONIAK

CERTIFICATE OF RECOGNITION

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

Hazel Stark Marshall, West Burlington — For celebrating her 90th birthday. Senator Hagerla (3-26-91).

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 26th day of March, 1991:

Senate Files 87, 111, 174 and 180.

JOHN F. DWYER
Secretary of the Senate

PRESENTATION OF VISITORS

President pro tempore Lloyd-Jones welcomed nine Soviet students, elementary education majors; one graduate english student from the Hertzen Pedagogical Russian University in Leningrad; one graduate student from Moscow University of Foreign Languages; and three University of Northern Iowa students, all accompanied by Dr. Marian Krogman from the University of Northern Iowa.

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

Forty student council members from Holmes Jr. High School, Cedar Falls, accompanied by David Andreason. Senator Slife.

Eight twelfth grade students from St. Edmund School, Fort Dodge, accompanied by Nancy Higgins. Senator Kersten.

SUBCOMMITTEE ASSIGNMENTS

Senate File 223

STATE GOVERNMENT: Dieleman, Chair; Gronstal and Soorholtz

Senate File 428

STATE GOVERNMENT: Murphy, Chair; Kibbie and Lind

Senate File 433

WAYS AND MEANS: Deluhery, Chair; Palmer and Taylor

Senate File 444

WAYS AND MEANS: Rosenberg, Chair; Fuhrman and Murphy

Senate File 451

WAYS AND MEANS: Rosenberg, Chair; Deluhery and McLaren

Senate File 460

JUDICIARY: Connolly, Chair; Slife and Sturgeon

Senate File 472

JUDICIARY: Varn, Chair; Hagerla and Peterson

Senate File 487

WAYS AND MEANS: Palmer, Chair; Hedge and Hester

Senate File 508

WAYS AND MEANS: Deluhery, Chair; Fuhrman and Rosenberg

Senate File 512

WAYS AND MEANS: Connolly, Chair; Hedge and Husak

Senate File 521

WAYS AND MEANS: Connolly, Chair; Drake and Murphy

House File 92

TRANSPORTATION: Connolly, Chair; Kersten and Kinley

House File 168

STATE GOVERNMENT: Gronstal, Chair; Murphy and Nystrom

House File 373

NATURAL RESOURCES: Riordan, Chair; Dieleman and Hester

House File 417

WAYS AND MEANS: Rosenberg, Chair; Drake and Palmer

House File 430

JUDICIARY: Rosenberg, Chair; Connolly and Hester

House File 483

TRANSPORTATION: Welsh, Chair; Kinley and Pate

House File 487

WAYS AND MEANS: Szymoniak, Chair; Connolly and Drake

House File 501

JUDICIARY: Sturgeon, Chair; Pate and Peterson

AMENDMENTS FILED

S-3179	S. F.	163	Richard Vande Hoef Alvin Miller
S-3180	S. F.	503	Ray Taylor

AFTERNOON SESSION

The Senate reconvened at 3:10 p.m., President Welsh 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.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Lloyd-Jones until she arrives on request of Senator Horn.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 216

On motion of Senator Varn, Senate File 216, a bill for an act relating to requirements for insulation in housing projects assisted under the rental assistance programs of the United States department of housing and urban development and providing a five-year grace period for owners of existing housing projects, 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. 216) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	McLaren	Miller	Murphy

Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

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 Horn asked and received unanimous consent to take up for consideration Senate File 485.

Senate File 485

On motion of Senator Connolly, Senate File 485, a bill for an act relating to authorized expenditures of enhanced 911 service surcharge revenues, 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. 485) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

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 Running took the chair at 3:29 p.m.

Senate File 309

On motion of Senator Welsh, Senate File 309, a bill for an act relating to the duties of the county compensation board, 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. 309) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

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.

Senate File 213

On motion of Senator Sturgeon, Senate File 213, a bill for an act relating to probate code provisions with respect to testamentary trusts, investments by fiduciaries, conservatorships, and the distribution of decedents' property by affidavit, was taken up for consideration.

Senator Deluhery offered amendment S—3181 filed by Senators Deluhery, Fuhrman and Sturgeon from the floor to page 2 of the bill and moved its adoption.

Amendment S—3181 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 213) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kibbie	Kinley	Kramer	Lind
McLaren	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Kersten Lloyd-Jones

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 Senate File 492.

Senate File 492

On motion of Senator Miller, Senate File 492, a bill for an act relating to the classified civil service status of two second deputy sheriffs in certain counties, 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. 492) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

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 Horn asked and received unanimous consent to take up for consideration Senate File 473.

Senate File 473

On motion of Senator Murphy, Senate File 473, a bill for an act relating to accredited schools and school districts, making changes in the department of education's biennial report on the condition of schools, changing the requirements for certain pilot projects, providing exceptions to certain uses of funds received under an instructional support program, and changing the district

in which shared-time pupils are counted under the postsecondary enrollment options Act, 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. 473) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

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.

Senate File 377

On motion of Senator Varn, Senate File 377, a bill for an act relating to the assignment of indigent criminal and juvenile cases to the state public defender and providing an effective date, was taken up for consideration.

President Welsh took the chair at 3:52 p.m.

Senator Husak took the chair at 4:09 p.m.

Senator Hutchins asked and received unanimous consent that action on Senate File 377 be deferred.

Senate File 457

On motion of Senator Running, Senate File 457, a bill for an act relating to collective bargaining, was taken up for consideration.

Senator Fuhrman withdrew amendment S—3188 filed by him from the floor to page 1 of the bill.

Senator Fuhrman offered amendment S—3190 filed by him from the floor to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3190 be adopted?" (S.F. 457) the vote was:

Ayes, 16:

Borlaug	Dieleman	Drake	Fuhrman
Hagerla	Hedge	Hester	Jensen
Kersten	McLaren	Nystrom	Pate
Rensink	Rife	Taylor	Vande Hoef

Nays, 31:

Boswell	Buhr	Connolly	Deluhery
Doyle	Fraise	Gettings	Gronstal
Hannon	Horn	Husak	Hutchins
Kibbie	Kinley	Kramer	Lind
Miller	Murphy	Palmer	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Tieden
Tinsman	Varn	Welsh	

Absent or not voting, 3:

Lloyd-Jones	Peterson	Priebe
-------------	----------	--------

Amendment S—3190 lost.

Senator Taylor offered amendment S—3185 filed by him from the floor to page 1 of the bill.

Senator Running raised the point of order that amendment S—3185 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3185 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?" (S.F. 457) the vote was:

Ayes, 35:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Doyle	Fraise	Gettings
Gronstal	Hagerla	Hannon	Horn
Husak	Hutchins	Kersten	Kinley
Kramer	Lind	Murphy	Nystrom
Palmer	Pate	Peterson	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Szymoniak
Tinsman	Varn	Welsh	

Nays, 14:

Dieleman	Drake	Fuhrman	Hedge
Hester	Jensen	Kibbie	McLaren
Miller	Priebe	Rensink	Taylor
Tieden	Vande Hoef		

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.

UNFINISHED BUSINESS

(Deferred March 25, 1991)

Senate File 490

The Senate resumed consideration of Senate File 490, a bill for an act relating to the availability of certain information relating to escrow accounts maintained in connection with real estate loans, deferred March 25, 1991.

Senator Sturgeon offered amendment S—3182 filed by him from the floor to pages 1-3 of the bill and moved its adoption.

Amendment S—3182 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 490) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	McLaren	Miller	Murphy
Nystrom	Palmér	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

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.

BUSINESS PENDING

Senate File 377

The Senate resumed consideration of Senate File 377, a bill for an act relating to the assignment of indigent criminal and juvenile cases to the state public defender and providing an effective date, previously deferred.

Senator Hutchins offered amendment S—3192 filed by him from the floor to page 5 of the bill and moved its adoption.

Amendment S—3192 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. 377) the vote was:

Ayes, 46:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
McLaren	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Slife	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Voting present, 2:

Doyle Rosenberg

Absent or not voting, 2:

Lloyd-Jones Running

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

BUSINESS PENDING (Senate File 505)

Senate File 505

The Senate resumed consideration of Senate File 505, a bill for an act providing for voluntary limitation of campaign expenditures for certain elective officers and providing penalties, previously deferred.

Senator Pate asked and received unanimous consent to withdraw amendment S—3183 filed by Senators Pate and Vande Hoef from the floor to pages 1 through 4 of the bill.

The Chair ruled amendment S—3189 filed by Senator Hutchins from the floor to amendment S—3183, out of order.

President Welsh took the chair at 5:30 p.m.

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

On the question "Shall the bill pass?" (S.F. 505) the vote was:

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

Ayes, 34:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Doyle	Fraise	Gettings
Gronstal	Hagerla	Hannon	Hedge
Horn	Husak	Hutchins	Kersten
Kibbie	Kinley	Kramer	McLaren
Miller	Murphy	Palmer	Peterson
Priebe	Riordan	Rittmer	Rosenberg
Running	Soorholtz	Sturgeon	Szymoniak
Varn	Welsh		

Nays, 14:

Borlaug	Drake	Fuhrman	Hester
Jensen	Lind	Pate	Rensink
Rife	Slife	Taylor	Tieden
Tinsman	Vande Hoef		

Absent or not voting, 2:

Lloyd-Jones	Nystrom
-------------	---------

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

Senator Hutchins asked and received unanimous consent that Senate File 505 be immediately messaged to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 436

On motion of Senator Soorholtz, Senate File 436, 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, 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. 436) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	McLaren	Miller	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Running	Slife	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none:

Absent or not voting, 3:

Lloyd-Jones Nystrom Peterson

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 436 be immediately messaged to the House.

HOUSE MESSAGE RECEIVED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 26, 1991, adopted the conference committee report and passed Senate File 209, a bill for an act relating to and making supplemental appropriations for the remainder of the fiscal year ending June 30, 1991, to the department of

human services, national conference of state legislatures, department of general services, department of revenue and finance, department of public safety, department of inspections and appeals, college student aid commission, board of regents institutions, office of lieutenant governor, department of transportation, pioneer lawmakers, the office of the state public defender, department of human rights, Iowa finance authority, department of economic development, department of corrections, and extending ethanol fuel project, and increasing the court civil penalty surcharge, and providing effective dates.

APPENDIX**STUDY BILLS RECEIVED****SSB 348 Agriculture**

Relating to increasing the impact of state assistance.

SSB 349 Education

Relating to limiting the school foundation base and providing an effective date.

COMMITTEE REPORTS**WAYS AND MEANS**

Final Bill Action: SENATE FILE 253, 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: DO PASS.

Final Vote: Ayes, 13: Dieleman, Husak, Hedge, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Palmer, Rosenberg, Szymoniak and Taylor. Nays, 2: Connolly and Murphy.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 293, a bill for an act relating to the practice of dentistry, assessing a fee, and providing a civil penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Dieleman, Husak, Hedge, Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Murphy, Palmer, Rosenberg, Szymoniak and Taylor. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 294, a bill for an act providing for the establishment of agricultural enterprise zones, restricting nuisance suits, providing for tax refunds on facilities within such zones, and providing a penalty.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3191.

Final Vote: Ayes, 13: Dieleman, Husak, Hedge, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Murphy, Palmer, Szymoniak and Taylor. Nays, 2: Connolly and Rosenberg.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 338, a bill for an act relating to movement of indivisible loads of excessive size and weight and increasing the fee for escort services.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Dieleman, Husak, Hedge, Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Murphy, Palmer, Rosenberg, Szymoniak and Taylor. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 362, a bill for an act relating to petroleum underground storage tanks by raising the maximum use taxes deposited in the Iowa comprehensive underground storage tank fund and adjusting the diminution cost factor, establishing monitoring certificates, requiring certain corrective action rules, defining free product, providing for double-walled tanks as a corrective action cost, providing for payment of corrective action costs for certain not-for-profit organizations, establishing requirements for site cleanup reports, changing copayment schedules for remedial action, extending property liens, limiting cleanup payments, extending loan maturity dates and offering a special interest rate buy-down, extending upgrade dates, offering insurance coverage for certified tank installers and for property transfers, limiting rights of recovery and subrogation under the insurance account, requiring certification and registration of groundwater professionals, imposing an environmental damage offset, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Dieleman, Husak, Hedge, Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Rosenberg and Taylor. Nays, none. Absent or not voting, 3: Murphy, Palmer and Szymoniak.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 444, a bill for an act relating to law enforcement, victim services, and domestic abuse, establishing certain training and certification requirements, establishing and increasing certain criminal penalties, imposing mandatory minimum sentences, establishing a domestic abuse services fund, establishing an income tax checkoff for domestic abuse, increasing certain court costs and fees, eliminating certain court costs, requiring batterers treatment by offenders, establishing a pilot program, and containing effective date and applicability provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Husak, Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Murphy, Palmer, Rosenberg, Szymoniak and Taylor. Nays, 2: Dieleman and Hedge.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 26th day of March, 1991:

Senate Files 121 and 151.

JOHN F. DWYER
Secretary of the Senate

SUBCOMMITTEE ASSIGNMENT

House File 459

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

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 26, 1991, and recommended the appointees be confirmed:

Gerald D. Bair for reappointment as Director of Revenue and Finance.

Elizabeth A. Colby-Plautz for reappointment as a member of the Iowa Finance Authority.

Harold W. White for appointment as a member of the State Board of Tax Review.

MOTION TO RECONSIDER

I move to reconsider the vote by which Senate File 377 passed the Senate on March 26, 1991.

JOE J. WELSH

AMENDMENTS FILED

S—3181	S.F.	213	Patrick Deluhery Linn Fuhrman Al Sturgeon
S—3182	S.F.	490	Al Sturgeon
S—3183	S.F.	505	Paul Pate Richard Vande Hoef
S—3184	S.F.	2	Ralph Rosenberg Richard Varn
S—3185	S.F.	457	Ray Taylor
S—3186	S.F.	369	Wilmer Rensink Richard Vande Hoef
S—3187	S.F.	43	Jim Lind
S—3188	S.F.	457	Linn Fuhrman
S—3189	S.F.	505	Bill Hutchins
S—3190	S.F.	457	Linn Fuhrman
S—3191	S.F.	294	Ways and Means
S—3192	S.F.	377	Bill Hutchins
S—3193	S.F.	503	Jim Lind
S—3194	S.F.	413	Richard Vande Hoef
S—3195	S.F.	465	Richard Running Richard F. Drake
S—3196	S.F.	479	Florence Buhr
S—3197	S.F.	297	Michael Gronstal Derryl McLaren
S—3198	S.F.	524	Emil Husak

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:06 p.m., until 9:00 a.m., Wednesday, March 27, 1991.

JOURNAL OF THE SENATE

SEVENTY-THIRD CALENDAR DAY
 FORTY-FIFTH SESSION DAY

Senate Chamber
 Des Moines, Iowa, Wednesday, March 27, 1991

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

Prayer was offered by the Reverend Floyd White, pastor of the Sacred Heart Catholic Church, Manilla, Iowa.

The Journal of Tuesday, March 26, 1991, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Lloyd-Jones for the morning on request of Senator Horn and Senator Taylor until he arrives on request of Senator Hester.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 25, 1991, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 15, a concurrent resolution relating to ratification of the United Nations' Convention on the elimination of all forms of discrimination against women.

This resolution was read first time and passed on file.

ALSO: That the House has on March 25, 1991, passed the following bills in which the concurrence of the Senate is asked:

House File 237, a bill for an act relating to the perpetual care of cemeteries and cemetery lots and spaces.

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

House File 285, a bill for an act relating to the approval of certain businesses or activities in a health care facility.

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

House File 334, a bill for an act to permit districts which reorganize to change the area education agency which will provide services to students in the new or enlarged district.

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

House File 384, a bill for an act to establish a single method for obtaining agency consent for an employee to sell goods or services to individuals, associations, or corporations subject to the regulatory authority of the agency.

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

House File 392, a bill for an act relating to animals specially trained or being trained to assist a disabled or handicapped person, making a penalty applicable, and providing an effective date.

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

House File 420, a bill for an act relating to corrective changes to Iowa's election laws, providing emergency powers to the state commissioner of elections, and relating to the affidavit filing requirements for a single public office by primary election candidates and certain general election candidates, and relating to absentee voting.

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

House File 423, a bill for an act relating to student financial aid programs administered by the college student aid commission.

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

House File 489, a bill for an act relating to providing additional state income tax filing time periods for certain military personnel, exempting from taxation income of persons killed in a combat zone or while serving overseas, and providing a retroactive applicability date and an effective date.

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

House File 500, a bill for an act relating to requirements for child day care facilities operated in a school building in which child day care is an adjunct to the primary purpose of the building and providing an effective date.

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

House File 502, a bill for an act relating to eliminating the requirement that a financial institution disclose certain information related to financial services offered by the financial institution.

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

House File 518, a bill for an act to establish an advanced placement summer program.

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

House File 556, a bill for an act relating to corporation law by providing electronic access to corporate records, relating to the removal or resignation of directors, relating to certain notice requirements, and by making certain nonsubstantive corrections.

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

House File 565, a bill for an act relating to contracts for the purchase of goods or services by a city.

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

House File 567, a bill for an act relating to the requirements for a notice of right to cure concerning an obligation secured by a deed of trust or mortgage.

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

House File 571, a bill for an act relating to the advertisement and sale of wood products and making certain consumer fraud penalties applicable.

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

House File 575, a bill for an act relating to the collection and use of patient information by the health data commission, and providing penalties.

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

House File 589, a bill for an act relating to the administration of a voluntary shared work unemployment compensation program administered by the department of employment services, and providing an effective date.

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

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:

Janis P. Rowedder as a member of the Chiropractic Examining Board.

Lois H. Eichacker and Stephanie A. Stebens as members of the Commission on Community Action Agencies.

Coral M. Jud as a member of the Board of Examiners for the Licensing and Regulation of Hearing Aid Dealers.

Merlin D. Hulse as a member of the Job Service Advisory Council.

Brenda M. Salocker as a member of the Podiatry Examining Board.

Senator Hutchins moved that the foregoing appointments be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 47:

Borlaug
Deluhery
Fraise

Boswell
Dieleman
Fuhrman

Buhr
Doyle
Gettings

Connolly
Drake
Gronstal

Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Lloyd-Jones	Rosenberg	Taylor
-------------	-----------	--------

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 445

On motion of Senator Varn, Senate File 445, a bill for an act relating to the forfeiture of the rights of junior lienholders with respect to real estate contracts and providing an effective date, 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. 445) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife

Soorholtz	Sturgeon	Szymoniak	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Lloyd-Jones	Taylor
-------------	--------

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

Senate File 477

On motion of Senator Szymoniak, Senate File 477, a bill for an act relating to co-operative ownership of residential, business property, and providing an applicability date, was taken up for consideration.

Senator Szymoniak asked and received unanimous consent that action on **Senate File 477** be deferred.

Senate File 455

On motion of Senator Sturgeon, Senate File 455, a bill for an act relating to the restructuring of the codified provisions relating to dependent adult abuse, and providing penalties, 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. 455) the vote was:

Ayes, 46:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
McLaren	Miller	Murphy	Nystrom
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Running	Slife	Soorholtz	Sturgeon
Szymoniak	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 1:

Dieleman

Absent or not voting, 3:

Lloyd-Jones

Peterson

Taylor

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

Senate File 221

On motion of Senator Buhr, Senaté File 221, a bill for an act relating to amending or repealing city ordinances, was taken up for consideration.

Senator Buhr offered amendment S—3087 filed by her on March 5, 1991, to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—3087 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 221) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
McLaren	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Voting present, 1:

Dieleman

Absent or not voting, 2:

Lloyd-Jones Taylor

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

Senate File 253

On motion of Senator Riordan, Senate File 253, 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, with report of committee on Ways and Means 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. 253) the vote was:

Ayes, 43

Borlaug	Boswell	Buhr	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kersten	Kibbie
Kinley	Kramer	Lind	McLaren
Miller	Nystrom	Palmer	Pate
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Soorholtz
Sturgeon	Szymoniak	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 4:

Connolly	Gronstal	Murphy	Peterson
----------	----------	--------	----------

Absent or not voting, 3:

Lloyd-Jones

Slife

Taylor

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Slife for the remainder of the morning on request of Senator Rife.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 297

On motion of Senator McLaren, Senate File 297, a bill for an act relating to the confidentiality of information identifying inert ingredients in pesticides, and providing retroactive applicability and effective dates, was taken up for consideration.

Senator Gronstal offered amendment S—3197 filed by Senators Gronstal and McLaren on March 26, 1991, to page 1 of the bill and moved its adoption.

Amendment S—3197 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 297) the vote was:

Ayes, 47:

Borlaug
Deluhery
Fraise
Hagerla
Horn
Kersten
Lind
Nystrom
Priebe

Boswell
Dieleman
Fuhrman
Hannon
Husak
Kibbie
McLaren
Palmer
Rensink

Buhr
Doyle
Gettings
Hedge
Hutchins
Kinley
Miller
Pate
Rife

Connolly
Drake
Gronstal
Hester
Jensen
Kramer
Murphy
Peterson
Riordan

Rittmer
Sturgeon
Vande Hoef

Rosenberg
Szymoniak
Varn

Running
Tieden
Welsh

Soorholtz
Tinsman

Nays, none:

Absent or not voting, 3:

Lloyd-Jones

Slife

Taylor

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

Senate File 317

On motion of Senator Palmer, Senate File 317, a bill for an act relating to the regulation of pay-per-call service and advertisements and providing for the applicability of established penalties, was taken up for consideration.

Senator Palmer asked and received unanimous consent that action on Senate File 317 be deferred.

Senate File 330

On motion of Senator Gettings, Senate File 330, a bill for an act relating to tinted windows and making penalties applicable, was taken up for consideration.

Senator Murphy withdrew amendment S—3118 filed by him on March 14, 1991, to page 1 of the bill.

Senator Connolly withdrew amendments S—3125, S—3124 and S—3126 filed by him on March 18, 1991, to pages 1 and 2 of the bill.

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. 330) the vote was:

Ayes, 41:

Borlaug
Dieleman
Fuhrman

Boswell
Doyle
Gettings

Buhr
Drake
Hannon

Deluhery
Fraise
Hedge

Hester	Horn	Husak	Hutchins
Jensen	Kersten	Kibbie	Kinley
Kramer	Lind	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Riordan
Rittmer	Running	Soorholtz	Sturgeon
Szymoniak	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 6:

Connolly	Gronstal	Hagerla	Rife
Rosenberg	Tieden		

Absent or not voting, 3:

Lloyd-Jones	Slife	Taylor
-------------	-------	--------

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

Senate File 308

On motion of Senator Szymoniak, Senate File 308, a bill for an act relating to the Iowa uniform controlled substances act, 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. 308) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Soorholtz
Sturgeon	Szymoniak	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none:

Absent or not voting, 3:

Lloyd-Jones

Slife

Taylor

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

Senator Hutchins asked and received unanimous consent that **Senate File 445** and **Senate File 455** be **immediately messaged** to the House.

Senate File 387

On motion of Senator Szymoniak, Senate File 387, a bill for an act to establish a foreign study program for teachers with funding from phase III of the educational excellence program, with report of committee recommending passage, was taken up for consideration.

Senator Szymoniak offered amendment S—3145 filed by her on March 21, 1991, to page 2 of the bill and moved its adoption.

Amendment S—3145 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. 387) the vote was:

Ayes, 39:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Gronstal	Hannon	Hester
Horn	Husak	Hutchins	Kersten
Kibbie	Kinley	Kramer	Lind
McLaren	Miller	Murphy	Palmer
Pate	Peterson	Priebe	Rife
Riordan	Rittmer	Rosenberg	Running
Soorholtz	Sturgeon	Szymoniak	Tieden
Tinsman	Varn	Welsh	

Nays, 7:

Borlaug Jensen	Fuhrman Rensink	Hagerla Vande Hoef	Hedge
-------------------	--------------------	-----------------------	-------

Absent or not voting, 4:

Lloyd-Jones	Nystrom	Slife	Taylor
-------------	---------	-------	--------

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

Senate File 276

On motion of Senator Gronstal, Senate File 276, a bill for an act amending the Iowa Uniform Securities Act, by exempting agricultural cooperative associations from certain requirements provided under the act, providing for the retroactive application of the act, and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gronstal offered amendment S—3160 filed by the committee on Commerce on March 25, 1991, to page 1 of the bill and moved its adoption.

Amendment S—3160 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. 276) the vote was:

Ayes, 45:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
McLaren	Miller	Murphy	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Running	Soorholtz	Sturgeon	Szymoniak
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 5:

Borlaug
Taylor

Lloyd-Jones

Nystrom

Slife

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 503 and 501.

Senate File 503

On motion of Senator Running, Senate File 503, a bill for an act relating to this state's labor laws administered by the labor commissioner by amending provisions of the Code concerning occupational safety and health penalties, boiler inspections, child labor laws, and out-of-state contractor bonding requirements, was taken up for consideration.

Senator Rife asked and received unanimous consent that action on **Senate File 503** be deferred.

Senate File 501

On motion of Senator Running, Senate File 501, a bill for an act relating to collective bargaining by delineating certain duties and powers of the public employment relations board and eliminating fact-finding as an impasse procedure for certain teachers, 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. 501) the vote was:

Ayes, 47

Borlaug
Deluhery
Fraise
Hagerla
Horn
Kersten

Boswell
Dieleman
Fuhrman
Hannon
Husak
Kibbie

Buhr
Doyle
Gettings
Hedge
Hutchins
Kinley

Connolly
Drake
Gronstal
Hester
Jensen
Kramer

Lind	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Soorholtz
Sturgeon	Szymoniak	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none:

Absent or not voting, 3:

Lloyd-Jones Slife Taylor

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 341

On motion of Senator Sturgeon, Senate File 341, a bill for an act relating to child abuse, was taken up for consideration.

Senator Tinsman offered amendment S—3117 filed by Senators Tinsman, et. al., on March 13, 1991, to pages 1 and 2 of the bill.

Senator Murphy called for a division of amendment S—3117: line 2 as division S—3117A; lines 3-9 as division S—3117B and line 10 as division S—3117C.

Senator Buhr took the chair at 11:06 a.m.

Senator Sturgeon asked and received unanimous consent that action on divisions S—3117A, S—3117B and S—3117C and **Senate File 341** be deferred.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate File 276** be immediately messaged to the House.

BILLS REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that the following bills be referred from the Regular Calendar to committee:

S. F.	342	State Government
S. F.	430	Appropriations
S. F.	510	State Government

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 378

On motion of Senator Deluhery, Senate File 378, a bill for an act relating to the weighting plan to be used to provide funds for the excess costs of instruction of children requiring special education, 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. 378) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Lloyd-Jones Slife

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 378** be immediately messaged to the House.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 25, 1991, passed the following bill in which the concurrence of the Senate is asked:

House File 167, a bill for an act relating to membership of county compensation boards.

This bill was read first time and **passed on file.**

RECESS

On motion of Senator Horn, the Senate recessed at 11:25 a.m., until 2:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

STATE GOVERNMENT

Convened: March 26, 1991, 1:32 p.m.

Members Present: Kibbie, Chair; Nystrom, Ranking Member; Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Rife, Running, Soorholtz, Vande Hoef and Welsh.

Members Absent: Lloyd-Jones (excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 1:52 p.m.

WAYS AND MEANS

Convened: March 26, 1991, 11:32 a.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hedge, Ranking Member; Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Rosenberg, Szymoniak and Taylor.

Members Absent: Murphy and Palmer.

Committee Business: Assigned bills to subcommittees and recommended passage of Senate File 362.

Recessed: 11:58 a.m.

Reconvened: March 26, 1991, 2:02 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hedge, Ranking Member; Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Murphy, Palmer, Rosenberg, Szymoniak and Taylor.

Members Absent: none.

Committee Business: Recommended passage of Senate Files 253, 338, 293 and 444; recommended passage of Senate File 294 as amended.

Adjourned: 3:09 p.m.

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 27th day of March, 1991:

Senate File 209.

JOHN F. DWYER
Secretary of the Senate

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Forty twelfth grade students from Rudd-Rockford-Marble Rock Community School District, Rockford, accompanied by Robert Druckery. Senator Borlaug.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 501 passed the Senate on March 27, 1991.

JACK RIFE

MR. PRESIDENT: I move to reconsider the vote by which Senate File 501 passed the Senate on March 27, 1991.

RICHARD J. VARN

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 209, the following corrections were made:

1. Page 10, line 26, the word and number "section 23" was changed to the word and number "section 26".
2. Page 16, line 24, the word and number "Section 200" was changed to the word and number "Section 39".

3. Page 16, line 26, the words and number "Sections 27 and 28" were changed to the words and numbers "Sections 35 and 37".

4. Page 16, line 29, the word and number "Section 100" was changed to the word and number "Section 31".

JOHN F. DWYER
Secretary of the Senate

SUBCOMMITTEE ASSIGNMENT

House File 197

LOCAL GOVERNMENT: Buhr, Chair; Borlaug and Szymoniak

REPORT OF STANDING COMMITTEE (Place nominee on Individual Confirmation Calendar)

STATE GOVERNMENT

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the following Governor's appointment, completed its investigation on March 26, 1991, and made no recommendation:

Kenneth L. Mueller for reappointment as a member of the Chiropractic Examining Board.

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 26, 1991, and recommended the appointees be confirmed:

Daryl E. Henze for reappointment as a member of the Accountancy Examining Board.

Glen D. Huntington for appointment as a member of the Architectural Examining Board.

Dennis Ruffcorn for appointment and Donna J. Weiss for reappointment as members of the Barber Examining Board.

Nancy E. Knutstrom and Guy W. Richardson for appointment as members of the Board of Nursing Examiners.

Ramona K. Kennedy and Sister Marilyn S. Whitty for reappointment as members of the Chiropractic Examining Board.

Anna Mae Weems and Maude E. White for appointment as members of the Commission on the Status of Blacks.

Reuvena M. Bruxvoort for appointment as a member of the Cosmetology Examining Board.

R. Bruce Cochrane for appointment and Vicki Reschly for reappointment as members of the Dental Examining Board.

Mary K. Carlson for appointment as a member of the Dietetic Examining Board.

Sandra Lee Adkins for appointment and Donald E. Snyder for reappointment as members of the Investment Board of the IPERS.

Connie M. Alt for appointment as a member of the Iowa Lottery Board.

Monty Mitchell for appointment as a member of the Landscape Architectural Examining Board.

Ann O'Neill for reappointment as a member of the Medical Examining Board.

Marjorie L. Reth for appointment as a member of the Mortuary Science Examining Board.

James Hartzell for reappointment as a member of the Optometry Examining Board.

Marian L. Roberts for reappointment and Arlan (Jack) Van Norman for appointment as members of the Pharmacy Examining Board.

Lee W. Johnson for appointment as a member of the Physical and Occupational Therapy Examining Board.

Lillian Madison for appointment as a member of the Podiatry Examining Board.

Janet S. McDonough for appointment as a member of the Psychology Examining Board.

Susan D. Albright for reappointment as a member of the Real Estate Appraiser Examining Board.

Marlys S. Nielsen for reappointment as a member of the Real Estate Commission.

Erlene Veverka for appointment as a member of the Social Work Examining Board.

Michael D. Ralston for reappointment as a member of the Speech Pathology and Audiology Examining Board.

Alexa L. Mayner for reappointment as a member of the State Board of Examiners for Nursing Home Administrators.

AMENDMENTS FILED

S-3199	S.F.	336	Berl E. Priebe John P. Kibbie John Soorholtz
S-3200	S.F.	260	Richard Vande Hoef
S-3201	S.F.	362	Mike Connolly
S-3202	S.F.	477	Elaine Szymoniak
S-3203	S.F.	412	Jim Riordan
S-3204	S.F.	501	Richard Varn
S-3205	S.F.	341	Beverly A. Hannon

AFTERNOON SESSION

The Senate reconvened at 2:37 p.m., President Welsh 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.

MOTION TO RECONSIDER ADOPTED

Senator Varn called up the motion to reconsider Senate File 501 filed by him on March 27, 1991, found on page 910 of the Senate Journal, and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 501) the vote was:

Ayes, 43:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rittmer	Rosenberg	Running
Soorholtz	Sturgeon	Szymoniak	Taylor
Tinsman	Vande Hoef	Varn	

Nays, 1:

Tieden

Absent or not voting, 6:

Kersten	Murphy	Rife	Riordan
Slife	Welsh		

The motion prevailed.

Senator Varn moved to reconsider the vote by which Senate File 501 went to its last reading, which motion prevailed by a voice vote.

Senate File 501

On motion of Senator Running, Senate File 501, a bill for an act relating to collective bargaining by delineating certain duties and powers of the public employment relations board and eliminating fact-finding as an impasse procedure for certain teachers, was taken up for reconsideration.

Senator Varn offered amendment S—3204 filed by him from the floor to page 1 and the title page of the bill and moved its adoption.

Amendment S—3204 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. 501) the vote was:

Ayes, 41:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Gronstal	Hannon
Hester	Horn	Husak	Hutchins
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rife	Riordan
Rittmer	Rosenberg	Running	Soorholtz
Sturgeon	Szymoniak	Tinsman	Varn
Welsh			

Nays, 8:

Fuhrman	Hagerla	Hedge	Jensen
Rensink	Taylor	Tieden	Vande Hoef

Absent or not voting, 1:

Slife

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

The motion to reconsider the vote by which Senate File 501 passed the Senate on March 27, 1991, filed by Senator Rife on March 27, 1991, and found on page 910 of the Senate Journal, was out of order.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 339

On motion of Senator Gronstal, Senate File 339, a bill for an act relating to exempting certain financial institutions from providing evidence of financial security when making an application for registration as a travel agency, 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. 339) the vote was:

Ayes, 36:

Boswell	Connolly	Deluhery	Doyle
Drake	Fraise	Fuhrman	Gettings
Gronstal	Hannon	Hester	Horn
Husak	Hutchins	Kersten	Kibbie
Kinley	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rittmer	Rosenberg
Running	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn

Nays, 12:

Borlaug	Buhr	Dieleman	Hagerla
Hedge	Kramer	Lind	McLaren
Rife	Riordan	Soorholtz	Welsh

Absent or not voting, 2:

Jensen	Slife
--------	-------

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 511.

Senate File 511

On motion of Senator Deluhery, Senate File 511, a bill for an act relating to certified exchange boundaries for local exchange utilities, 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. 511) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 1:

Fuhrman

Absent or not voting, 1:

Slife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

Senate File 477

The Senate resumed consideration of Senate File 477, a bill for an act relating to co-operative ownership of residential, business property, and providing an applicability date, previously deferred.

Senator Szymoniak offered amendment S—3202 filed by her from the floor to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—3202 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. 477) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Slife

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 362

On motion of Senator Gronstal, Senate File 362, a bill for an act relating to petroleum underground storage tanks by raising the maximum use taxes deposited in the Iowa comprehensive underground storage tank fund and adjusting the diminution cost factor, establishing monitoring certificates, requiring certain corrective action rules, defining free product, providing for double-walled tanks as a corrective action cost, providing for payment of corrective action costs for certain not-for-profit organizations, establishing requirements for site cleanup reports, changing copayment schedules for remedial action, extending property liens, limiting cleanup payments, extending loan maturity dates and offering a special interest rate buy-down, extending upgrade dates, offering insurance coverage for certified tank installers and for property transfers, limiting rights of recovery and subrogation under the insurance account, requiring certification and registration of groundwater professionals, imposing an environmental damage offset, and providing an effective date, with report of committee on Ways and Means recommending passage, was taken up for consideration.

Senator Gronstal offered amendment S—3207 filed by Senators Gronstal, et. al., from the floor to pages 3-6, 8, 10, 11 and 14 of the bill and moved its adoption.

Amendment S—3207 was adopted by a voice vote.

Senator Drake offered amendment S—3208 filed by Senators Drake and Gronstal from the floor to page 3 of the bill and moved its adoption.

Amendment S—3208 was adopted by a voice vote.

Senator Connolly offered amendment S—3201 filed by him from the floor to pages 5, 13, 14 and 16 of the bill.

Senator Lind took the chair at 3:46 p.m.

Senator Connolly moved the adoption of amendment S—3201.

A non record roll call was requested.

The ayes were 19, nays 28.

Amendment S—3201 lost.

Senator Kersten offered amendment S—3129 filed by him on March 18, 1991, to pages 13 and 14 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 18, nays 27.

Amendment S—3129 lost.

Senator Rosenberg offered amendment S—3209 filed by him from the floor to page 15 of the bill and moved its adoption.

Amendment S—3209 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. 362) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Slife

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 Tieden for the remainder of the day on request of Senator Hester.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 273

On motion of Senator Horn, Senate File 273, a bill for an act authorizing a class "B" wine permittee who also holds a class "E" liquor control license to sell wine to liquor control licensees and providing for interstate reciprocal wine sales, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Kibbie offered amendment S—3142 filed by the committee on State Government on March 21, 1991, to pages 3, 4 and the title page of the bill and moved its adoption.

Amendment S—3142 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. 273) the vote was:

Ayes, 40:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Doyle	Fraise	Fuhrman
Gettings	Gronstal	Hagerla	Hannon
Horn	Husak	Hutchins	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rife	Riordan	Rittmer
Rosenberg	Running	Soorholtz	Sturgeon
Szymoniak	Tinsman	Varn	Welsh

Nays, 8:

Dieleman
Jensen

Drake
Rensink

Hedge
Taylor

Hester
Vande Hoef

Absent or not voting, 2:

Slife

Tieden

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that Senate File 362 be immediately messaged to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 260

On motion of Senator Jensen, Senate File 260, 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 for real and personal property and providing an applicability date, was taken up for consideration.

Senator Vande Hoef offered amendment S—3200 filed by him from the floor to pages 1, 6 and the title page of the bill and moved its adoption.

Amendment S—3200 was adopted by a voice vote.

Senator Jensen offered amendment S—3135 filed by Senators Jensen, Miller and Borlaug on March 20, 1991, to pages 1-3, 5-10, 12 and the title page of the bill and moved its adoption.

Amendment S—3135 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?" (S.F. 260) the vote was:

Ayes, 40:

Borlaug	Boswell	Connolly	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Kramer	Lind	Lloyd-Jones	McLaren
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Riordan	Rittmer	Rosenberg	Szymoniak
Taylor	Vande Hoef	Varn	Welsh

Nays, 8:

Buhr	Kersten	Kinley	Rife
Running	Soorholtz	Sturgeon	Tinsman

Absent or not voting, 2:

Slife	Tieden
-------	--------

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 504.

Senate File 504

On motion of Senator Deluhery, Senate File 504, a bill for an act relating to the method of deregulation of communication services and facilities, 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. 504) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal

Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Soorholtz	Sturgeon	Szymoniak	Taylor
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Slife 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 File 330 and Senate File 504 be immediately messaged to the House.

CONSIDERATION OF BILL (Appropriations Calendar)

Senate File 524

On motion of Senator Varn, Senate File 524, a bill for an act relating to the state communications network, was taken up for consideration.

Senator Husak asked and received unanimous consent that action on amendment S—3198 filed by him on March 26, 1991, to strike everything after the enacting clause and to the title page of the bill be deferred.

President Welsh took the chair at 5:16 p.m.

Senator Husak asked and received unanimous consent that action on Senate File 524 be deferred.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 16, by Drake and Kinley, a concurrent resolution concerning a fifteen-day period of the second regular session of the Seventy-fourth General Assembly for the repeal of obsolete sections of the Code of Iowa.

Read first time and **passed on file.**

APPENDIX

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 27, 1991, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 174 — Classifying the transfer of a nonpayable financial instrument to a livestock dealer or market agency as a fraudulent practice and making penalties applicable.

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Thirty high school students from Clarksville High School, Clarksville, accompanied by Dave Waskow, John Allan and Larry Backer. Senator Jensen.

Senator Lloyd-Jones presented Judy Leader and Jane Austin from England, who stopped in Iowa on a round-the-world tour.

SUBCOMMITTEE ASSIGNMENTS

Senate File 342

STATE GOVERNMENT: Murphy, Chair; Lind and Welsh

Senate File 456

EDUCATION: Horn, Chair; Murphy and Taylor

Senate File 467

EDUCATION: Connolly, Chair; Horn and Taylor

Senate File 510

STATE GOVERNMENT: Priebe, Chair; Doyle and Soorholtz

House File 486

EDUCATION: Horn, Chair; Connolly and Taylor

SSB 349

EDUCATION: Connolly, Chair; Murphy and Taylor

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 27, 1991, and recommended the appointees be confirmed:

Don M. Gunderson for reappointment as a member of the Board of Educational Examiners.

William H. Jackson for reappointment as Director of the Department of Cultural Affairs.

John V. Hartung for appointment as a member of the Iowa Higher Education Loan Authority.

Eleanor M. Birch and Judith M. Thoreson for appointment as members of the School Budget Review Committee.

Melissa L. Johnson for appointment as a member of the State Board of Regents.

NATURAL RESOURCES

Pursuant to Senate Rule 59, the committee on Natural Resources assigned to investigate the following Governor's appointment, completed its investigations on March 27, 1991, and recommended the appointee be confirmed:

Mark Doll for reappointment as a member of the Natural Resource Commission.

BILLS ASSIGNED TO COMMITTEE

President Welsh announced the assignment of the following bills to committee:

H.C.R.	15	Rules and Administration
H.F.	167	Local Government
H.F.	285	Human Resources
H.F.	334	Education
H.F.	384	State Government
H.F.	392	Human Resources

H.F.	420	State Government
H.F.	423	Education
H.F.	489	Ways and Means
H.F.	500	Human Resources
H.F.	502	Commerce
H.F.	518	Education
H.F.	565	Local Government
H.F.	567	Commerce
H.F.	571	Commerce
H.F.	575	Human Resources
H.F.	589	Business and Labor Relations

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 339 passed the Senate on March 27, 1991.

RICHARD V. RUNNING

MR. PRESIDENT: I move to reconsider the vote by which Senate File 260 passed the Senate on March 27, 1991.

ELAINE SZYMONIAK

AMENDMENTS FILED

S—3206	S. F.	524	Mark Hagerla
S—3207	S. F.	362	Michael E. Gronstal
			Richard F. Drake
			Emil J. Husak
			John E. Soorholtz
S—3208	S. F.	362	Richard F. Drake
			Michael E. Gronstal
S—3209	S. F.	362	Ralph Rosenberg
S—3210	S. F.	518	Michael E. Gronstal
S—3211	S. F.	294	Derryl McLaren
			Berl E. Priebe
			John E. Soorholtz
S—3212	S. F.	524	Richard Varn
S—3213	S. F.	489	Richard F. Drake
S—3214	S. F.	524	Richard Varn

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:25 p.m., until 9:00 a.m., Thursday, March 28, 1991.

JOURNAL OF THE SENATE

SEVENTY-FOURTH CALENDAR DAY
FORTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 28, 1991

The Senate met in regular session at 9:07 a.m., President pro tempore Lloyd-Jones presiding.

Prayer was offered by Candy Boucher, Senate Secretary, who sang "The Lord's Prayer".

The Journal of Wednesday, March 27, 1991, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Slife until he arrives on request of Senator Borlaug.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 26, 1991, passed the following bills in which the concurrence of the Senate is asked:

House File 17, a bill for an act relating to the issuance of a preliminary injunction in actions for dissolution of marriage, annulment, or separate maintenance.

This bill was read first time and **passed on file**.

House File 499, a bill for an act relating to demolition insurance reserves required for property within the corporate limits of a city.

This bill was read first time and **passed on file**.

INTRODUCTION OF BILL

Senate File 527, by Murphy, a bill for an act relating to idle and surplus funds held by the state board of regents or officials at state board of regents' institutions and providing an effective date.

Read first time and passed on file.

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:

Thomas L. Erpelding as a member of the Accountancy Examining Board.

Richard Garrells as a member of the Dietetic Examining Board.

M. Susan Erickson as a member of the Landscape Architectural Examining Board.

Senator Hutchins moved that the foregoing appointments be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 41:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Horn
Husak	Hutchins	Kersten	Kibbie
Kinley	Lind	Lloyd-Jones	McLaren
Miller	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Soorholtz	Sturgeon
Szymoniak	Tieden	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 9:

Hester	Jensen	Kramer	Murphy
Rittmer	Rosenberg	Slife	Taylor
Tinsman			

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

UNFINISHED BUSINESS

(Deferred March 27, 1991)

Senate File 524

The Senate resumed consideration of Senate File 524, a bill for an act relating to the state communications network, and amendment S—3198 by Senator Husak to strike everything after the enacting clause and to the title page of the bill, deferred on March 27, 1991.

Senator Varn offered amendment S—3212 filed by him on March 27, 1991, to amendment S—3198.

President Welsh took the chair at 9:44 a.m.

Senator Varn moved the adoption of amendment S—3212 to amendment S—3198.

A record roll call was requested.

On the question "Shall amendment S—3212 to amendment S—3198 be adopted?" (S.F. 524) the vote was:

Ayes, 19:

Boswell	Deluhery	Drake	Fuhrman
Gronstal	Hutchins	Kibbie	Kinley
Lloyd-Jones	McLaren	Nystrom	Pate
Peterson	Priebe	Riordan	Running
Slife	Sturgeon	Varn	

Nays, 30:

Borlaug	Buhr	Connolly	Dieleman
Doyle	Fraise	Gettings	Hagerla

Hannon	Hedge	Hester	Horn
Husak	Jensen	Kersten	Kramer
Lind	Miller	Murphy	Rensink
Rife	Rittmer	Rosenberg	Soorholtz
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Welsh		

Absent or not voting, 1:

Palmer

Amendment S—3212 lost.

Senator Kersten offered amendment S—3222 filed by Senators Kersten, et. al., from the floor to amendment S—3198 and moved its adoption.

Amendment S—3222 was adopted by a voice vote.

Senator Hagerla offered amendment S—3206 filed by him on March 27, 1991, to amendment S—3198 and moved its adoption.

A non record roll call was requested.

The ayes were 18, nays 29.

Amendment S—3206 lost.

Senator Husak moved the adoption of amendment S—3198 as amended, which motion prevailed by voice vote.

With the adoption of amendment S—3198 as amended, the Chair ruled amendment S—3214 filed by Senator Varn on March 27, 1991, to page 1 and the title page of the bill, out of order.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 524) the vote was:

Ayes, 37:

Borlaug	Boswell	Buhr	Connolly
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Jensen	Kersten	Kinley	Lind

Lloyd-Jones
Nystrom
Rittmer
Taylor
Welsh

McLaren
Priebe
Slife
Tieden

Miller
Rensink
Soorholtz
Tinsman

Murphy
Rife
Szymoniak
Vande Hoef

Nays, 12:

Deluhery
Kramer
Rosenberg

Gronstal
Pate
Running

Hutchins
Peterson
Sturgeon

Kibbie
Riordan
Varn

Absent or not voting, 1:

Palmer

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 524 be immediately messaged to the House.

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:20 p.m., until 2:30 p.m.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****EDUCATION**

Convened: March 27, 1991, 1:36 p.m.

Members Present: Connolly, Chair; Horn, Vice Chair; Taylor, Ranking Member; Deluhery, Dieleman, Kibbie, Kramer, Murphy, Rensink, Rugging, Tieden and Tinsman.

Members Absent: Lind, Szymoniak and Varn (all excused.)

Committee Business: Assigned bills to subcommittees and recommended confirmation of governor's appointees.

Adjourned: 1:47 p.m.

LOCAL GOVERNMENT

Convened: March 27, 1991, 11:30 a.m.

Members Present: Miller, Chair; Rittmer, Ranking Member; Borlaug, Boswell, Buhr, Fraise, Hannon, Jensen and Vande Hoef.

Members Absent: Szymoniak, Vice Chair (excused).

Committee Business: Assigned bill to subcommittee; recommended confirmation of governor's appointees.

Adjourned: 11:34 a.m.

NATURAL RESOURCES

Convened: March 27, 1991, 11:25 a.m.

Members Present: Palmer, Chair; Hester, Ranking Member; Dieleman, Hagerla, Hedge, Priebe, Rensink and Riordan.

Members Absent: Kibbie, Vice Chair; Rosenberg, Sturgeon and Tieden (excused).

Committee Business: Announced assignment of bill to subcommittee; recommended confirmation of governor's appointee.

Adjourned: 11:30 a.m.

STATE GOVERNMENT

Convened: March 27, 1991, 5:20 p.m.

Members Present: Kibbie, Chair; Nystrom, Ranking Member; Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Rife, Running, Soorholtz, Vande Hoef and Welsh.

Members Absent: Lloyd-Jones, Vice Chair (excused).

Committee Business: Assigned bills to subcommittees; recommended passage of Senate Files 510 and 342.

Adjourned: 5:25 p.m.

TRANSPORTATION

Convened: March 27, 1991, 2:06 p.m.

Members Present: Fraise, Chair; Connolly, Vice Chair; Drake, Ranking Member; Dieleman, Gettings, Jensen, Kinley, Nystrom and Welsh.

Members Absent: Kersten (excused); Lloyd-Jones and Pate.

Committee Business: Assigned bills and governor's appointees to subcommittees.

Adjourned: 2:14 p.m.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 260 passed the Senate on March 27, 1991.

RICHARD VANDE HOEF

MR. PRESIDENT: I move to reconsider the vote by which amendment S-3135 to Senate File 260 was adopted by the Senate on March 27, 1991.

RICHARD VANDE HOEF

COMMUNICATION FROM THE GOVERNOR

The following communication from the Governor was received:

March 27, 1991

Mr. John Dwyer
Secretary of the Senate
State Capitol Building
L O C A L

Dear Mr. Dwyer:

I have been informed that Lynn M. Feldmann has resigned from the Iowa Emergency Response Commission. No other candidate has been chosen for this position at the present time.

Sincerely,
TERRY E. BRANSTAD
Governor

PRESENTATION OF VISITOR

Senator Tinsman presented Jason Rekers of Pleasant Valley, Iowa, a scout in the U.S. Army 82nd Airborne Division, who recently returned to Iowa from Saudi Arabia after serving seven and one-half months in Operation Desert Storm.

SUBCOMMITTEE ASSIGNMENTS

House Concurrent Resolution 12

RULES AND ADMINISTRATION: Husak, Chair; Jensen and Lloyd-Jones

House File 489

WAYS AND MEANS: Taylor, Chair; Hedge and Husak

House File 589

BUSINESS & LABOR RELATIONS: Buhr, Chair; Peterson and Slife

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 appointments, completed its investigations on March 27, 1991, and recommended the appointees be confirmed:

Robert I. Kramme, Duane J. Vande Hoef and Sharon L. Winchell for appointment as members of the County Finance Committee.

TRANSPORTATION

Pursuant to Senate Rule 59, the committee on Transportation assigned to investigate the following Governor's appointments, completed its investigations on March 27, 1991, and recommended the appointees be confirmed:

Mardith A. Baenziger, Sandra Q. Larson, Morris E. Mikkelsen, Donna Lee Smith, Sally J. Steffen, for appointment and Virginia L. Blackburn for appointment and reappointment as members of the Iowa Highway Research Board.

Bernal F. Koehrsen, Jr. for appointment as a member of the Iowa Law Enforcement Academy Council.

Marlin M. Volz, Jr. for appointment as a member of the State Transportation Commission.

COMMITTEE REPORTS

STATE GOVERNMENT

Final Bill Action: SENATE FILE 342, a bill for an act relating to the prevention of disabling conditions by establishing a prevention of disabilities policy board and a technical assistance committee of the board and by making an appropriation.

Recommendation: DO PASS.

Final Vote: Ayes. 18: Kibbie, Nystrom, Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Rife, Running, Soorholtz, Vande Hoef and Welsh. Nays, none. Absent or not voting, 1: Lloyd-Jones.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 510, a bill for an act relating to renewable fuels, and providing for fees and taxes.

Recommendation: DO PASS.

Final Vote: Ayes, 18: Kibbie, Nystrom, Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Rife, Running, Soorholtz, Vande Hoef and Welsh. Nays, none. Absent or not voting, 1: Lloyd-Jones.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: HOUSE FILE 309, a bill for an act relating to maximum lengths of saddle mounted or full mounted power unit combination vehicles and the length of draw bar or other connections on certain towing vehicles.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Fraise, Connolly, Drake, Gettings, Kersten, Lloyd-Jones, Nystrom and Pate. Nays, none. Absent or not voting, 4: Dieleman, Jensen, Kinley and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3215	S.F.	84	Larry Murphy
S-3216	S.F.	489	Jim Lind
S-3217	S.F.	459	John Peterson
S-3218	S.F.	444	Jean Lloyd-Jones
S-3219	S.F.	489	Elaine Szymoniak
S-3220	S.F.	458	Richard V. Running
S-3221	S.F.	260	Richard Vande Hoef
S-3222	S.F.	524	Jim Kersten
			Paul Pate
			Richard Vande Hoef
			John W. Jensen
S-3223	S.F.	444	Larry Murphy
			Michael E. Gronstal
			Richard Drake
S-3224	S.F.	290	Larry Murphy
			Richard Running
			Joe Welsh
			Mike Connolly
S-3225	S.F.	444	Larry Murphy
			Al Sturgeon

S—3226	S. F.	326	Michael E. Gronstal Patrick Deluhery
S—3227	S. F.	372	Maggie Tinsman Elaine Szymoniak
S—3228	S. F.	444	Al Sturgeon
S—3229	S. F.	503	Richard Running

AFTERNOON SESSION

The Senate reconvened at 2:36 p.m., President pro tempore Lloyd-Jones presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March, 26, 1991, passed the following bill in which the concurrence of the Senate is asked:

House File 201, a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and providing effective and retroactive 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.

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 Lloyd-Jones presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Slife and Borlaug for the remainder of the day on request of Senator Rife.

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.

SPECIAL GUEST

Senator Lloyd-Jones presented Janos Avar, a ten-year Washington correspondent for the "Hungarian Nation" (Magyar Nemzet) magazine. It was Mr. Avar's first visit to Iowa and was the guest of Matric. He discussed the need for understanding from the western nations for his native Hungary, who has recently overthrown a dictator and is terribly in debt. Mr. Avar requested the indulgence of the United States and Iowa in aiding with technical skills and advice. He thanked the Senate and said that "Kossuth" (County) is a Hungarian word, so he felt a little bit of Hungary is in Iowa.

UNFINISHED BUSINESS (Deferred March 27, 1991)

Senate File 503

The Senate resumed consideration of Senate File 503, a bill for an act relating to this state's labor laws administered by the labor commissioner by amending provisions of the Code concerning occupational safety and health penalties, boiler inspections, child labor laws, and out-of-state contractor bonding requirements, deferred March 27, 1991.

Senator Running offered amendment S—3229 filed by him from the floor to pages 1 and 3 of the bill and moved its adoption.

Amendment S—3229 was adopted by a voice vote.

Senator Taylor offered amendment S—3180 filed by him on March 26, 1991, to page 3 and the title page of the bill.

Senator Lind offered amendment S—3193 filed by him on March 26, 1991, to amendment S—3180 and moved its adoption.

Amendment S—3193 was adopted by a voice vote.

Senator Running raised the point of order that amendment S—3180 as amended was not germane to the bill.

The Chair ruled the point well taken and amendment S—3180 as amended out of order.

Senator Lind asked and received unanimous consent that action on **Senate File 503** be deferred.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 519

On motion of Senator Deluhery, Senate File 519, a bill for an act relating to entities and subject matter subject to regulation under the regulated industries unit of the division of insurance, including business opportunity promotions, continuing care and senior adult congregate living retirement communities, and loan brokers, establishing certain fees, and making penalties applicable, 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. 519) the vote was:

Ayes, 47:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	

Nays, none:

Absent or not voting, 3:

Borlaug

Slife

Welsh

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 518

On motion of Senator Gronstal, Senate File 518, a bill for an act relating to the financial supervision and solvency oversight of insurance companies by the commissioner of insurance and accreditation of the insurance division as an approved insurance regulator by the national association of insurance commissioners, imposing civil liability, authorizing administrative and criminal penalties, and providing effective dates and applicability provisions, was taken up for consideration.

Senator Gronstal withdrew amendment S—3210 filed by him on March 27, 1991, to pages 7, 8, 15 and 37 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. 518) the vote was:

Ayes, 47:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	

Nays, none:

Absent or not voting, 3:

Borlaug

Slife

Welsh

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 444

On motion of Senator Sturgeon, Senate File 444, a bill for an act relating to law enforcement, victim services, and domestic abuse, establishing certain training and certification requirements, establishing and increasing certain criminal penalties, imposing mandatory minimum sentences, establishing a domestic abuse services fund, establishing an income tax checkoff for domestic abuse, increasing certain court costs and fees, eliminating certain court costs, requiring batterers treatment by offenders, establishing a pilot program, and containing effective date and applicability provisions, with report of committee on Ways and Means recommending passage, was taken up for consideration.

Senator Murphy offered amendment S—3225 filed by Senators Murphy and Sturgeon from the floor to pages 1-4 and 13 of the bill and moved its adoption.

Amendment S—3225 was adopted by a voice vote.

With the adoption of amendment S—3225, the Chair ruled amendment S—3234 filed by Senator Kersten from the floor to pages 1-4 and 11 of the bill, out of order.

Senator Sturgeon offered amendment S—3228 filed by him from the floor to pages 6, 8, 15, 18 and 21 of the bill.

Senator Kinley took the chair at 4:58 p.m.

Senator Sturgeon moved the adoption of amendment S—3228, which motion prevailed by voice vote.

Senator Lloyd-Jones offered amendment S—3218 filed by her from the floor to pages 6, 8 and 18 of the bill and moved its adoption.

Amendment S—3218 was adopted by a voice vote.

Senator Gronstal offered amendment S—3232 filed by him from the floor to page 12 of the bill and moved its adoption.

Amendment S—3232 was adopted by a voice vote.

Senator Murphy offered amendment S—3223 filed by Senators Murphy, Gronstal and Drake from the floor to pages 16 and 17 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 35, nays 10.

Amendment S—3223 was adopted.

Senator Hutchins asked and received unanimous consent that action on **Senate File 444** be deferred.

Senator Hutchins asked and received unanimous consent that **Senate File 444** be referred to the committee on **Appropriations** and returned to the Senate Calendar no later than 4:00 p.m. on April 4, 1991.

CONSIDERATION OF BILL

Senate File 528, by Administrative Rules Review Committee, a bill for an act relating to searches by peace officers of locked compartments or containers in impounded vehicles.

Read first time and passed on file.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

President Welsh announced the assignment of the following bills to committee:

S. C. R.	16	Rules and Administration
S. F.	527	Appropriations
S. F.	528	Judiciary
H. F.	17	Judiciary
H. F.	201	Judiciary
H. F.	499	Local Government

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued certificates of recognition as follows:

Coach Paul Loos and the Newell-Fonda Mustangs — For winning the 1991 Class 1-A Boys' State high school basketball tournament. Senator Fuhrman (3-22-91).

Coach Jim Eekhoff and the Western Christian Indians — For attaining state championship in the 1991 Class 2-A Boys' State high school basketball tournament. Senator Rensink (3-25-91).

Coach Paul Walton and the Boyden-Hull Comets — For attaining fourth place in the 1991 Class A Boys' State high school basketball tournament. Senators Rensink and Vande Hoef (3-25-91).

Coach Bill Dohrn and the Aplington Panthers — For winning the 1991 Class A Boys' State high school basketball tournament. Senator Jensen (3-22-91).

Curt Hofman, Sanborn — For breaking the 1991 Class 2-A Boys' State high school basketball tournament scoring record with 56 points and being named captain of the All-Tournament Team. Senator Vande Hoef (3-25-91).

NOTICE OF HEARING

Christopher G. Atchison, appointed by the Governor as Director of Public Health, will appear before the Senate Human Resources investigating committee on April 9, 1991, at 12:00 noon, Room 24, State Capitol Building.

FLORENCE BUHR, Chair
SENATE INVESTIGATING COMMITTEE

REPORTS OF STANDING COMMITTEES
(Place nominees on En Bloc Confirmation Calendar)

ENVIRONMENT AND ENERGY UTILITIES

Pursuant to Senate Rule 59, the committee on Environment and Energy Utilities assigned to investigate the following Governor's appointments, completed its investigations on March 28, 1991, and recommended the appointees be confirmed:

Gary Priebe and Nancy Lee Siebenmann for reappointment as members of the Environmental Protection Commission.

WAYS AND MEANS

Pursuant to Senate Rule 59, the committee on Ways and Means assigned to investigate the following Governor's appointment, completed its investigation on March 28, 1991, and recommended the appointee be confirmed:

James H. Crane for appointment as a member of the Iowa Finance Authority.

COMMITTEE REPORTS

BUSINESS AND LABOR RELATIONS

Final Bill Action: HOUSE FILE 459, a bill for an act relating to the administration of the employment security law by the division of job service of the department of employment services and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Running, Fuhrman, Buhr, Peterson, Rensink, Slife and Taylor. Nays, none. Absent or not voting, 3: Sturgeon, Kinley and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 451, a bill for an act relating to the imposition of an increase solid waste tonnage fee.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Husak, Hedge, Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Murphy, Palmer, Rosenberg, Szymoniak and Taylor. Nays, 1: Dieleman.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 508, a bill for an act relating to energy efficiency by expanding the entities entitled to financial assistance for implementing energy conservation measures, requiring implementation of life cycle cost analyses and providing exemptions from the implementation requirements, requiring the appropriation of abandoned utility refunds and deposits, establishing energy efficiency standards for certain products, establishing various energy efficiency-related programs and projects, and providing for a sales and use tax credit for the purchase of fuel-efficient motor vehicles.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3233.

Final Vote: Ayes, 11: Dieleman, Husak, Connolly, Deluhery, Fraise, McLaren, Murphy, Palmer, Rosenberg, Szymoniak and Taylor. Nays, 4: Hedge, Drake, Fuhrman and Hester.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 512, a bill for an relating to air emission standards and limitations and imposing a fee.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Dieleman, Husak, Connolly, Deluhery, Fraise, Fuhrman, McLaren, Murphy, Palmer, Rosenberg, Szymoniak and Taylor. Nays, 3: Hedge, Drake and Hester.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 487, a bill for an act relating to the imposition of the state sales, services, and use tax on pay television service provided by a municipality.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Dieleman, Husak, Hedge, Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Palmer, Rosenberg, Szymoniak and Taylor. Nays, 1: Murphy.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3230

S.F.

210

Linn Fuhrman

S-3231	S. F.	489	Al Sturgeon Donald V. Doyle Dale Tieden Berl Priebe
S-3232	S. F.	444	Michael Gronstal
S-3233	S. F.	508	Ways and Means
S-3234	S. F.	444	Jim Kersten
S-3235	S. F.	370	Michael Gronstal
S-3236	S. F.	202	Wally Horn

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:24 p.m., until 1:00 p.m., Monday, April 1, 1991.

JOURNAL OF THE SENATE

SEVENTY-EIGHTH CALENDAR DAY
FORTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 1, 1991

The Senate met in regular session at 1:04 p.m., President Welsh presiding.

Prayer was offered by the Reverend Jeff Bayliff, pastor of the Good News Baptist Church, Cedar Rapids, Iowa.

The Journal of Thursday, March 28, 1991, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Rife, Tinsman, Borlaug, Slife, Rittmer, Rensink and Drake until they arrive on request of Senator Hagerla; Senators Horn, Connolly and Deluhery for the day and Senator Rosenberg until he arrives on request of Senator Hutchins and Senator Soorholtz until he arrives on request of Senator Jensen.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 27, 1991, passed the following bills in which the concurrence of the Senate is asked:

House File 375, a bill for an act relating to the prohibiting of the disposal of baled solid waste at a sanitary landfill.

This bill was read first time and **passed on file**.

House File 498, a bill for an act relating to updating criteria under the Iowa retraining program and providing an effective date.

This bill was read first time and **passed on file**.

House File 506, a bill for an act relating to the admission into evidence of reproduced, rerecorded, or duplicated original writings, documents, and other records kept in the regular course of business or activity.

This bill was read first time and **passed on file**.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 17, by Riordan, Horn, Sturgeon, Running, Buhr, Lloyd-Jones, Welsh, Peterson, Boswell, Miller, Hannon, Kibbie, Soorholtz, Husak, Gettings, Fraise, Priebe and Rosenberg, a concurrent resolution to request that Iowa's congressional delegation support measures to protect America's vital interests and to review and amend procedures to ensure that Congress retains its constitutional authority to amend trade agreements affecting the traditional rights of states and the citizens of the United States.

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.

PLACEMENTS ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Anna Mae Weems be removed from "En Bloc Confirmation Calendar" and placed on the Individual Confirmation Calendar."

BILL HUTCHINS

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Robert I. Kramme be removed from "En Bloc Confirmation Calendar" and placed on the Individual Confirmation Calendar."

RICHARD V. RUNNING

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:

Daryl K. Henze as a member of the Accountancy Examining Board.

Glen D. Huntington as a member of the Architectural Examining Board.

Donna J. Weiss as a member of the Barber Examining Board.

Maude E. White as a member of the Commission on the Status of Blacks.

Marilyn S. Whitty as a member of the Chiropractic Examining Board.

Ruby Abebe as a member of the Iowa State Civil Rights Commission.

Mary K. Carlson as a member of the Dietetic Examining Board.

Arthur A. Neu as a member of the First in the Nation in Education Foundation Governing Board.

John V. Hartung as a member of the Iowa Higher Education Loan Authority.

Margaret Clements as a member of the Iowa Finance Authority.

Donald E. Snyder and Sandra Lee Adkins as members of the Investment Board of the IPERS.

Monty Mitchell as a member of the Landscape Architectural Examining Board.

Connie M. Alt as a member of the Iowa Lottery Board.

Alexa L. Mayner as a member of the State Board of Examiners for Nursing Home Administrators.

James Hartzell as a member of the Optometry Examining Board.

Barbara Binnie as a member of the Board of Parole.

Marian L. Roberts as a member of the Pharmacy Examining Board.

Lee W. Johnson as a member of the Physical and Occupational Therapy Examining Board.

Janet S. McDonough as a member of the Psychology Examining Board.

Susan D. Albright as a member of the Real Estate Appraiser Examining Board.

Gerald D. Bair as Director of Revenue and Finance.

Judith M. Thoreson and Eleanor M. Birch as members of the School Budget Review Committee.

Michael D. Ralston as a member of the Speech Pathology and Audiology Examining Board.

Harold W. White as a member of the State Board of Tax Review.

Senator Hutchins moved that the foregoing appointments be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 37:

Boswell	Buhr	Dieleman	Doyle
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Running	Sturgeon	Szymoniak
Taylor	Tieden	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 13:

Borlaug	Connolly	Deluhery	Drake
Horn	Rensink	Rife	Riordan
Rittmer	Rosenberg	Slife	Soorholtz
Tinsman			

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

INDIVIDUAL CONFIRMATION CALENDAR DEFERRED

Senator Hutchins asked unanimous consent to take up the Individual Confirmation Calendar.

Senator Jensen asked and received unanimous consent that action on the Individual Confirmation Calendar be deferred.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senate File 356

On motion of Senator Murphy, Senate File 356, a bill for an act relating to the administration of the individual income tax, by amending the requirement that each tax return include two voter registration forms; providing uniformity in the priority of the various income tax credits; specifying that the incomes covered in the government pension exclusion are considered for purposes of determining if taxpayers qualify for total exemption from tax; providing that qualification for the tuition and textbook deduction and the tuition and textbook credit is based on taxpayers' net incomes instead of their federal adjusted gross incomes; providing for revision in the computation of the child and dependent care credit and allocation of the credit between married taxpayers and nonresidents and part-year resident taxpayers; relating to the penalty for delinquent payment of fuel taxes resulting from a check given in payment but not honored because of insufficient funds; relating to access to confidential tax information by certain persons and the application of confidentiality laws of the state; relating to penalty provisions on the filing of certain tax returns and failure to submit payment of taxes as required by the rules of the director

of revenue and finance; relating to the due date for income tax returns for nonprofit corporations subject to the unrelated business income tax; relating to use tax on vehicles subject to registration or only subject to the issuance of title; relating to the exemption from inheritance tax of the share of the estate passing to the surviving spouse; relating to payment of interest to taxpayers owed refunds for inheritance tax; relating to payment of refunds of the environmental protection charge; 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. 356) the vote was:

Ayes, 39:

Boswell	Buhr	Dieleman	Doyle
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Riordan	Rosenberg	Running
Sturgeon	Szymoniak	Taylor	Tieden
Vande Hoef	Varn	Welsh	

Nays, none:

Absent or not voting, 11:

Borlaug	Connolly	Deluhery	Drake
Horn	Rensink	Rife	Rittmer
Slife	Soorholtz	Tinsman	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 383

On motion of Senator Varn, Senate File 383, a bill for an act

relating to the installation of smoke detectors in multiple-unit residential buildings and single-family dwellings and making penalties applicable, 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. 383) the vote was:

Ayes, 39:

Boswell	Buhr	Dieleman	Doyle
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Riordan	Rosenberg	Running
Sturgeon	Szymoniak	Taylor	Tieden
Vande Hoef	Varn	Welsh	

Nays, none:

Absent or not voting, 11:

Borlaug	Connolly	Deluhery	Drake
Horn	Rensink	Rife	Rittmer
Slife	Soorholtz	Tinsman	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 35

On motion of Senator Priebe, Senate File 35, a bill for an act relating to the disposal of deer killed along secondary roads, with report of committee recommending passage, was taken up for consideration.

Senator Priebe moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 35) the vote was:

Ayes, 36:

Boswell	Buhr	Dieleman	Doyle
Fraise	Fuhrman	Gronstal	Hagerla
Hannon	Hedge	Hester	Husak
Hutchins	Jensen	Kersten	Kibbie
Kinley	Kramer	Lind	Lloyd-Jones
McLaren	Miller	Nystrom	Palmer
Pate	Peterson	Priebe	Riordan
Rosenberg	Running	Sturgeon	Szymoniak
Taylor	Vande Hoef	Varn	Welsh

Nays, 3:

Gettings	Murphy	Tieden
----------	--------	--------

Absent or not voting, 11:

Borlaug	Connolly	Deluhery	Drake
Horn	Rensink	Rife	Rittmer
Slife	Soorholtz	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 **Senate Files 299, 269, 446, 465, 249, 509, 522 and 526** be referred from the Regular Calendar to committee on **Ways and Means**.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 131

On motion of Senator Varn, Senate File 131, 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 moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 131) the vote was:

Ayes, 38:

Boswell	Buhr	Dieleman	Doyle
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Husak
Hutchins	Jensen	Kersten	Kibbie
Kinley	Kramer	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Riordan	Rosenberg	Running	Sturgeon
Szymoniak	Taylor	Tieden	Vande Hoef
Varn	Welsh		

Nays, none:

Absent or not voting, 12:

Borlaug	Connolly	Deluhery	Drake
Hester	Horn	Rensink	Rife
Rittmer	Slife	Soorholtz	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 131 be immediately messaged to the House.

Senate Concurrent Resolution 11

On motion of Senator Hutchins, Senate Concurrent Resolution 11, a concurrent resolution protesting the lack of progress and results of investigations of Americans missing in action in Southeast Asia, with report of committee recommending passage, was taken up for consideration.

Senator Boswell offered amendment S—3241 filed by Senator Welsh from the floor to page 3 of the resolution and moved its adoption.

Amendment S—3241 was adopted by a voice vote.

Senator Boswell moved the adoption of Senate Concurrent Resolution 11 as amended, which motion prevailed by a voice vote.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 278** be referred from the Appropriations Calendar to the committee on **Ways and Means**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 2:08 p.m., until 4:30 p.m.

APPENDIX

GOVERNOR'S ITEM VETO MESSAGE

March 29, 1991

The Honorable Joseph Welsh
President of the Senate
State Capitol Building
L O C A L

Dear Mr. President:

I hereby transmit Senate File 209, an act relating to and making supplemental appropriations for the remainder of the fiscal year ending June 30, 1991, to the department of human services, national conference of state legislatures, department of general services, department of revenue and finance, department of public safety, department of inspections and appeals, college student aid commission, board of regents institutions, office of lieutenant governor, department of transportation, pioneer lawmakers, the office of the state public defender, department of justice, department of human rights, Iowa finance authority, department of economic development, department of corrections, and extending ethanol fuel project, relating to certain interest, investment income, and funds received, relating to future budget estimates, and increasing the court civil penalty surcharge, and providing effective dates.

Senate File 209 makes necessary appropriations to meet the state's obligations yet in this fiscal year. In approving the additional funding for court ordered evaluations and treatment of juveniles and indigent defense in this bill, it is my understanding that the necessary statutory language to bring the cost of these programs under control will follow in subsequent legislation very soon. This is essential if we are to achieve the cost avoidance necessary to provide a balanced budget.

Senate File 209 is, therefore, approved on this date with the following exceptions which I hereby disapprove.

I am unable to approve the item designated as Section 30, in its entirety. This section would provide \$20,000 for what is known as the Brazilian truck project. Research and development of the use of ethanol fuel passed this project when the state of Iowa has purchased five automobiles which burn a fuel mixture of up to 85 percent ethanol. These vehicles are American made and are assigned for daily use in our fleet, as opposed to being an experiment. I fully support the increased use of ethanol as a fuel and believe these scarce resources should be used to purchase additional vehicles for our fleet.

I am unable to approve Section 32, in its entirety. This section would require the deposit of fees collected from excursion boat gambling activities into an excursion boat gambling revolving fund. House File 173, signed by me on February 15, 1991, transferred all revenues derived from excursion boat gambling after

June 30, 1991, into the general fund of the state. Approval of this section would recreate a revolving fund, a step backward in our efforts to move toward Generally Accepted Accounting Principles (GAAP). To assure that progress and to also assure proper oversight over all state appropriations and revenue receipts, I disapprove the creation of this separate fund.

I am unable to approve Section 33, 34, 39, 40 and 41, in their entirety. These sections deal with interest earned from funds deposited in special funds outside of the general fund. House File 173 changed current law to require interest earned on the balances of fifteen separate funds to be deposited in the state's general fund. Senate File 209 would amend House File 173 to allow interest earned on these special fund balances to be credited to the general fund only for fiscal years 1992 and 1993. This would be an unfortunate reversal of progress toward GAAP.

All of the programs funded from these special funds derive benefit from the general operation of state government through the provision of basic services, i.e., accounting, payroll and general services functions including space and the use of the state facilities. Deposit of interest earned on special funds is a good means to reimburse the general fund for this expense and should be a permanent policy of the state. Therefore, the permanent and positive changes made in House File 173 should not be reversed.

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 209 are hereby approved as of this date.

Sincerely,
TERRY E. BRANSTAD
Governor

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on March 28, 1991, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 87 — Relating to the deposit insurance required of certain financial institutions, and providing an effective date.

SENATE FILE 111 — Relating to the qualifications for licensure of an accounting practitioner.

SENATE FILE 121 — Relating to the reversion of appropriations for the planning and construction of armories for the department of public defense and providing an effective date.

SENATE FILE 151 — Relating to peer review of certain certified public accountants.

SENATE FILE 180 — Deleting the requirement for personal identifying information in the collection of domestic abuse reports.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: March 28, 1991, 5:30 p.m.

Members Present: Boswell, Chair; Welsh, Vice Chair; Tieden, Ranking Member; Buhr, Connolly, Gettings, Gronstal, Hagerla, Husak, Kersten, Lind, Lloyd-Jones, McLaren, Pate, Peterson, Rensink, Riordan, Running, Szymoniak, Tinsman and Varn.

Members Absent: none.

Committee Business: Amended LSB 2754 and ordered redrafted for final approval as a committee bill.

Adjourned: 7:03 p.m.

BUSINESS AND LABOR RELATIONS

Convened: March 28, 1991, 1:20 p.m.

Members Present: Running, Chair; Fuhrman, Ranking Member; Buhr, Peterson, Rensink, Slife and Taylor.

Members Absent: Sturgeon, Vice Chair; Kinley (excused) and Palmer.

Committee Business: Recommended passage of House File 459; assigned bills to subcommittees; presentation by the NEA.

Adjourned: 2:15 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: March 28, 1991, 1:42 p.m.

Members Present: Rosenberg, Chair; Gronstal, Vice Chair; Deluhery, Fraise, Hannon, Hedge, Miller.

Members Absent: Jensen, Ranking Member; Borlaug, (both excused); Kersten, Soorholtz and Varn.

Committee Business: Recommended confirmation of Governor's appointees.

Adjourned: 1:47 p.m.

HUMAN RESOURCES

Convened: March 27, 1991, 2:10 p.m.

Members Present: Hannon, Chair; Buhr, Vice Chair; Hagerla, Ranking Member; Horn, Kramer, Rittmer, Sturgeon, Szymoniak, Taylor and Tinsman.

Members Absent: Murphy and Riordan (excused).

Committee Business: Assigned bills and governor's appointees to subcommittees; deferred action on SSBs 337 and 338.

Adjourned: 2:36 p.m.

JUDICIARY

Convened: March 28, 1991, 2:16 p.m.

Members Present: Sturgeon, Chair; Rosenberg, Vice Chair; Fuhrman, Ranking Member; Connolly, Deluhery, Hagerla, Hester, Horn, Pate, Peterson and Slife.

Members Absent: Drake (excused), Gronstal, Murphy and Varn.

Committee Business: Recommended confirmation of governor's appointees; assigned bills to subcommittees.

Adjourned: 2:21 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: March 28, 1991, 3:46 p.m.

Members Present: Riordan, Chair; Hannon, Vice Chair; Kibbie, Miller, Pate, Peterson, Rittmer, Running and Vande Hoef.

Members Absent: Borlaug, Ranking Member; Boswell and Kramer (all excused).

Committee Business: Assigned S.F. 225 to a subcommittee and recommended confirmation of governor's appointee.

Adjourned: 3:51 p.m.

TRANSPORTATION

Convened: March 28, 1991, 9:45 a.m.

Members Present: Fraise, Chair; Connolly, Vice Chair; Drake, Ranking Member; Gettings, Kersten, Lloyd-Jones, Nystrom and Pate.

Members Absent: Dieleman, Jensen, Kinley and Welsh (all excused).

Committee Business: Recommended confirmation of governor's appointees; recommended passage of House File 309.

Adjourned: 9:52 a.m.

WAYS AND MEANS

Convened: March 28, 1991, 2:48 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hedge, Ranking Member; Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Murphy, Palmer, Rosenberg, Szymoniak and Taylor.

Members Absent: none.

Committee Business: Recommended passage of House File 487 and Senate Files 512 and 451; recommended passage of Senate File 508 as amended.

Adjourned: 3:40 p.m.

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 March 28, 1991, and recommended the appointees be confirmed:

Lorraine M. Vopava for appointment as a member of the Commission on Judicial Qualifications.

Dennis L. Fiser, Lori Lewis and William M. McCarthy for reappointment as members of the Narcotics Enforcement Advisory Council.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Pursuant to Senate Rule 59, the committee on Small Business and Economic Development assigned to investigate the following Governor's appointments, completed its investigations on March 21, 1991, and recommended the appointees be confirmed:

Ann Jorgensen and Toni Lazar for reappointment as members of the Iowa Economic Development Board.

Sally S. Naylor and Bruce Tamisiea for reappointment as members of the Iowa Product Development Corporation.

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 260 passed the Senate on March 27, 1991.

MICHAEL E. GRONSTAL

SUBCOMMITTEE ASSIGNMENTS

Senate File 225

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Riordan, Chair; Borlaug and Boswell

Senate File 249

WAYS AND MEANS: Connolly, Chair; Deluhery and Hester

Senate File 269

WAYS AND MEANS: Szymoniak, Chair; Fuhrman and Palmer

Senate File 278

WAYS AND MEANS: Dieleman, Chair; Hedge and Husak

Senate File 299

WAYS AND MEANS: Hedge, Chair; Fraise and Rosenberg

Senate File 446

WAYS AND MEANS: Husak, Chair; Hester and Rosenberg

Senate File 465

WAYS AND MEANS: Dieleman, Chair; Hedge and Taylor

Senate File 509

WAYS AND MEANS: Rosenberg, Chair; Drake and Murphy

Senate File 522

WAYS AND MEANS: Deluhery, Chair; McLaren and Palmer

Senate File 526

WAYS AND MEANS: Husak, Chair; Drake and Fraise

House Concurrent Resolution 15

RULES AND ADMINISTRATION: Lloyd-Jones, Chair; Kinley and Rife

House File 384

STATE GOVERNMENT: Running, Chair; Priebe and Vande Hoef

House File 420

STATE GOVERNMENT: Gronstal, Chair; Drake and Kibbie

AMENDMENTS FILED

S-3237	S. F.	476	Michael E. Gronstal
S-3238	S. F.	52	John W. Jensen
S-3239	S. F.	489	Paul D. Pate
S-3240	S. F.	382	John P. Kibbie
			H. Kay Hedge
			John Peterson
S-3241	S. C. R.	11	Joe Welsh
S-3242	S. F.	503	Jim Lind
S-3243	S. F.	496	Michael Gronstal
S-3244	S. F.	338	William W. Dieleman
S-3245	S. F.	502	Al Sturgeon
			Linn Fuhrman
S-3246	S. F.	376	Al Sturgeon

RECONVENED

The Senate reconvened at 4:32 p.m., President pro tempore Lloyd-Jones presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 27, 1991, passed the following bill in which the concurrence of the Senate is asked:

House File 455, a bill for an act relating to school instruction and attendance of children of compulsory school attendance age and providing for mediation of truancy issues and penalties.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 1, 1991, passed the following bills in which the concurrence of the Senate is asked:

House File 623, a bill for an act requiring administrative rules adopted by the director of transportation to first be approved by the state transportation commission.

This bill was read first time and **passed on file**.

House File 639, a bill for an act relating to the Iowa community cultural grants program.

This bill was read first time and **passed on file**.

INTRODUCTION OF BILL

Senate File 529, by committee on Appropriations, a bill for an act relating to and making appropriations to state departments, agencies, programs, funds, and the interstate agricultural grain marketing commission, and providing effective dates.

Read first time and **placed on Appropriations Calendar**.

BILL REFERRED TO COMMITTEE

Senator Husak asked and received unanimous consent that **Senate File 342** be referred from the Regular Calendar to the committee on **Appropriations**.

BILLS ASSIGNED TO COMMITTEE

President Welsh announced the assignment of the following bills to committee:

S. C. R.	17	Agriculture
H. F.	375	Environment & Energy Utilities
H. F.	455	Education
H. F.	498	Small Business & Economic Development
H. F.	506	Judiciary
H. F.	623	Transportation

COMMITTEE REPORT

APPROPRIATIONS

Final Bill Action: SENATE FILE 529 (LSB 2754), a bill for an act relating to and making appropriations to state departments, agencies, programs, funds, and the interstate agricultural grain marketing commission, and providing effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Boswell, Tieden, Buhr, Gettings, Gronstal, Husak, Kersten, Lind, Lloyd-Jones, McLaren, Pate, Peterson, Riordan, Running, Szymoniak. Nays, none. Absent or not voting, 6: Welsh, Connolly, Hagerla, Rensink, Tinsman and Varn.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3247	S. F.	293	Larry Murphy
S-3248	H. F.	385	Eugene Fraise
S-3249	S. F.	210	Al Sturgeon

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 4:35 p.m., until 9:00 a.m., Tuesday, April 2, 1991.

JOURNAL OF THE SENATE

SEVENTY-NINTH CALENDAR DAY
FORTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 2, 1991

The Senate met in regular session at 9:03 a.m., President Welsh presiding.

Prayer was offered by the Reverend Bill McGill, pastor of the Maple Street Baptist Church, Des Moines, Iowa.

The Journal of Monday, April 1, 1991, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 28, 1991, passed the following bills in which the concurrence of the Senate is asked:

House File 48, a bill for an act relating to filling school board member vacancies by appointment.

This bill was read first time and **passed on file**.

House File 298, a bill for an act relating to the conduct of games and raffles by qualified organizations.

This bill was read first time and **passed on file**.

House File 505, a bill for an act relating to funding and maintenance of certain local civil rights commissions and agencies and providing an effective date.

This bill was read first time and **passed on file**.

House File 508, a bill for an act relating to requirements for psychiatric medical institutions for children.

This bill was read first time and **passed on file.**

House File 510, a bill for an act relating to the election of a county sheriff to serve more than one county.

This bill was read first time and **passed on file.**

House File 547, a bill for an act relating to the inclusion of certain types of refuse-derived fuel in the calculation of the waste reduction goal requirement of a city or county.

This bill was read first time and **passed on file.**

House File 558, a bill for an act relating to child support by affecting informational requirements of the child support recovery unit and the receipt and disbursement of child support payments.

This bill was read first time and **passed on file.**

House File 566, a bill for an act relating to defective motor vehicles and providing statutory procedures under which a consumer may receive a replacement motor vehicle, or a full refund, for a motor vehicle which cannot be brought into conformity with the warranty, providing certain remedies, providing an administrative fine, making a penalty applicable, and providing an effective date.

This bill was read first time and **passed on file.**

House File 577, a bill for an act relating to required reporting on state parks and preserves.

This bill was read first time and **passed on file.**

House File 580, a bill for an act to permit a person who has been issued a coaching authorization to be employed by a school district as head coach.

This bill was read first time and **passed on file.**

House File 592, a bill for an act relating to documents filed with the general assembly by officials and departments.

This bill was read first time and **passed on file.**

House File 594, a bill for an act relating to the release of privileged information.

This bill was read first time and **passed on file.**

House File 595, a bill for an act relating to the taxation of attorney fees in prison disciplinary cases.

This bill was read first time and **passed on file.**

House File 596, a bill for an act relating to the liability of certain persons rendering emergency medical care in good faith.

This bill was read first time and **passed on file.**

House File 599, a bill for an act relating to the reporting of treatment of wounds.

This bill was read first time and **passed on file.**

House File 602, a bill for an act relating to the transfer of ownership of a vehicle by operation of law.

This bill was read first time and **passed on file.**

House File 614, a bill for an act relating to the reapportionment of county supervisor districts.

This bill was read first time and **passed on file.**

House File 616, a bill for an act relating to the protection of public land from discharges from concentrated commercial and agricultural facilities as provided by the natural resource commission.

This bill was read first time and **passed on file.**

House File 617, a bill for an act relating to the central location of original loan documentation recordkeeping functions at the office of a bank holding company.

This bill was read first time and **passed on file.**

House File 619, a bill for an act relating to the preservation of financial institution records.

This bill was read first time and **passed on file.**

House File 625, a bill for an act relating to issuance of junking certificates and certificates of title.

This bill was read first time and **passed on file.**

ALSO: That the House has on April 1, 1991, passed the following bills in which the concurrence of the Senate is asked:

House File 491, a bill for an act relating to acquisition of rights-of-way for highways.

This bill was read first time and **passed on file.**

House File 598, a bill for an act relating to the payment of certain court filing fees by the United States.

This bill was read first time and **passed on file.**

Senator Gronstal took the chair at 9:22 a.m.

President Welsh took the chair at 9:25 a.m.

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.

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.	510	Ways and Means
S.F.	486	Judiciary
S.F.	376	Judiciary
S.F.	482	Judiciary
S.F.	73	Transportation

MOTION TO RECONSIDER ADOPTED

Senator Riordan called up the motion to reconsider Senate File 382 filed by him on March 25, 1991, found on page 848 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 382) the vote was:

Ayes, 45:

Buhr	Connolly	Deluhery	Dieleman
Doyle	Drake	Fraise	Fuhrman
Gettings	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kersten	Kibbie
Kinley	Kramer	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Soorholtz	Sturgeon
Szymoniak	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 3:

Borlaug	Taylor	Tieden
---------	--------	--------

Absent or not voting, 2:

Boswell	Slife
---------	-------

The motion prevailed.

Senator Riordan moved to reconsider the vote by which Senate File 382 went to its last reading, which motion prevailed by a voice vote.

Senate File 382

On motion of Senator Kibbie, Senate File 382, a bill for an act relating to rural water districts, was taken up for reconsideration.

Senator Kibbie offered amendment S—3240 filed by Senators Kibbie, Hedge and Peterson on April 1, 1991, to pages 2-4 of the bill and moved its adoption.

Amendment S—3240 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. 382) the vote was:

Ayes, 49:

Borlaug	Buhr	Connolly	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
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.

UNFINISHED BUSINESS (Deferred February 28, 1991)

Senate File 163

The Senate resumed consideration of Senate File 163, a bill for an act relating to proposed city public improvements which require sealed competitive bids, deferred on February 28, 1991.

Senator Vande Hoef offered amendment S—3179 filed by Senators Vande Hoef and Miller on March 26, 1991, to page 1 of the bill and moved its adoption.

Amendment S—3179 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. 163) the vote was:

Ayes, 50:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	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 28, 1991)

Senate File 503

The Senate resumed consideration of Senate File 503, a bill for an act relating to this state's labor laws administered by the labor commissioner by amending provisions of the Code concerning occupational safety and health penalties, boiler inspections, child labor laws, and out-of-state contractor bonding requirements, deferred on March 28, 1991.

Senator Lind offered amendment S—3242 filed by him on April 1, 1991, to page 3 of the bill.

Senator Running raised the point of order that amendment S—3242 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3242 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?" (S.F. 503) the vote was:

Ayes, 50:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	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.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 290

On motion of Senator Running, Senate File 290, a bill for an act relating to the provision of transportation by receiving district school buses for transporting pupils under open enrollment, was taken up for consideration.

Senator Murphy offered amendment S—3224 filed by Senators Murphy, et. al., on March 28, 1991, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3224 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. 290) the vote was:

Ayes, 50:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake

Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	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.

House File 307

On motion of Senator Dieleman, House File 307, a bill for an act making technical code changes relating to transportation, 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. 307) the vote was:

Ayes, 50:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	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.

Senate File 412

On motion of Senator Riordan, Senate File 412, a bill for an act relating to the department of inspections and appeals by expanding its investigatory authority, providing that certain information regarding health care facilities be available to the public, relating to health care facilities under receivership, providing additional grounds for suspension and revocation of certain licenses issued by the department, increasing criminal penalties for wanton neglect of a resident of a health care facility, and providing an effective date, was taken up for consideration.

President pro tempore Lloyd-Jones took the chair at 10:29 a.m.

Senator Riordan offered amendment S—3203 filed by him on March 27, 1991, to page 6 and the title page of the bill and moved its adoption.

Amendment S—3203 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. 412) the vote was:

Ayes, 50:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peferson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	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.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that Senate File 503 be immediately messaged to the House.

MOTION TO RECONSIDER ADOPTED

Senator Pate called up the motion to reconsider Senate File 332 filed by him on March 25, 1991, found on page 848 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 332) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Szymoniak
Taylor	Tinsman	Vande Hoef	Varn

Nays, 2:

Tieden Welsh

The motion prevailed.

Senator Pate moved to reconsider the vote by which Senate File 332 went to its last reading, which motion prevailed by a voice vote.

Senate File 332

On motion of Senator Pate, Senate File 332, a bill for an act relating to safety standards for privately owned, public use airports, was taken up for reconsideration.

Senator Pate offered amendment S—3252 filed by him from the floor to page 1 and the title page of the bill and moved its adoption.

Amendment S—3252 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. 332) the vote was:

Ayes, 50:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	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.

CONSIDERATION OF BILLS (Regular Calendar)

House File 220

On motion of Senator Connolly, House File 220, a bill for an act to create a lien against aircraft and certain aircraft equipment

in favor of persons who have installed the equipment in the aircraft and providing priority of the lien against prior lienholders of record, with report of committee recommending passage, was taken up for consideration.

Senator Connolly offered amendment S—3107 filed by the committee on Transportation on March 13, 1991, to page 2 and the title page of the bill and moved its adoption.

Amendment S—3107 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. 220) the vote was:

Ayes, 50:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	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.

Senate File 481

On motion of Senator Sturgeon, Senate File 481, a bill for an act relating to voter approval of storm water drainage system projects and providing for retroactive applicability, 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. 481) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 495

On motion of Senator Sturgeon, Senate File 495, a bill for an act relating to the ability of a mentally disabled person to obtain a marriage license or an annulment, and findings by the court in guardianship proceedings concerning capacity to contract a valid marriage, 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. 495) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
---------	---------	------	----------

Deluhery	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 2:

Dieleman

Taylor

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 11:05 a.m., until 1:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 1, 1991, 3:35 p.m.

Members Present: Boswell, Chair; Tieden, Ranking Member; Buhr, Gettings, Gronstal, Husak, Kersten, Lind, Lloyd-Jones, McLaren, Pate, Peterson, Riordan, Running and Szymoniak.

Members Absent: Welsh, Vice Chair; Connolly, Hagerla, Rensink, Tinsman and Varn (all excused).

Committee Business: Approved LSB 2754 as amended as a committee bill.

Adjourned: 3:40 p.m.

STATE GOVERNMENT

Convened: April 1, 1991, 2:35 p.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Buhr, Dieleman, Doyle, Gronstal, Kramer, Lind, McLaren, Priebe, Running, Vande Hoef and Welsh.

Members Absent: Drake, Horn (both excused), Murphy, Rife (excused) and Soorholtz (excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 2:45 p.m.

WAYS AND MEANS

Convened: April 1, 1991, 2:11 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hedge, Ranking Member; Fraise, Fuhrman, Hester, McLaren, Murphy, Rosenberg, Szymoniak and Taylor.

Members Absent: Connolly, Deluhery, Drake (all excused) and Palmer.

Committee Business: Assigned bills to subcommittees.

Adjourned: 2:15 p.m.

REPORT OF STANDING COMMITTEE
(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 April 2, 1991, and recommended the appointees be confirmed:

Sharon K. Sievers for appointment as a member of the Agricultural Development Authority.

Wendell C. Pellett for appointment, Thomas R. Scott for reappointment and Diane C. Thompson for appointment as members of the State Soil Conservation Committee.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifty fifth grade students from Western Hills Elementary School, West Des Moines, accompanied by Mary Huggins. Senator Kramer.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 220 passed the Senate on April 2, 1991.

BERL E. PRIEBE

MR. PRESIDENT: I move to reconsider the vote by which Senate File 481 passed the Senate on April 2, 1991.

GEORGE R. KINLEY

SUBCOMMITTEE ASSIGNMENTS

Senate File 342

APPROPRIATIONS: Riordan, Chair; Buhr and Hagerla

Senate File 430

APPROPRIATIONS: Peterson, Chair; Lloyd-Jones and McLaren

Senate File 444

APPROPRIATIONS: Buhr, Chair; Gronstal and Hagerla

Senate File 510

WAYS AND MEANS: Husak, Chair; Drake and Fraise

Senate File 527

APPROPRIATIONS: Connolly, Chair; Buhr and Lind

House File 167

LOCAL GOVERNMENT: Fraise, Chair; Miller and Rittmer

House File 499

LOCAL GOVERNMENT: Miller, Chair; Borlaug and Buhr

House File 565

LOCAL GOVERNMENT: Buhr, Chair; Fraise and Jensen

AMENDMENTS FILED

S—3250	S.F.	77	Jean Lloyd-Jones Elaine Szymoniak
S—3251	S.F.	4	Elaine Szymoniak
S—3252	S.F.	332	Paul D. Pate
S—3253	S.F.	346	Richard Varn
S—3254	S.F.	529	James Riordan
S—3255	S.F.	317	Wally Horn
S—3256	S.F.	59	John Jensen
S—3257	S.F.	526	Ray Taylor
S—3258	S.F.	529	Berl Priebe Paul Pate Dale Tieden

AFTERNOON SESSION

The Senate reconvened at 1:34 p.m., President pro tempore Lloyd-Jones presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 27, 1991, passed the following bill in which the concurrence of the Senate is asked:

House File 232, a bill for an act relating to the sale and furnishing of cigarettes and tobacco products to certain persons and providing penalties and an effective date.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 28, 1991, passed the following bills in which the concurrence of the Senate is asked:

House File 469, a bill for an act relating to the appointment of city and county boards, commissions, committees, or other multimember appointive bodies.

This bill was read first time and **passed on file**.

House File 497, a bill for an act relating to presentence investigations.

This bill was read first time and **passed on file**.

House File 520, a bill for an act relating to testing to detect the presence of radon gas or radon progeny.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 1, 1991, passed the following bills in which the concurrence of the Senate is asked:

House File 449, a bill for an act relating to the composition of the advisory committee to the office of rural health.

This bill was read first time and **passed on file**.

House File 480, a bill for an act relating to common outlet determination and constructive notice of levee and drainage districts.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 2, 1991, passed the following bills in which the concurrence of the Senate is asked:

House File 657, a bill for an act relating to alcohol blended gasoline, by changing references from gasohol to ethanol blended gasoline.

This bill was read first time and **passed on file**.

House File 679, a bill for an act relating to forfeiture of excursion boats and related property and providing an effective date.

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 44 present, 6 absent and a quorum present.

The Senate stood at ease until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session, President Welsh presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 2, 1991, passed the following bill in which the concurrence of the Senate is asked:

House File 289, a bill for an act relating to the operation of snowmobiles, all-terrain vehicles, and motorcycles and limiting safety certification to certain operators on public lands and waters.

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 47 present, 3 absent and a quorum present.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 529.

Senate File 529

On motion of Senator Boswell, Senate File 529, a bill for an act relating to and making appropriations to state departments, agencies, programs, funds, and the interstate agricultural grain marketing commission, and providing effective dates, was taken up for consideration.

Senator Lind offered amendment S—3272 filed by him from the floor to page 8 of the bill and moved its adoption.

Amendment S—3272 lost by a voice vote.

Senator Priebe offered amendment S—3258 filed by Senators Priebe, Pate and Tieden from the floor to page 18 of the bill and moved its adoption.

Amendment S—3258 was adopted by a voice vote.

Senator Running asked and received unanimous consent that action on amendment S—3262 filed by him from the floor to page 45 of the bill be deferred.

Senator Buhr offered amendment S—3267 filed by Senators Buhr and Tinsman from the floor to pages 46 and 51 of the bill and moved its adoption.

Amendment S—3267 was adopted by a voice vote.

Senator Riordan offered amendment S—3254 filed by him from the floor to page 63 of the bill.

Senator Rensink asked and received unanimous consent that action on amendment S—3268 filed by Senators Rensink, Riordan and Hedge from the floor to amendment S—3254 be deferred.

Senator Riordan asked and received unanimous consent that action on amendment S—3254 be deferred.

Senator Running offered amendment S—3263 filed by him from the floor to page 65 of the bill and moved its adoption.

Amendment S—3263 was adopted by a voice vote.

Senator Rosenberg offered amendment S—3273 filed by Senators Rosenberg and Running from the floor to page 73 of the bill and moved its adoption.

Amendment S—3273 was adopted by a voice vote.

Senator Drake offered amendment S—3264 filed by Senators Drake and Taylor from the floor to pages 79 and 83 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3264 be adopted?" (S.F. 529) the vote was:

Ayes, 18:

Borlaug	Dieleman	Drake	Fraise
Fuhrman	Hagerla	Hedge	Hester
Jensen	Kramer	Lind	Nystrom
Palmer	Pate	Rittmer	Taylor
Tinsman	Vande Hoef		

Nays, 31:

Boswell	Buhr	Connolly	Deluhery
Doyle	Gettings	Gronstal	Hannon
Horn	Husak	Hutchins	Kersten
Kibbie	Kinley	Lloyd-Jones	McLaren
Miller	Peterson	Priebe	Rensink
Rife	Riordan	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Szymoniak
Tieden	Varn	Welsh	

Absent or not voting, 1:

Murphy

Amendment S—3264 lost.

Senator Gettings offered amendment S—3269 filed by him from the floor to pages 80 and 88 of the bill and moved its adoption.

Amendment S—3269 was adopted by a voice vote.

Senator Boswell offered amendment S—3274 filed by him from the floor to page 82 of the bill and moved its adoption.

Amendment S—3274 was adopted by a voice vote.

Senator Lind offered amendment S—3261 filed by Senators Welsh, Gettings and Lind from the floor to page 88 of the bill and moved its adoption.

Amendment S—3261 was adopted by a voice vote.

With the adoption of amendment S—3261, the Chair ruled amendment S—3265 filed by Senator Drake from the floor to page 88 of the bill, out of order.

Senator Drake offered amendment S—3266 filed by Senators Drake and Taylor from the floor to page 90 of the bill and moved its adoption.

Amendment S—3266 lost by a voice vote.

Senator Hannon offered amendment S—3276 filed by Senators Hannon and Running from the floor to page 74 of the bill.

Senator Fuhrman raised the point of order that amendment S—3276 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3276 out of order.

Senator Running withdrew amendment S—3262 to page 45 of the bill, previously deferred.

The Senate resumed consideration of amendment S—3254 by Senator Riordan to page 63 of the bill, previously deferred.

Senator Rensink asked and received unanimous consent that action on amendment S—3268 by Senators Rensink, Riordan and Hedge, previously deferred, to amendment S—3254 continued to be deferred.

Senator Running offered amendment S—3275 filed by Senators Running and Rensink from the floor to amendment S—3254 and moved its adoption.

Amendment S—3275 was adopted by a voice vote.

With the adoption of amendment S—3275 to amendment S—3254, the Chair ruled amendment S—3268 to amendment S—3254, previously deferred, out of order.

Senator Riordan moved the adoption of amendment S—3254 as amended, which motion prevailed by a voice vote.

Senator Connolly offered amendment S—3277 filed by him from the floor to page 90 of the bill and moved its adoption.

Amendment S—3277 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. 529) the vote was:

Ayes, 50:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	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.

Senator Hutchins asked and received unanimous consent that Senate File 529 be immediately messaged to the House.

MOTION TO RECONSIDER WITHDRAWN

House File 220

Senator Priebe withdrew the motion to reconsider House File 220, a bill for an act to create a lien against aircraft and certain aircraft equipment in favor of persons who have installed the equipment in the aircraft and providing priority of the lien against prior lienholders of record, filed by him on April 2, 1991, and found on page 987 of the Senate Journal.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 338

On motion of Senator Dieleman, Senate File 338, a bill for an act relating to movement of indivisible loads of excessive size and weight and increasing the fee for escort services, with report of committee on Ways and Means recommending passage, was taken up for consideration.

Senator Dieleman offered amendment S—3244 filed by him on April 1, 1991, to page 1 of the bill and moved its adoption.

Amendment S—3244 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. 338) the vote was:

Ayes, 50:

Borlaug
Deluhery

Boswell
Dieleman

Buhr
Doyle

Connolly
Drake

Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	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.

Senate File 507

On motion of Senator Deluhery, Senate File 507, a bill for an act relating to the authority of the superintendent of banking to remove officers and directors of state banks and to prohibit an institution-affiliated party from participating in the conduct of the affairs of a state bank, and providing civil 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. 507) the vote was:

Ayes, 50:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	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.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House File 220** and **Senate Files 338 and 507** be immediately messaged to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 2, 1991, passed the following bills in which the concurrence of the Senate is asked:

House File 5, a bill for an act relating to the payment of pension benefits to surviving spouses under the chapters 97A, 410, and 411 retirement systems, and providing retroactive applicability dates.

This bill was read first time and **passed on file**.

House File 583, a bill for an act relating to eligibility of school districts for the reorganization incentives and providing an effective date.

This bill was read first time and **passed on file**.

House File 646, a bill for an act to permit school districts to provide educational programs to persons who are beyond the age prescribed as the school age.

This bill was read first time and **passed on file**.

House File 647, a bill for an act relating to the special needs adjustment program for school districts.

This bill was read first time and **passed on file**.

House File 651, a bill for an act relating to gambling and the operation of pari-mutuel racetracks and excursion gambling boats, and providing an effective date.

This bill was read first time and **passed on file**.

INTRODUCTION OF RESOLUTION

Senate Resolution 8, by Tinsman, Rife and Deluhery, a senate resolution to support the Quad Cities' Acquisition Committee's effort to acquire a class AAA baseball franchise.

Read first time and **passed on file**.

APPENDIX

REPORTS OF STANDING COMMITTEE (Place nominees on En Bloc Confirmation Calendar)

STATE GOVERNMENT

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the following Governor's appointments, completed its investigations on April 1, 1991, and recommended the appointees be confirmed:

Warren Lawson for reappointment as Adjutant General.

Richard W. Pattschull for reappointment as a member of the Architectural Examining Board.

Kenneth Culp for reappointment as a member of the Board of Nursing Examiners.

Jane A. McCall for reappointment as a member of the Iowa Board of Veterinary Medicine.

Ross M. Sutton for appointment as a member of the Iowa Lottery Board.

Charlotte A. Cleavenger for reappointment as a member of the Medical Examining Board.

Elsie E. Mellott for appointment as a member of the Personnel Commission.

Earlis C. Rohret for reappointment as a member of the Real Estate Appraiser Examining Board.

Steven G. Berry for appointment as a member of the Respiratory Care Advisory Committee.

Michael G. Genz for reappointment as a member of the Speech Pathology and Audiology Examining Board.

REPORT OF STANDING COMMITTEE (Place nominee on Individual Confirmation Calendar)

STATE GOVERNMENT

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the following Governor's appointment, completed its investigation on April 1, 1991, and recommended the appointee be confirmed:

Edward J. Stanek for reappointment of the Commissioner of the Lottery.

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 2nd day of April, 1991:

Senate File 92.

JOHN F. DWYER
Secretary of the Senate

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 17**

AGRICULTURE: Riordan, Chair; Boswell and Soorholtz

Senate File 528

JUDICIARY: Sturgeon, Chair; Connolly and Slife

House File 17

JUDICIARY: Sturgeon, Chair; Horn and Pate

House File 201

JUDICIARY: Sturgeon, Chair; Rosenberg and Slife

House File 506

JUDICIARY: Hester, Chair; Horn and Peterson

House File 623

TRANSPORTATION: Connolly, Chair; Drake and Kinley

COMMITTEE REPORTS**WAYS AND MEANS**

Final Bill Action: SENATE FILE 269, a bill for an act regulating transient food service establishments and providing for licensing fees.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Dieleman, Husak, Hedge, Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Palmer, Rosenberg, Szymoniak and Taylor. Nays, none. Absent or not voting, 1: Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 278, a bill for an act relating to the salaries paid to chaplains employed in state institutions and providing a retroactive applicability date.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Dieleman, Husak, Connolly, Hester, McLaren, Murphy, Rosenberg and Taylor. Nays, 4: Hedge, Fraise, Fuhrman and Palmer. Absent or not voting, 3: Deluhery, Drake and Szymoniak.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 446, a bill for an act relating to agricultural chemicals, by regulating the use of chemicals in irrigation distribution systems, providing for fees, providing for penalties, and providing for an effective date and date of applicability.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Dieleman, Husak, Hedge, Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Murphy, Palmer, Rosenberg, Szymoniak and Taylor. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 465, a bill for an act relating to the department of inspections and appeals by creating new licensing and fee requirements for gaming activities.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3260.

Final Vote: Ayes, 13: Dieleman, Husak, Hedge, Connolly, Drake, Fraise, Fuhrman, Hester, McLaren, Murphy, Palmer, Rosenberg and Taylor. Nays, none. Absent or not voting, 2: Deluhery and Szymoniak.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 526, a bill for an act relating to the management of grain, providing for the assessment of fees, providing an effective date, and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Dieleman, Husak, Hedge, Connolly, Drake, Fraise, Fuhrman, Hester, McLaren, Murphy, Palmer, Rosenberg, Szymoniak and Taylor. Nays, none. Absent or not voting, 1: Deluhery.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 489, a bill for an act relating to providing additional state income tax filing time periods for certain military personnel, exempting from taxation income of persons killed in a combat zone or while serving overseas, and providing a retroactive applicability date and an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Dieleman, Husak, Hedge, Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Palmer, Rosenberg, Szymoniak and Taylor. Nays, none. Absent or not voting, 1: Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

President Welsh announced the assignment of the following bills to committee:

S. R.	8	Rules & Administration
H.F.	5	State Government
H.F.	48	Education
H.F.	289	Natural Resources
H.F.	298	State Government
H.F.	469	Local Government
H.F.	480	Agriculture
H.F.	491	Transportation
H.F.	497	Judiciary
H.F.	520	Environment & Energy Utilities

H.F.	505	Local Government
H.F.	508	Human Resources
H.F.	510	Local Government
H.F.	547	Environment & Energy Utilities
H.F.	566	Commerce
H.F.	577	Natural Resources
H.F.	580	Education
H.F.	592	State Government
H.F.	594	Judiciary
H.F.	596	Judiciary
H.F.	598	Judiciary
H.F.	599	Judiciary
H.F.	602	Judiciary
H.F.	614	Local Government
H.F.	616	Natural Resources
H.F.	617	Commerce
H.F.	619	Commerce
H.F.	657	Agriculture
H.F.	679	Judiciary

AMENDMENTS FILED

S-3259	S. F.	4	Jim Riordan
S-3260	S. F.	465	Ways and Means
S-3261	S. F.	529	Joe Welsh Don Gettings Jim Lind
S-3262	S. F.	529	Richard Running
S-3263	S. F.	529	Richard Running
S-3264	S. F.	529	Richard F. Drake Ray Taylor
S-3265	S. F.	529	Richard F. Drake
S-3266	S. F.	529	Richard F. Drake Ray Taylor
S-3267	S. F.	529	Florence Buhr Maggie Tinsman
S-3268	S. F.	529	Wilmer Rensink James Riordan H. Kay Hedge
S-3269	S. F.	529	Don Gettings
S-3270	S. F.	369	Richard Varn

S—3271	H.F.	556	Al Sturgeon Richard Varn Al Sturgeon
S—3272	S.F.	529	Jim Lind
S—3273	S.F.	529	Ralph Rosenberg Richard Running
S—3274	S.F.	529	Leonard L. Boswell
S—3275	S.F.	529	Richard Running Wilmer Rensink
S—3276	S.F.	529	Beverly Hannon Richard Running
S—3277	S.F.	529	Mike Connolly

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:45 p.m., until 9:00 a.m., Wednesday, April 3, 1991.

JOURNAL OF THE SENATE

EIGHTIETH CALENDAR DAY
FORTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 3, 1991

The Senate met in regular session at 9:02 a.m., President Welsh presiding.

Prayer was offered by Harriet Vande Hoef, Senate Secretary, who sang "The Lord's Prayer".

The Journal of Tuesday, April 2, 1991, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Nystrom until he arrives on request of Senator Rife.

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.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 480** be referred from the Regular Calendar to the committee on **Judiciary**.

CONSIDERATION OF BILL (Regular Calendar)

House File 322

On motion of Senator Borlaug, House File 322, a bill for an act relating to the establishment of a small business advisory

council, with report of committee recommending passage, was taken up for consideration.

Senator Borlaug moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 322) the vote was:

Ayes, 45:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Welsh			

Nays, 2:

Murphy	Peterson
--------	----------

Absent or not voting, 3:

Nystrom	Running	Varn
---------	---------	------

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Ways and Means Calendar)

House File 344

On motion of Senator Murphy, House File 344, a bill for an act relating to the membership of the state revenue estimating conference and providing an effective date, 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. 344) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 27:

Boswell	Buhr	Connolly	Dieleman
Doyle	Fraise	Gettings	Gronstal
Hannon	Horn	Husak	Hutchins
Kibbie	Kinley	Lloyd-Jones	Miller
Murphy	Peterson	Priebe	Riordan
Rosenberg	Running	Soorholtz	Sturgeon
Szymoniak	Varn	Welsh	

Nays, 22:

Borlaug	Deluhery	Drake	Fuhrman
Hagerla	Hedge	Hester	Jensen
Kersten	Kramer	Lind	McLaren
Palmer	Pate	Rensink	Rife
Rittmer	Slife	Taylor	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.

MOTION TO RECONSIDER WITHDRAWN

Senate File 138

Senator Varn withdrew the motion to reconsider Senate File 138, a bill for an act requiring the acceptance of a student's postsecondary options credits as high school academic or vocational-technical credits by a school district or accredited nonpublic school, filed by him on February 18, 1991, and found on page 353 of the Senate Journal.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 323

On motion of Senator Priebe, Senate File 323, a bill for an act relating to delegates to the Iowa congress on resource enhancement and protection, 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. 323) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Nystrom

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 4

On motion of Senator Riordan, Senate File 4, a bill for an act relating to consideration of voluntary and involuntary annexation petitions which concern the same territory or city, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Riordan offered amendment S—3082 filed by the committee on Local Government on February 27, 1991, to strike everything after the enacting clause of the bill.

Senator Fraise offered amendment S—3120 filed by Senators Fraise, et. al., on March 18, 1991, to amendment S—3082.

President pro tempore Lloyd-Jones took the chair at 10:01 a.m.

Senator Szymoniak asked and received unanimous consent that action on amendments S—3120 to S—3082, amendment S—3082 and Senate File 4 be deferred.

UNFINISHED BUSINESS
(Deferred March 20, 1991)

Senate File 326

The Senate resumed consideration of Senate File 326, a bill for an act exempting members, employees, and the secretary of the board of trustees for the statewide fire and police retirement system from certain liabilities, providing per diem compensation for board members, appropriating funds to the board, changing the date for completion of an actuarial study, providing that certain cities that did not participate in a chapter 411 retirement system as of May 3, 1990, are not required to participate in the statewide system, and providing retroactive applicability and effective date provisions, deferred on March 20, 1991.

Senator Gronstal asked unanimous consent to withdraw amendment S—3226 filed by Senators Gronstal and Deluhery on March 28, 1991, to pages 1-3 and the title page of the bill.

Senator Gronstal withdrew his request.

Senator Gronstal asked and received unanimous consent that action on amendment S—3226 and Senate File 326 be deferred.

UNFINISHED BUSINESS
(Deferred March 27, 1991)

Senate File 317

The Senate resumed consideration of Senate File 317, a bill

for an act relating to the regulation of pay-per-call service and advertisements and providing for the applicability of established penalties, deferred on March 27, 1991.

Senator Deluhery offered amendment S—3279 filed by Senators Deluhery and Palmer from the floor to pages 1 and 2 of the bill.

Senator Tieden asked and received unanimous consent that action on amendment S—3279 and Senate File 317 be deferred.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 210

On motion of Senator Gronstal, Senate File 210, a bill for an act relating to agreements by physicians restricting professional practices, providing that such agreements violate public policy, and providing effective date and retroactive applicability provisions, was taken up for consideration.

Senator Fuhrman asked and received unanimous consent that action on amendment S—3064 filed by him on February 21, 1991, to page 1 and the title page of the bill be deferred.

Senator Fuhrman offered amendment S—3230 filed by Senators Fuhrman and Sturgeon on March 28, 1991, to page 1 of the bill.

Senator Sturgeon offered amendment S—3249 filed by him on April 1, 1991, to amendment S—3230 and moved its adoption.

Amendment S—3249 was adopted by a voice vote.

Senator Fuhrman moved the adoption of amendment S—3230 as amended, which motion prevailed by voice vote.

With the adoption of amendment S—3230 as amended, the Chair ruled amendment S—3064 by Senator Fuhrman, previously deferred, out of order.

Senator Gronstal moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 210) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 40:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lloyd-Jones
Miller	Murphy	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rosenberg	Running	Soorholtz	Sturgeon
Szymoniak	Taylor	Varn	Welsh

Nays, 8:

Hester	Lind	McLaren	Rittmer
Slife	Tieden	Tinsman	Vande Hoef

Absent or not voting, 2:

Nystrom	Palmer
---------	--------

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 294

On motion of Senator McLaren, Senate File 294, a bill for an act providing for the establishment of agricultural enterprise zones, restricting nuisance suits, providing for tax refunds on facilities within such zones, and providing a penalty, with report of committee on Ways and Means recommending amendment and passage, was taken up for consideration.

Senator McLaren offered amendment S—3191 filed by the committee on Ways and Means on March 26, 1991, to page 4 and the title page of the bill.

Senator McLaren offered amendment S—3211 filed by Senators McLaren, Priebe and Soorholtz on March 27, 1991, to amendment S—3191 and moved its adoption.

Amendment S—3211 was adopted by a voice vote.

Senator McLaren moved the adoption of amendment S—3191 as amended, which motion prevailed by voice vote.

With the adoption of amendment S—3191 as amended, the Chair ruled amendment S—3171 filed by Senators Priebe, Soorholtz and McLaren on March 25, 1991, to pages 4-6 and the title page of the bill, out of order.

Senator McLaren moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 294) the vote was:

Ayes, 45:

Borlaug	Boswell	Buhr	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kersten	Kibbie
Kinley	Kramer	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Rittmer	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 4:

Connolly	Gronstal	Rosenberg	Running
----------	----------	-----------	---------

Absent or not voting, 1:

Nystrom

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:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 26, 1991, passed the following bill in which the concurrence of the Senate is asked:

House File 335, a bill for an act relating to a parent's right of action for the death of a child.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 2, 1991, passed the following bills in which the concurrence of the Senate is asked:

House File 601, a bill for an act relating to open end credit accounts by eliminating the requirement that the banking division compile and report a summary of the volume of consumer installment credit to the administrator of the Iowa consumer credit code and providing for a change in terms in the agreement.

This bill was read first time and **passed on file**.

House File 681, a bill for an act relating to the confidentiality of certain information relating to waste reduction under the public records law.

This bill was read first time and **passed on file**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:20 a.m., until 3:45 p.m.

APPENDIX

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 338, the following correction was made:

1. Title page, line 1, the word "indivisible" was changed to the word "indivisble".

JOHN F. DWYER
Secretary of the Senate

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: April 2, 1991, 8:10 a.m.

Members Present: Priebe, Chair; Peterson, Vice Chair; Doyle, Fraise, Hedge, Hester, Miller, Palmer and Vande Hoef.

Members Absent: Soorholtz, Ranking Member; Boswell, Husak, McLaren, Riordan and Rittmer.

Committee Business: Recommended confirmation of governor's appointees.

Adjourned: 8:20 a.m.

WAYS AND MEANS

Convened: April 2, 1991, 11:12 a.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hedge, Ranking Member; Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Murphy, Palmer, Rosenberg, Szymoniak and Taylor.

Members Absent: none.

Committee Business: Recommended passage of Senate Files 278, 526, 446, 269 and House File 489; recommended passage of Senate File 465 as amended; assigned bill to subcommittee.

Adjourned: 12:02 p.m.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-four twelfth grade students from Rockwell-Swaledale High School of Rockwell, accompanied by Randy Bushbaum. Senator Borlaug.

Thirty-four twelfth grade students from Waco High School of Wayland, accompanied by Greg Thomas, Perry Ross and Linda Messer. Senator Hagerla.

Twenty-two Foreign Student Club members from Grundy Center High School of Grundy Center, accompanied by Keith Hall. Senator Jensen.

REPORT OF STANDING COMMITTEE (Place nominee on En Bloc Confirmation Calendar)

LOCAL GOVERNMENT

Pursuant to Senate Rule 59, the committee on Local Government assigned to investigate the following Governor's appointment, completed its investigation on April 3, 1991, and recommended the appointee be confirmed:

James E. Benbow for reappointment as a member of the County Finance Committee.

COMMITTEE REPORTS

LOCAL GOVERNMENT

Final Bill Action: HOUSE FILE 499, a bill for an act relating to demolition insurance reserves required for property within the corporate limits of a city.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Miller, Szymoniak, Rittmer, Borlaug, Boswell, Buhr, Fraise, Hannon, Jensen and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 510, a bill for an act relating to the election of a county.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Miller, Szymoniak, Rittmer, Borlaug, Boswell, Buhr, Fraise, Hannon, Jensen and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 565, a bill for an act relating to contracts for the purchase of goods or services by a city.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Miller, Szymoniak, Rittmer, Borlaug, Boswell, Buhr, Fraise, Hannon, Jensen and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: HOUSE FILE 233, a bill for an act relating to the hunter safety and ethics education program, and providing a penalty for violations.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Palmer, Kibbie, Hester, Dieleman, Hagerla, Hedge, Priebe, Rensink, Riordan, Rosenberg and Tieden. Nays, none. Absent or not voting, 1: Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 288, a bill for an act relating to boating registration requirements for boat manufacturers or dealers and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Palmer, Kibbie, Hester, Dieleman, Hagerla, Hedge, Priebe, Rensink, Riordan, Rosenberg and Tieden. Nays, none. Absent or not voting, 1: Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 373, a bill for an act authorizing the issuance of warning citations by state conservation officers and employees who are peace officers.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Palmer, Kibbie, Hester, Dieleman, Hagerla, Hedge, Priebe, Rensink, Riordan, Rosenberg and Tieden. Nays, none. Absent or not voting, 1: Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3278	S.F.	278	Mike Connolly
S-3279	S.F.	317	Patrick Deluhery William D. Palmer
S-3280	S.F.	177	Larry Murphy
S-3281	S.F.	366	Larry Murphy John W. Jensen
S-3282	S.F.	520	William Palmer
S-3283	S.F.	478	Maggie Tinsman Mike Connolly
S-3284	S.F.	465	Richard Running Mike Connolly
S-3285	S.F.	516	Mike Gronstal
S-3286	S.F.	451	Ralph Rosenberg
S-3287	S.F.	508	Ralph Rosenberg Patrick Deluhery
S-3288	S.F.	317	Wally Horn
S-3289	S.F.	446	Alvin Miller
S-3290	S.F.	508	Richard Varn Patrick Deluhery Ralph Rosenberg

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 16

RULES AND ADMINISTRATION: Lloyd-Jones, Chair; Hutchins and Jensen

Senate File 486

JUDICIARY: Connolly, Chair; Fuhrman and Rosenberg

House File 285

HUMAN RESOURCES: Tinsman, Chair; Sturgeon and Szymoniak

House File 289

NATURAL RESOURCES: Riordan, Chair; Hagerla and Rosenberg

House File 392

HUMAN RESOURCES: Riordan, Chair; Rittmer and Szymoniak

House File 469

LOCAL GOVERNMENT: Buhr, Chair; Hannon and Rittmer

House File 480

AGRICULTURE: Priebe, Chair; Riordan and Soorholtz

House File 491

TRANSPORTATION: Connolly, Chair; Fraise and Jensen

House File 497

JUDICIARY: Varn, Chair; Drake and Murphy

House File 498

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Kibbie, Chair; Borlaug and Miller

House File 500

HUMAN RESOURCES: Hannon, Chair; Horn and Taylor

House File 505

LOCAL GOVERNMENT: Szymoniak, Chair; Borlaug and Buhr

House File 508

HUMAN RESOURCES: Szymoniak, Chair; Sturgeon and Tinsman

House File 510

LOCAL GOVERNMENT: Fraise, Chair; Borlaug and Jensen

House File 575

HUMAN RESOURCES: Buhr, Chair; Kramer and Murphy

House File 577

NATURAL RESOURCES: Kibbie, Chair; Dieleman and Hester

House File 594

JUDICIARY: Deluhery, Chair; Connolly and Pate

House File 596

JUDICIARY: Rosenberg, Chair; Hester and Horn

House File 598

JUDICIARY: Deluhery, Chair; Hagerla and Peterson

House File 599

JUDICIARY: Rosenberg, Chair; Slife and Varn

House File 602

JUDICIARY: Peterson, Chair; Drake and Horn

House File 614

LOCAL GOVERNMENT: Szymoniak, Chair; Miller and Vande Hoef

House File 616

NATURAL RESOURCES: Priebe, Chair; Hedge and Kibbie

House File 657

AGRICULTURE: Riordan, Chair; Hester and Peterson

House File 679

JUDICIARY: Connolly, Chair; Drake and Fuhrman

AFTERNOON SESSION

The Senate reconvened at 4:10 p.m., President pro tempore Lloyd-Jones presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 2, 1991, passed the following bill in which the concurrence of the Senate is asked:

House File 381, a bill for an act providing for adult court jurisdiction over children having been previously waived to and convicted in adult court.

This bill was read first time and **passed on file**.

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.

BUSINESS PENDING

Senate File 326

The Senate resumed consideration of Senate File 326, a bill for an act exempting members, employees, and the secretary of the board of trustees for the statewide fire and police retirement system from certain liabilities, providing per diem compensation for board members, appropriating funds to the board, changing the date for completion of an actuarial study, providing that certain cities that did not participate in a chapter 411 retirement system as of May 3, 1990, are not required to participate in the statewide system, and providing retroactive applicability and effective date provisions, and amendment S—3226 by Senators Gronstal and Deluhery to pages 1-3 and the title page of the bill, previously deferred.

Senator Deluhery called for a division of amendment S—3226:

Division S—3226A: Page 1, lines 2-23 and lines 26-50; page 2, lines 1-7 and lines 32-35.

Division S—3226B: Page 1, lines 24 and 25; page 2, lines 8-31 and lines 36-38.

Senator Deluhery asked and received unanimous consent to withdraw division S—3226A.

Senator Deluhery moved the adoption of division S—3226B, which motion lost by a voice vote.

Senator Deluhery offered amendment S—3293 filed by him from the floor to pages 1-4 and the title page of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 5, nays 33.

Amendment S—3293 lost.

Senator Deluhery withdrew amendment S—3296 filed by him from the floor to page 1 and the title page of the bill.

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. 326) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Jensen	Kersten	Kibbie
Kinley	Kramer	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	

Nays, 1:

Deluhery

Absent or not voting, 2:

Hutchins

Welsh

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Welsh and Hutchins until they return on request of Senator Husak.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 478

On motion of Senator Connolly, Senate File 478, a bill for an act to establish a parent education program, was taken up for consideration.

Senator Connolly offered amendment S—3292 filed by him from the floor to pages 1-4 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 28, nays 16.

Amendment S—3292 was adopted.

Senator Buhr offered amendment S—3297 filed by her from the floor to page 3 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 26, nays 18.

Amendment S—3297 was adopted.

Senator Tinsman offered amendment S—3283 filed by Senators Tinsman and Connolly from the floor to page 4 and the title page of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 39, nays 6.

Amendment S—3283 was adopted.

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. 478) the vote was:

Ayes, 33:

Buhr	Connolly	Deluhery	Doyle
Fraise	Gettings	Gronstal	Hagerla
Hester	Horn	Husak	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Pate	Priebe
Rife	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Tinsman
Varn			

Nays, 15:

Borlaug	Boswell	Dieleman	Drake
Fuhrman	Hannon	Hedge	McLaren
Peterson	Rensink	Riordan	Szymoniak
Taylor	Tieden	Vande Hoef	

Absent or not voting, 2:

Hutchins	Welsh
----------	-------

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

IMMEDIATELY MESSAGED

Senator Husak asked and received unanimous consent that Senate File 326 be immediately messaged to the House.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Boswell for the remainder of the day on request of Senator Husak and Senator Taylor for the remainder of the day on request of Senator Jensen.

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 465

On motion of Senator Running, Senate File 465, a bill for an act relating to the department of inspections and appeals by creating new licensing and fee requirements for gaming activities, with report of committee on Ways and Means recommending amendment and passage, was taken up for consideration.

Senator Running offered amendment S—3260 filed by the committee on Ways and Means on April 2, 1991, to pages 1 and 2 of the bill and called for a division of the amendment; lines 2 and 3 as division S—3260A; lines 4 and 5 as division S—3260B.

Senator Running asked and received unanimous consent that action on division S—3260A be deferred.

Senator Husak asked and received unanimous consent that action on division S—3260B and Senate File 465 be deferred.

IMMEDIATELY MESSAGED

Senator Husak asked and received unanimous consent that Senate File 478 be immediately messaged to the House.

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 2

On motion of Senator Rosenberg, Senate File 2, a bill for an act relating to sexual exploitation by a counselor or therapist and providing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Rosenberg offered amendment S—3143 filed by the committee on Judiciary on March 21, 1991, to page 1 of the bill.

Senator Rosenberg offered amendment S—3184 filed by Senators Rosenberg and Varn on March 26, 1991, to amendment S—3143 and moved its adoption.

Amendment S—3184 was adopted by a voice vote.

Senator Rosenberg moved the adoption of amendment S—3143 as amended, which motion prevailed by a voice vote.

Senator Rosenberg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2) the vote was:

Ayes, 47:

Borlaug	Buhr	Connolly	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 1

Murphy

Absent or not voting, 2:

Boswell

Taylor

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 3, 1991, passed the following bills in which the concurrence of the Senate is asked:

House File 421, a bill for an act relating to establishing a registry of sex offenders and establishing penalties.

This bill was read first time and **passed on file**.

House File 570, a bill for an act relating to limitations on the use of automatic dialing- announcing device equipment and providing a penalty.

This bill was read first time and **passed on file**.

House File 610, a bill for an act to create a Missouri river preservation and land use authority and fund.

This bill was read first time and **passed on file**.

House File 660, a bill for an act relating to the administration of and programs administered by the department of agriculture and land stewardship, establishing certain fees, and making penalties applicable.

This bill was read first time and **passed on file**.

APPENDIX

REPORTS OF STANDING COMMITTEES (Place nominees on En Bloc Confirmation Calendar)

EDUCATION

Pursuant to Senate Rule 59, the committee on Education assigned to investigate the following Governor's appointments, completed its investigations on April 3, 1991, and recommended the appointees be confirmed:

Jacqueline M. Parkin for appointment as a member of the Board of Educational Examiners.

Patrick D. Cavanaugh for appointment and reappointment as a member of the School Budget Review Committee.

JUDICIARY

Pursuant to Senate Rule 59, the committee on Judiciary assigned to investigate the following Governor's appointments, completed its investigations on April 3, 1991, and recommended the appointees be confirmed:

Richard R. Vande Mey for appointment and Donald O. Vold for reappointment as members of the Board of Corrections.

Michael K. Oelrich and Connie Sue Ricklefs for appointment as members of the Drug Abuse Prevention and Education Advisory Council.

Sally M. O'Donnell for appointment as a member of the Iowa State Civil Rights Commission.

John M. McCann and Mary Jane Zimmerman for appointment as members of the State Judicial Nominating Commission.

REPORTS OF STANDING COMMITTEE (Place nominees on Individual Confirmation Calendar)

EDUCATION

Pursuant to Senate Rule 59, the committee on Education assigned to investigate the following Governor's appointments, completed its investigations on April 3, 1991, and recommended the appointees be confirmed:

Thomas C. Dorr and John E. Tyrrell for appointment as members of the State Board of Regents.

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Forty twelfth grade students from Sioux Central High School, Sioux Rapids, Iowa, accompanied by Dean Miller. Senator Fuhrman.

BILLS ASSIGNED TO COMMITTEE

President Welsh announced the assignment of the following bills to committee:

H.F.	232	Human Resources
H.F.	335	Judiciary
H.F.	449	State Government
H.F.	558	Judiciary
H.F.	583	Education
H.F.	595	Judiciary
H.F.	601	Commerce
H.F.	646	Education
H.F.	647	Education
H.F.	651	State Government
H.F.	681	Judiciary

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: HOUSE FILE 91, a bill for an act exempting certain decorative fountains from regulation as swimming pools and spas.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Hannon, Buhr, Hagerla, Horn, Riordan, Rittmer, Sturgeon, Szymoniak, Taylor and Tinsman. Nays, none. Absent or not voting, 2: Kramer and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 285, a bill for an act relating to the approval of certain businesses or activities in a health care facility.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Hannon, Buhr, Hagerla, Horn, Riordan, Rittmer, Szymoniak, Taylor and Tinsman. Nays, none. Absent or not voting, 3: Kramer, Murphy and Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 296, a bill for an act relating to record checks and evaluations concerning facilities providing care to children and state institutions controlled by the department of human services, and containing applicability provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Hannon, Buhr, Hagerla, Horn, Riordan, Rittmer, Sturgeon, Szymoniak, Taylor and Tinsman. Nays, none. Absent or not voting, 2: Kramer and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 392, a bill for an act relating to animals specially trained or being trained to assist a disabled or handicapped person, making a penalty applicable, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Hannon, Buhr, Hagerla, Horn, Riordan, Rittmer, Szymoniak, Taylor and Tinsman. Nays, none. Absent or not voting, 3: Kramer, Murphy and Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 500, a bill for an act relating to requirements for child day care facilities operated in a school building in which child day care is an adjunct to the primary purpose of the building and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Hannon, Buhr, Hagerla, Horn, Riordan, Rittmer, Sturgeon, Szymoniak, Taylor and Tinsman. Nays, none. Absent or not voting, 2: Kramer and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: HOUSE FILE 430, a bill for an act relating to the crime victim assistance programs.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3302.

Final Vote: Ayes, 13: Sturgeon, Rosenberg, Fuhrman, Connolly, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Peterson, Slife and Varn. Nays, 1: Pate. Absent or not voting, 1: Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 501, a bill for an act relating to establishing a durable power of attorney authorized to make health care decisions.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3299.

Final Vote: Ayes, 14: Sturgeon, Rosenberg, Fuhrman, Connolly, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson, Slife and Varn. Nays, none. Absent or not voting, 1: Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: HOUSE FILE 419, a bill for an act relating to school bus traffic violations and making a penalty applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Fraise, Drake, Dieleman, Gettings, Jensen, Lloyd-Jones, Pate and Welsh. Nays, none. Absent or not voting, 4: Connolly, Kersten, Kinley and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 426, a bill for an act relating to Pearl Harbor motor vehicle registration plates.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Fraïse, Connolly, Drake, Dieleman, Gettings, Jensen, Lloyd-Jones and Pate. Nays, none. Absent or not voting, 4: Kersten, Kinley, Nystrom and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3291	S.F.	317	Michael E. Gronstal
S-3292	S.F.	478	Mike Connolly
S-3293	S.F.	326	Patrick Deluhery
S-3294	S.F.	451	Eugene Fraïse
S-3295	S.F.	452	Berl E. Priebe John E. Soorholtz
S-3296	S.F.	326	Patrick Deluhery
S-3297	S.F.	478	Florence Buhr
S-3298	S.F.	526	Ray Taylor
S-3299	H.F.	501	Judiciary
S-3300	S.F.	451	Eugene Fraïse
S-3301	S.F.	508	Ralph Rosenberg
S-3302	H.F.	430	Judiciary
S-3303	S.F.	249	Richard Varn
S-3304	S.F.	506	Michael Gronstal

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 6:16 p.m., until 9:00 a.m., Thursday, April 4, 1991.

JOURNAL OF THE SENATE

EIGHTY-FIRST CALENDAR DAY
FIFTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 4, 1991

The Senate met in regular session at 9:06 a.m., President Welsh presiding.

Prayer was offered by the Reverend Norman Bales, pastor of the Central Church of Christ, Cedar Rapids, Iowa.

The Journal of Wednesday, April 3, 1991, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 2, 1991, passed the following bills in which the concurrence of the House was asked:

Senate File 436, 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.

Senate File 518, a bill for an act relating to the financial supervision and solvency oversight of insurance companies by the commissioner of insurance and accreditation of the insurance division as an approved insurance regulator by the national association of insurance commissioners, imposing civil liability, authorizing administrative and criminal penalties, and providing effective dates and applicability provisions.

ALSO: That the House has on April 3, 1991, passed the following bill in which the concurrence of the Senate is asked:

House File 655, a bill for an act relating to emergency care providers who are exposed to contagious or infectious diseases, and making penalties applicable.

This bill was read first time and **passed on file.**

MOTIONS TO RECONSIDER WITHDRAWN

Senate File 186

Senator Welsh withdrew the motion to reconsider Senate File 186, a bill for an act relating to the patents depository library within the state library, filed by him on March 11, 1991, and found on page 593 of the Senate Journal.

Senate File 377

Senator Welsh withdrew the motion to reconsider Senate File 377, a bill for an act relating to the assignment of indigent criminal and juvenile cases to the state public defender and providing an effective date, filed by him on March 26, 1991, and found on page 890 of the Senate Journal.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 186 and 377 be immediately messaged to the House.**

CONSIDERATION OF BILL (Regular Calendar)

Senate File 446

On motion of Senator Miller, Senate File 446, a bill for an act relating to agricultural chemicals, by regulating the use of chemicals in irrigation distribution systems, providing for fees, providing for penalties, and providing for an effective date and date of applicability, with report of committee on Ways and Means recommending passage, was taken up for consideration.

Senator Miller offered amendment S—3289 filed by him on April 3, 1991, to pages 3-5, 8 and 12 of the bill and moved its adoption.

Amendment S—3289 was adopted by a voice vote.

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. 446) the vote was:

Ayes, 46:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lloyd-Jones	McLaren	Miller	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Soorholtz	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none:

Absent or not voting, 4:

Lind	Murphy	Slife	Sturgeon
------	--------	-------	----------

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Lind until he arrives on request of Senator Rife and Senator Murphy until he arrives on request of Senator Husak.

MOTION TO RECONSIDER LOST

Senate File 227

Senator Szymoniak called up the motion to reconsider Senate File 227, a bill for an act relating to the assessing of a service charge in lieu of property taxes for the providing of police and fire protection by a city for real property which is totally or partially exempt from property tax, including government-owned real property, and providing an applicability date, filed by her

on March 31, 1991, found on page 870 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 227) the vote was:

Ayes, 16:

Buhr	Drake	Gettings	Gronstal
Hannon	Horn	Kramer	Lloyd-Jones
Miller	Nystrom	Riordan	Rosenberg
Running	Szymoniak	Tinsman	Varn

Nays, 32:

Borlaug	Boswell	Connolly	Deluhery
Dieleman	Doyle	Fraise	Hagerla
Hedge	Hester	Husak	Hutchins
Jensen	Kersten	Kibbie	Kinley
McLaren	Murphy	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Rittmer	Slife	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Welsh

Absent or not voting, 2:

Fuhrman	Lind
---------	------

The motion lost.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 327

On motion of Senator Running, Senate File 327, a bill for an act requiring that certain settlements of claims involving governmental bodies be filed with the governmental bodies as public records, 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. 327) the vote was:

Ayes, 46:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Taylor	Tieden	Tinsman
Varn	Welsh		

Nays, 1:

Kramer

Absent or not voting, 3:

Lind Szymoniak Vande Hoef

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred April 3, 1991)

Senate File 317

The Senate resumed consideration of Senate File 317, a bill for an act relating to the regulation of pay-per-call service and advertisements and providing for the applicability of established penalties, and amendment S—3279 by Senators Deluhery and Palmer to pages 1 and 2 of the bill, deferred on April 3, 1991.

Senator Gronstal offered amendment S—3291 filed by him on April 3, 1991, to amendment S—3279 and moved its adoption.

Amendment S—3291 was adopted by a voice vote.

Senator Horn offered amendment S—3288 filed by him on April 3, 1991, to amendment S—3279 and moved its adoption.

A non record roll call was requested.

The ayes were 6, nays 25.

Amendment S—3288 lost.

Senator Gronstal asked and received unanimous consent that action on amendment S—3279 as amended be deferred.

Senator Gronstal withdrew amendment S—3163 filed by him on March 25, 1991, to pages 1 and 2 of the bill.

Senator Horn withdrew amendment S—3255 filed by him on April 2, 1991, to page 1 of the bill.

Senator Palmer offered amendment S—3128 filed by him on March 18, 1991, to page 2 of the bill and moved its adoption.

Amendment S—3128 was adopted by a voice vote.

Senator Gronstal asked and received unanimous consent that action on **Senate File 317** be deferred (amendment S—3279 as amended pending).

CONSIDERATION OF BILL (Regular Calendar)

Senate File 452

On motion of Senator Soorholtz, Senate File 452, a bill for an act relating to the administration of fairs, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Soorholtz asked and received unanimous consent that action on amendment S—3156 filed by the committee on State Government on March 25, 1991, to pages 1 and 2 of the bill be deferred.

Senator Boswell offered amendment S—3307 filed by him from the floor to pages 1-3 and the title page of the bill.

Senator Boswell asked and received unanimous consent that action on amendment S—3307 and **Senate File 452** be deferred.

BUSINESS PENDING

Senate File 317

The Senate resumed consideration of Senate File 317, a bill for an act relating to the regulation of pay-per-call service and advertisements and providing for the applicability of established penalties, and amendment S—3279 as amended by Senators Deluhery and Palmer to pages 1 and 2 of the bill, previously deferred.

Senator Gronstal offered amendment S—3308 filed by him from the floor to amendment S—3279 and moved its adoption.

Amendment S—3308 was adopted by a voice vote.

Senator Deluhery moved the adoption of amendment S—3279 as amended, which motion prevailed by 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. 317) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
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 pro tempore Lloyd-Jones took the chair at 10:46 a.m.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 502

On motion of Senator Sturgeon, Senate File 502, 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, was taken up for consideration.

Senator Sturgeon offered amendment S—3245 filed by Senators Sturgeon and Fuhrman on April 1, 1991, to strike everything after the enacting clause of the bill.

President Welsh took the chair at 10:49 a.m.

Senator Sturgeon moved the adoption of amendment S—3245, which motion prevailed by voice vote.

Senator Sturgeon moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 502) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Connolly

Kramer

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 508

On motion of Senator Deluhery, Senate File 508, a bill for an act relating to energy efficiency by expanding the entities entitled to financial assistance for implementing energy conservation measures, requiring implementation of life cycle cost analyses and providing exemptions from the implementation requirements, requiring the appropriation of abandoned utility refunds and deposits, establishing energy efficiency standards for certain products, establishing various energy efficiency-related programs and projects, and providing for a sales and use tax credit for the purchase of fuel-efficient motor vehicles, with report of committee on Ways and Means recommending amendment and passage, was taken up for consideration.

Senator Hutchins asked and received unanimous consent that action on Senate File 508 be deferred.

IMMEDIATELY MESSAGED.

Senator Hutchins asked and received unanimous consent that Senate Files 446, 327, 317 and 502 be immediately messaged to the House.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:01 a.m., until 3:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: April 3, 1991, 1:35 p.m.

Members Present: Connolly, Chair; Horn, Vice Chair; Taylor, Ranking Member; Dieleman, Kibbie, Kramer, Lind, Murphy, Rensink, Running, Szymoniak, Tieden, Tinsman and Varn.

Members Absent: Deluhery (excused).

Committee Business: Assigned bills to subcommittees; recommended confirmation of governor's appointees.

Adjourned: 2:03 p.m.

HUMAN RESOURCES

Convened: April 3, 1991, 2:15 p.m.

Members Present: Hannon, Chair; Buhr, Vice Chair; Hagerla, Ranking Member; Horn, Kramer, Riordan, Rittmer, Sturgeon, Szymoniak, Taylor and Tinsman.

Members Absent: Murphy.

Committee Business: Recommended passage of House Files 296, 500, 91, 285 and 392; SSB 337 failed committee approval.

Adjourned: 3:03 p.m.

JUDICIARY

Convened: April 3, 1991, 3:10 p.m.

Members Present: Sturgeon, Chair; Rosenberg, Vice Chair; Fuhrman, Ranking Member; Connolly, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson, Slife and Varn.

Members Absent: Deluhery.

Committee Business: Recommended confirmation of governor's appointees; recommended passage of House Files 501 and 430 as amended.

Adjourned: 4:04 p.m.

LOCAL GOVERNMENT

Convened: April 3, 1991, 11:30 a.m.

Members Present: Miller, Chair; Szymoniak, Vice Chair; Rittmer, Ranking Member; Borlaug, Boswell, Buhr, Fraise, Hannon, Jensen and Vande Hoef.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended confirmation of governor's appointee; recommended passage of House Files 510, 565 and 499.

Adjourned: 11:40 a.m.

NATURAL RESOURCES

Convened: April 3, 1991, 11:25 a.m.

Members Present: Palmer, Chair; Kibbie, Vice Chair; Hester, Ranking Member; Dieleman, Hagerla, Hedge, Priebe, Rensink, Riordan, Rosenberg and Tieden.

Members Absent: Sturgeon.

Committee Business: Assigned bills to subcommittees and recommended passage of House Files 233, 373 and 288.

Adjourned: 11:35 a.m.

TRANSPORTATION

Convened: April 3, 1991, 2:10 p.m.

Members Present: Fraise, Chair; Connolly, Vice Chair; Drake, Ranking Member; Dieleman, Gettings, Jensen, Lloyd-Jones, Pate and Welsh.

Members Absent: Kersten, Kinley (both excused) and Nystrom.

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 419 and 426; recommended passage of House File 252 as amended.

Adjourned: 2:40 p.m.

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing amendment S—3292 to Senate File 478, the following correction was made:

1. Page 3, line 21, the words and numbers "Sections 2, 102, 103, and 3" were changed to the words and numbers "Sections 3, 4, 5, and 6".

JOHN F. DWYER
Secretary of the Senate

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifty fifth grade students from Rex Mathis Elementary School, West Des Moines, accompanied by Thalya Hanson. Senator Kramer.

Fifty fifth grade students from Western Hills Elementary School, West Des Moines, accompanied by Joan Strentz and Donna Holland. Senator Kramer.

Twenty members of the Jackson County 4-H citizenship study tour, accompanied by Kate Carinder, Owen Eads and Carol Grote. Senator Welsh.

SUBCOMMITTEE ASSIGNMENTS

House File 5

STATE GOVERNMENT: Nystrom, Chair; Drake and Kibbie

House File 48

EDUCATION: Horn, Chair; Murphy and Rensink

House File 298

STATE GOVERNMENT: Murphy, Chair; Kibbie and Lind

House File 334

EDUCATION: Running, Chair; Taylor and Varn

House File 375

ENVIRONMENT & ENERGY UTILITIES: Rosenberg, Chair; Hannon and Jensen

House File 423

EDUCATION: Kibbie, Chair; Connolly and Tieden

House File 449

STATE GOVERNMENT: Murphy, Chair; Dieleman and McLaren

House File 455

EDUCATION: Murphy, Chair; Connolly, Kramer, Horn and Tieden

House File 502

COMMERCE: Gettings, Chair; Gronstal and Slife

House File 518

EDUCATION: Connolly, Chair; Horn and Tieden

House File 520

ENVIRONMENT AND ENERGY UTILITIES: Varn, Chair; Fraise and Hedge

House File 547

ENVIRONMENT AND ENERGY UTILITIES: Rosenberg, Chair; Hannon and Jensen

House File 566

COMMERCE: Varn, Chair; Lind and Priebe

House File 567

COMMERCE: Doyle, Chair; Jensen and Kinley

House File 571

COMMERCE: Jensen, Chair; Gettings and Palmer

House File 580

EDUCATION: Horn, Chair; Connolly and Lind

House File 592

STATE GOVERNMENT: Buhr, Chair; Kramer and Nystrom

House File 617

COMMERCE: Kinley, Chair; Deluhery and Tieden

House File 619

COMMERCE: Kinley, Chair; Deluhery and Tieden

House File 651

STATE GOVERNMENT: Kibbie, Chair; Buhr, Lind, Priebe and Rife

REPORTS OF STANDING COMMITTEE
(Place nominees on En Bloc Confirmation Calendar)

HUMAN RESOURCES

Pursuant to Senate Rule 59, the committee on Human Resources assigned to investigate the following Governor's appointments, completed its investigations on March 15, 20, 21 and 22, 1991, and recommended the appointees be confirmed:

Donald Westergard for reappointment as Administrator of the Division of Persons with Disabilities.

Charlotte Nelson for reappointment as Administrator of the Division on the Status of Women.

Jane Dubberke, Barbara A. Muir and Robert A. Witt for reappointment as members of the Board of Physician Assistant Examiners.

Robert J. Martin for reappointment as a member of the Commission for the Blind.

Bertrum T. Bidne for appointment and Elmer Vermeer for reappointment as members of the Commission of Elder Affairs.

James G. Snyder for reappointment as a member of the Commission on the Deaf.

Arlene H. Dayhoff for reappointment as a member of the Council on Human Services.

Lorenzo Jasso for reappointment as a member of the State Foster Care Review Board.

COMMITTEE REPORTS

COMMERCE

Final Bill Action: HOUSE FILE 567, a bill for an act relating to the requirements for a notice of right to cure concerning an obligation secured by a deed of trust or mortgage.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Deluhery, Kinley, Slife, Doyle, Gettings, Gronstal, Jensen, Kersten, Lind, Palmer, Priebe and Tieden. Nays, none. Absent or not voting, 3: Nystrom, Sturgeon and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 571, a bill for an act relating to the advertisement and sale of wood products and making certain consumer fraud penalties applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Deluhery, Kinley, Slife, Doyle, Gettings, Jensen, Kersten, Lind, Palmer, Priebe and Tieden. Nays, none. Absent or not voting, 4: Gronstal, Nystrom, Sturgeon and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: HOUSE FILE 252, a bill for an act relating to exempting certain cargo tank motor vehicles from hazardous materials transportation regulations.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3309.

Final Vote: Ayes, 7: Fraise, Connolly, Dieleman, Gettings, Jensen, Lloyd-Jones and Pate. Nays, 1: Welsh. Absent or not voting, 4: Drake, Kersten, Kinley, Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3305	S.F.	520	William D. Palmer
S-3306	S.F.	177	Larry Murphy

S-3307	S.F.	452	Leonard Boswell
S-3308	S.F.	317	Michael Gronstal
S-3309	H.F.	252	Transportation
S-3310	S.F.	459	Eugene Fraise
S-3311	S.F.	202	Larry Murphy

AFTERNOON SESSION

The Senate reconvened at 3:35 p.m., President Welsh presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 3, 1991, passed the following bills in which the concurrence of the Senate is asked:

House File 615, a bill for an act relating to the confidentiality of victim-identifying information in cases of sexual abuse, and providing for an automatic repeal.

This bill was read first time and **passed on file**.

House File 678, a bill for an act relating to agricultural production and commerce, by providing for the production and distribution of ethanol.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 4, 1991, concurred in the Senate amendment and passed the following bill in which the concurrence of the House was asked:

House File 220, a bill for an act to create a lien against aircraft and certain aircraft equipment in favor of persons who have installed the equipment in the aircraft and providing priority of the lien against prior lienholders of record, and providing an effective date.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 18, by committee on Commerce, a concurrent resolution relating to the establishment of an interim committee to study the relationship between a franchisee and a franchisor and the law regulating this relationship.

Read first time and **placed on calendar**.

Senate Concurrent Resolution 19, by committee on Commerce, a concurrent resolution relating to the establishment of an interim committee to study the establishment of a statewide one-call notification program.

Read first time and placed on calendar.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 41 present, 9 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Murphy for the remainder of the week on request of Senator Hutchins.

BUSINESS PENDING

Senate File 508

The Senate resumed consideration of Senate File 508, a bill for an act relating to energy efficiency by expanding the entities entitled to financial assistance for implementing energy conservation measures, requiring implementation of life cycle cost analyses and providing exemptions from the implementation requirements, requiring the appropriation of abandoned utility refunds and deposits, establishing energy efficiency standards for certain products, establishing various energy efficiency-related programs and projects, and providing for a sales and use tax credit for the purchase of fuel-efficient motor vehicles, previously deferred.

Senator Dieleman asked and received unanimous consent that action on amendment S—3233 filed by the committee on Ways and Means on March 28, 1991, to pages 19, 20 and the title page of the bill be deferred.

Senator Rosenberg offered amendment S—3287 filed by Senators Rosenberg and Deluhery on April 3, 1991, to pages 1, 2, 7, 8, 10, 12, 17, 18 and 22 of the bill.

Senator Rosenberg offered amendment S—3301 filed by him on April 3, 1991 to amendment S—3287 and moved its adoption.

Amendment S—3301 was adopted by a voice vote.

Senator Rosenberg moved the adoption of amendment S—3287 as amended, which motion prevailed by voice vote.

With the adoption of amendment S—3287 as amended, the Chair ruled amendment S—3312 filed by Senators Kramer and Slife from the floor to page 1 of the bill, out of order.

Senator Varn offered amendment S—3290 filed by Senators Varn, Deluhery and Rosenberg on April 3, 1991, to pages 19 and 20 of the bill and moved its adoption.

On the question "Shall amendment S—3290 be adopted?" (S.F. 508) the vote was:

Ayes, 20:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Gronstal	Hannon	Horn
Hutchins	Kibbie	Kinley	Lloyd-Jones
Miller	Palmer	Riordan	Rosenberg
Running	Sturgeon	Szymoniak	Varn

Nays, 29:

Borlaug	Doyle	Drake	Fraise
Fuhrman	Gettings	Hagerla	Hedge
Hester	Husak	Jensen	Kersten
Kramer	Lind	McLaren	Nystrom
Pate	Peterson	Priebe	Rensink
Rife	Rittmer	Slife	Soorholtz
Taylor	Tieden	Tinsman	Vande Hoef
Welsh			

Absent or not voting, 1:

Murphy

Amendment S—3290 lost.

The Senate resumed consideration of amendment S—3233 by the committee on Ways and Means to pages 19, 20 and the title page of the bill, previously deferred.

Senator Varn asked and received unanimous consent that action on amendment S—3233 and **Senate File 508** 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:

Sharon K. Sievers as a member of the Agricultural Development Authority.

Dennis Ruffcorn as a member of the Barber Examining Board.

Harriet A. Healy as a member of the Campaign Finance Disclosure Commission.

Harold C. McCormick as a member of the Board of Corrections.

Duane J. Vande Hoef and Sharon L. Winchell as members of the County Finance Committee.

Vicki Reschly as a member of the Dental Examining Board.

Ann Jorgensen and Toni Lazar as members of the Iowa Economic Development Board.

Don M. Gunderson as a member of the Board of Educational Examiners.

Nancylee Siebenmann as a member of the Environmental Protection Commission.

Mary E. Sievert as a member of the First in the Nation in Education Foundation Governing Board.

Sally J. Steffen, Virginia Blackburn, Sandra Q. Larson, Mardith A. Baenziger and Donna Lee Smith as members of the Iowa Highway Research Board.

Elizabeth Colby-Plautz as a member of the Iowa Finance Authority.

Michael R. Ellis as a member of the Job Service Advisory Council.

Lorraine M. Vopava and Jack F. Breithaupt as members of the Commission on Judicial Qualifications.

Bernal F. Koehrsen, Jr. as a member of the Iowa Law Enforcement Academy Council.

Ross M. Sutton as a member of the Iowa Lottery Board.

Ann O'Neill and Charlotte A. Cleavenger as members of the Medical Examining Board.

Lori Lewis as a member of the Narcotics Enforcement Advisory Council.

Mark Doll and Elwyn T. Gaskill as members of the Natural Resource Commission.

Guy W. Richardson and Kenneth Culp as members of the Board of Nursing Examiners.

Elsie E. Mellott as a member of the Personnel Commission.

Bruce Tamisiea and Sally S. Naylor as members of the Iowa Product Development Corporation.

L.C. Pike as a member of the State Racing and Gaming Commission.

Marlys S. Nielsen as a member of the Real Estate Commission.

Melissa L. Johnson as a member of the State Board of Regents.

Wendell C. Pellett, Thomas R. Scott and Diane C. Thompson as members of the State Soil Conservation Committee.

Marlin M. Volz, Jr. as a member of the State Transportation 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, 49:

Borlaug

Boswell

Buhr

Connolly

Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Murphy

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 491

On motion of Senator Varn, Senate File 491, a bill for an act relating to the rental of motor vehicles for a period of sixty days or less from a location in this state, and providing civil and criminal penalties, was taken up for consideration.

President pro tempore Lloyd-Jones took the chair at 4:44 p.m.

Senator Palmer asked and received unanimous consent that action on **Senate File 491** be deferred.

Senate File 451

On motion of Senator Rosenberg, Senate File 451, a bill for an act relating to the imposition of an increased solid waste tonnage fee, 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 amendment S—3294 filed by him on April 3, 1991, to page 1 and the title page of the bill be deferred.

Senator Rosenberg asked and received unanimous consent that action on amendment S—3286 filed by him on April 3, 1991, to pages 1 and 3 of the bill be deferred.

Senator Fraise offered amendment S—3300 filed by him on April 3, 1991, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3300 was adopted by a voice vote.

The Senate resumed consideration of amendment S—3286 by Senator Rosenberg to pages 1 and 3 of the bill, previously deferred.

Senator Taylor offered amendment S—3323 filed by him from the floor to amendment S—3286 and moved its adoption.

Amendment S—3323 was adopted by a voice vote.

Senator Rosenberg offered amendment S—3324 filed by him from the floor to amendment S—3286 and moved its adoption.

Amendment S—3324 was adopted by a voice vote.

Senator Rosenberg moved the adoption of amendment S—3286 as amended, which motion prevailed by voice vote.

With the adoption of amendment S—3300, the Chair ruled amendment S—3294 by Senator Fraise, previously deferred, out of order.

Senator Rosenberg asked and received unanimous consent that action on **Senate File 451** be deferred.

UNFINISHED BUSINESS (Deferred March 25, 1991)

Senate File 458

The Senate resumed consideration of Senate File 458, a bill for an act including within the scope of collective bargaining negotiations insurance costs for retirees, deferred on March 25, 1991.

Senator Running offered amendment S—3220 filed by him on March 28, 1991, to page 1 of the bill and moved its adoption.

Amendment S—3220 was adopted by a voice vote.

Senator Rife asked unanimous consent that Senate File 458 be referred to committee on State Government.

Senator Rife withdrew his request.

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. 458) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 29:

Buhr	Connolly	Deluhery	Doyle
Fraise	Gettings	Gronstal	Hagerla
Hannon	Horn	Husak	Hutchins
Kersten	Kibbie	Kinley	Lloyd-Jones
Miller	Nystrom	Palmer	Peterson
Priebe	Riordan	Rosenberg	Running
Soorholtz	Sturgeon	Szymoniak	Varn
Welsh			

Nays, 19:

Borlaug	Boswell	Dieleman	Drake
Fuhrman	Hedge	Hester	Jensen
Kramer	Lind	McLaren	Rensink
Rife	Rittmer	Slife	Taylor
Tieden	Tinsman	Vande Hoef	

Absent or not voting, 2:

Murphy 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 451

The Senate resumed consideration of Senate File 451, a bill for an act relating to the imposition of an increased solid waste tonnage fee, previously deferred.

Senator Kersten offered amendment S—3326 filed by Senators Kersten and Lind from the floor to pages 1 and 2 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3326 be adopted?" (S.F. 451) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 23:

Borlaug	Drake	Fuhrman	Hagerla
Hedge	Jensen	Kersten	Kibbie
Kramer	Lind	McLaren	Nystrom
Pate	Priebe	Rensink	Rife
Rittmer	Slife	Soorholtz	Taylor
Tieden	Tinsman	Vande Hoef	

Nays, 26:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Doyle	Fraise	Gettings
Gronstal	Hannon	Hester	Horn
Husak	Hutchins	Kinley	Lloyd-Jones
Miller	Palmer	Peterson	Riordan
Rosenberg	Running	Sturgeon	Szymoniak
Varn	Welsh		

Absent or not voting, 1:

Murphy

Amendment S—3326 lost.

Senator Hester filed the following motion to reconsider from the floor and moved its adoption:

MR. PRESIDENT, I move to reconsider the vote by which amendment S—3300 to Senate File 451 was adopted by the Senate on April 4, 1991.

The motion prevailed by a voice vote and amendment S—3300 by Senator Fraise was taken up for reconsideration.

Senator Hester asked and received unanimous consent that action on amendment S—3300 and Senate File 451 be deferred.

BUSINESS PENDING

Senate File 508

The Senate resumed consideration of Senate File 508, a bill for an act relating to energy efficiency by expanding the entities entitled to financial assistance for implementing energy conservation measures, requiring implementation of life cycle cost analyses and providing exemptions from the implementation requirements, requiring the appropriation of abandoned utility refunds and deposits, establishing energy efficiency standards for certain products, establishing various energy efficiency-related programs and projects, and providing for a sales and use tax credit for the purchase of fuel-efficient motor vehicles, and amendment S—3233 by the committee on Ways and Means to pages 19, 20 and the title page of the bill, previously deferred.

Senator Welsh asked and received unanimous consent that action on amendment S—3233 be deferred.

Senator Welsh filed the following motion to reconsider from the floor and moved its adoption:

I move to reconsider the vote by which amendment S—3290 to Senate File 508 failed to be adopted by the Senate on April 4, 1991.

A non record roll call was requested.

The ayes were 26, nays 22

The motion prevailed and amendment S—3290 by Senators Varn, Deluhery and Rosenberg to pages 19 and 20 of the bill, was taken up for reconsideration.

Senator Varn moved the adoption of amendment S—3290.

A record roll call was requested.

On the question "Shall amendment S—3290 be adopted?" (S.F. 508) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 25:

Boswell	Buhr	Connolly	Deluhery
Doyle	Fraise	Gettings	Gronstal
Hannon	Horn	Husak	Hutchins
Kibbie	Kinley	Lloyd-Jones	Miller
Palmer	Priebe	Riordan	Rosenberg
Running	Sturgeon	Szymoniak	Varn
Welsh			

Nays, 24:

Borlaug	Dieleman	Drake	Fuhrman
Hagerla	Hedge	Hester	Jensen
Kersten	Kramer	Lind	McLaren
Nystrom	Pate	Peterson	Rensink
Rife	Rittmer	Slife	Soorholtz
Taylor	Tieden	Tinsman	Vande Hoef

Absent or not voting, 1:

Murphy

Amendment S—3290 was adopted.

With the adoption of amendment S—3290, the Chair ruled amendment S—3233 by the committee on Ways and Means, previously deferred, out of order.

Senator Deluhery moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 508) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 23:

Boswell	Buhr	Connolly	Doyle
Fraise	Gettings	Gronstal	Hannon

Horn	Husak	Hutchins	Kibbie
Kinley	Lloyd-Jones	Miller	Palmer
Riordan	Rosenberg	Running	Sturgeon
Szymoniak	Varn	Welsh	

Nays, 26:

Borlaug	Deluhery	Dieleman	Drake
Fuhrman	Hagerla	Hedge	Hester
Jensen	Kersten	Kramer	Lind
McLaren	Nystrom	Pate	Peterson
Priebe	Rensink	Rife	Rittmer
Slife	Soorholtz	Taylor	Tieden
Tinsman	Vande Hoef		

Absent or not voting, 1:

Murphy

The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

BUSINESS PENDING

Senate File 451

The Senate resumed consideration of Senate File 451, a bill for an act relating to the imposition of an increased solid waste tonnage fee, and amendment S—3300 by Senator Fraise to page 1 and the title page of the bill, previously deferred.

Senator Welsh offered amendment S—3330 filed by him from the floor to amendment S—3300 and moved its adoption.

Amendment S—3330 was adopted by a voice vote.

Senator Fraise moved the adoption of amendment S—3300 as amended, which motion prevailed by voice vote.

Senator Rosenberg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 451) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 22:

Boswell	Buhr	Connolly	Deluhery
Fraise	Gettings	Gronstal	Hannon
Hester	Horn	Hutchins	Kinley
Lloyd-Jones	Miller	Palmer	Peterson
Riordan	Running	Sturgeon	Szymoniak
Varn	Welsh		

Nays, 27:

Borlaug	Dieleman	Doyle	Drake
Fuhrman	Hagerla	Hedge	Husak
Jensen	Kersten	Kibbie	Kramer
Lind	McLaren	Nystrom	Pate
Priebe	Rensink	Rife	Rittmer
Rosenberg	Slife	Soorholtz	Taylor
Tieden	Tinsman	Vande Hoef	

Absent or not voting, 1:

Murphy

The bill not having received a constitutional majority was declared to have failed to pass the Senate.

President Welsh took the chair at 6:05 p.m.

UNFINISHED BUSINESS (Deferred March 25, 1991)

Senate File 448

The Senate resumed consideration of Senate File 448, a bill for an act relating to hazardous waste and hazardous substance disposal sites, deferred on March 25, 1991.

Senator Varn asked and received unanimous consent that action on Senate File 448 be deferred.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 411

On motion of Senator Buhr, Senate File 411, a bill for an act relating to the availability of certain information concerning nonprofit agencies or corporations receiving public funds, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Deluhery offered amendment S—3162 filed by the committee on Commerce on March 25, 1991 to page 1 of the bill and moved its adoption.

Amendment S—3162 was adopted by a voice vote.

Senator Buhr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 411) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	McLaren	Miller	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Lloyd-Jones Murphy

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 459

On motion of Senator Peterson, Senate File 459, a bill for an act relating to equipment used for the construction of and

maintenance of way for railroad tracks by establishing safety standards and providing a penalty, was taken up for consideration.

Senator Drake offered amendment S—3316 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3316 was adopted by a voice vote.

Senator Fraise withdrew amendment S—3310 filed by him from the floor to page 1 of the bill.

Senator Drake offered amendment S—3315 filed by him from the floor to page 2 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 35, nays 10.

Amendment S—3315 was adopted.

Senator Peterson asked and received unanimous consent that action on Senate File 459 be deferred.

CONSIDERATION OF BILL (Appropriations Calendar)

Senate File 403

On motion of Senator Husak, Senate File 403, a bill for an act relating to the state income tax refund checkoff for Olympics, 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. 403) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer

Lind	Lloyd-Jones	McLaren	Miller
Nystrom	Palmer	Pate	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Murphy Peterson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS

(Deferred March 25, 1991)

Senate File 77

The Senate resumed consideration of Senate File 77, a bill for an act relating to the duties of the lieutenant governor and providing an effective date, deferred March 25, 1991.

Senator Lloyd-Jones offered amendment S—3250 filed by Senators Lloyd-Jones and Szymoniak on April 2, 1991, to page 1 of the bill.

Senator Priebe raised the point of order that amendment S—3250 was out of order because the same subject matter had been previously considered in amendment S—3168.

The Chair ruled the point not well taken and amendment S—3250 in order.

Senator Priebe asked and received unanimous consent that action on amendment S—3250 and **Senate File 77** be **deferred**.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 458, 411 and 403** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 3, 1991, passed the following bill in which the concurrence of the Senate is asked:

House File 675, 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 providing dates of applicability.

This bill was read first time and passed on file.

ALSO: That the House has on April 4, 1991, passed the following bill in which the concurrence of the Senate is asked:

House File 517, a bill for an act relating to workers' compensation medical benefits and weekly benefit claims, burial expenses, and minimum benefit payments.

This bill was read first time and passed on file.

INTRODUCTION OF BILLS

Senate File 530, by committee on Ways and Means, a bill for an act relating to the deduction for individual income tax purposes of part of a governmental pension, annuity or retirement allowance received and providing retroactive and applicability dates.

Read first time and placed on Ways and Means Calendar.

Senate File 531, by Connolly, a bill for an act relating to the refund of property taxes paid by a nonprofit entity providing services to the blind and providing an effective date.

Read first time and passed on file.

APPENDIX

PLACEMENTS ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the names of Patrick D. Cavanaugh and William H. Jackson be removed from "En Bloc Confirmation Calendar" and placed on the Individual Confirmation Calendar."

LARRY MURPHY

BILLS ASSIGNED TO COMMITTEE

President Welsh announced the assignment of the following bills to committee:

H.F.	381	Judiciary
H.F.	421	Judiciary
H.F.	570	Commerce
H.F.	610	Natural Resources
H.F.	615	Judiciary
H.F.	625	Transportation
H.F.	655	Human Resources
H.F.	660	Agriculture
H.F.	678	Agriculture

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 1, 1991.

Had I been present, I would have voted "aye" on Senate Files 35, 383, 356, 131 and Senate Concurrent Resolution 11.

MAGGIE TINSMAN

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 280, a bill for an act relating to the establishment of and payment from a trust fund for the cost of care for persons with head injury or spinal cord injuries.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Boswell, Welsh, Buhr, Connolly, Gettings, Gronstal, Hagerla, Kersten, Lind, Lloyd-Jones, Riordan, Running, Szymoniak, Tinsman and Varn. Nays, 4: Tieden, McLaren, Pate and Peterson. Absent or not voting, 2: Husak and Rensink.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 342, a bill for an act relating to the prevention of disabling conditions by establishing a prevention of disabilities policy board and a technical assistance committee of the board and by making an appropriation.

Recommendation: DO PASS.

Final Vote: Ayes, 20: Boswell, Welsh, Tieden, Buhr, Connolly, Gettings, Gronstal, Hagerla, Kersten, Lind, Lloyd-Jones, McLaren, Pate, Peterson, Rensink, Riordan, Running, Szymoniak, Tinsman and Varn. Nays, none. Absent or not voting, 1: Husak.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 444, a bill for an act relating to law enforcement, victim services, and domestic abuse, establishing certain training and certification requirements, establishing and increasing certain criminal penalties, imposing mandatory minimum sentences, establishing a domestic abuse services fund, establishing an income tax checkoff for domestic abuse, increasing certain court costs and fees, eliminating certain court costs, requiring batterers treatment by offenders, establishing a pilot program, and containing effective date and applicability provisions.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3322.

Final Vote: Ayes, 20: Boswell, Welsh, Tieden, Buhr, Connolly, Gettings, Gronstal, Hagerla, Kersten, Lind, Lloyd-Jones, McLaren, Pate, Peterson, Rensink, Riordan, Running, Szymoniak, Tinsman and Varn. Nays, none. Absent or not voting, 1: Husak.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

BUSINESS AND LABOR RELATIONS

Final Bill Action: HOUSE FILE 306, a bill for an act relating to the collateral effect of job service division determinations regarding claims for unemployment benefits.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Running, Sturgeon, Fuhrman, Buhr, Peterson, Rensink, Slife and Taylor. Nays, none. Absent or not voting, 2: Kinley and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 589, a bill for an act relating to the administration of a voluntary shared work unemployment compensation program administered by the department of employment services, and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3332.

Final Vote: Ayes, 8: Running, Sturgeon, Fuhrman, Buhr, Peterson, Rensink, Slife and Taylor. Nays, none. Absent or not voting, 2: Kinley and Palmer.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: SENATE CONCURRENT RESOLUTION 18 (LSB 2751), a concurrent resolution relating to the establishment of an interim committee to study the relationship between a franchisee and a franchisor and the law regulating this relationship.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 12: Deluhery, Kinley, Slife, Doyle, Gettings, Gronstal, Jensen, Kersten, Lind, Palmer, Priebe and Tieden. Nays, none. Absent or not voting, 3: Nystrom, Sturgeon and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 19 (LSB 2734), a concurrent resolution relating to the establishment of an interim study committee to study the establishment of a statewide one-call notification program.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 12: Deluhery, Kinley, Slife, Doyle, Gettings, Gronstal, Jensen, Kersten, Lind, Palmer, Priebe and Tieden. Nays, none. Absent or not voting, 3: Nystrom, Sturgeon and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: HOUSE FILE 302, a bill for an act relating to infectious and radioactive waste treatment and disposal facilities by extending the moratorium on construction and operation, requiring operating permits for treatment and disposal facilities and collection and transportation operations, providing for emission limitations and standards, and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3314.

Final Vote: Ayes, 10: Rosenberg, Gronstal, Jensen, Borlaug, Deluhery, Fraise, Hannon, Hedge, Kersten and Miller. Nays, none. Absent or not voting, 2: Soorholtz and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 325, a bill for an act relating to the establishment of a well contractor certification program, establishing fees, and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Rosenberg, Gronstal, Jensen, Borlaug, Deluhery, Fraise, Hannon, Kersten and Miller. Nays, 1: Hedge. Absent or not voting, 2: Soorholtz and Varn.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: HOUSE FILE 498, a bill for an act relating to updating criteria under the Iowa retraining program and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Riordan, Hannon, Borlaug, Boswell, Kibbie, Kramer, Pate, Peterson, Rittmer, Running and Vande Hoef. Nays, none. Absent or not voting, 1: Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 5, a bill for an act relating to the payment of pension benefits to surviving spouses under the chapters 97A, 410 and 411 retirement systems, and providing retroactive applicability dates.

Recommendation: DO PASS.

Final Vote: Ayes. 19: Kibbie, Lloyd-Jones, Nystrom, Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Rife, Running, Soorholtz, Vande Hoef and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *HOUSE FILE 152, a bill for an act relating to boxing and wrestling laws administered by the athletic commissioner.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3318.

Final Vote: Ayes. 19: Kibbie, Lloyd-Jones, Nystrom, Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Rife, Running, Soorholtz, Vande Hoef and Welsh. 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 State Government Committee on House File 152 and they were attached to the committee report.

ALSO:

Final Bill Action: HOUSE FILE 200, a bill for an act relating to the minutes required to be maintained by governmental bodies.

Recommendation: DO PASS.

Final Vote: Ayes. 19: Kibbie, Lloyd-Jones, Nystrom, Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Rife, Running, Soorholtz, Vande Hoef and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 384, a bill for an act to establish a single method for obtaining agency consent for an employee to sell goods or services to individuals, associations, or corporations subject to the regulatory authority of the agency.

Recommendation: DO PASS.

Final Vote: Ayes. 19: Kibbie, Lloyd-Jones, Nystrom, Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Rife, Running, Soorholtz, Vande Hoef and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *HOUSE FILE 449, a bill for an act relating to the composition of the advisory committee to the office of rural health.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3317.

Final Vote: Ayes. 19: Kibbie, Lloyd-Jones, Nystrom, Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Rife, Running, Soorholtz, Vande Hoef and Welsh. 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 State Government Committee on House File 449 and they were attached to the committee report.

WAYS AND MEANS

Final Bill Action: SENATE FILE 530 (SSB 258), a bill for an act relating to the deduction for individual income tax purposes of part of a governmental pension, annuity or retirement allowance received and providing retroactive and applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Dieleman, Husak, Hedge, Deluhery, Drake, Fraise, Hester, McLaren, Murphy, Rosenberg, Szymoniak and Taylor. Nays, 1: Fuhrman. Absent or not voting, 2: Connolly and Palmer.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 508 failed to pass the Senate on April 4, 1991.

PAUL PATE

MR. PRESIDENT: I move to reconsider the vote by which Senate File 508 failed to pass the Senate on April 4, 1991.

PATRICK J. DELUHERY

MR. PRESIDENT: I move to reconsider the vote by which Senate File 451 failed to pass the Senate on April 4, 1991.

RICHARD VANDE HOEF

MR. PRESIDENT: I move to reconsider the vote by which Senate File 451 failed to pass the Senate on April 4, 1991.

RALPH ROSENBERG

REPORT OF STANDING COMMITTEE
(Place nominee on En Bloc Confirmation Calendar)

ENVIRONMENT & 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 April 4, 1991, and recommended the appointee be confirmed:

Emmit J. George for appointment as a member of the Utilities Board.

REPORT OF STANDING COMMITTEE
(Place nominee on Individual Confirmation Calendar)

ENVIRONMENT & 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 April 4, 1991, and recommended the appointee be confirmed:

Dennis Nagel for reappointment as Chairperson of the Utilities Board.

REPORTS OF STANDING COMMITTEE
(Place nominees on En Bloc Confirmation Calendar)

HUMAN RESOURCES

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the following Governor's appointments, completed its investigations on April 3 and 4, 1991, and recommended the appointees be confirmed:

Patrick R. Sell for appointment as a member of the Commission on the Deaf.

Jim D. Davis for reappointment as a member of the Council on Human Services.

Betty Grandquist for reappointment as Director of the Department of Elder Affairs.

Gilbert C. Hoogendoorn for appointment, Keniston H. Hoppenworth for reappointment, Vilas L. Morris, Jr. for reappointment, Robert E. Peterson for appointment and Michael D. Stallman for appointment as members of the Mental Health and Mental Retardation Commission.

Flora E. Haker and Stephen A. Kuhn for appointment as members of the State Foster Care Review Board.

AMENDMENTS FILED

S-3312	S. F.	508	Mary Kramer Harry Slife
S-3313	S. F.	466	John Kibbie
S-3314	H. F.	302	Environment & Energy Utilities
S-3315	S. F.	459	Richard Drake
S-3316	S. F.	459	Richard Drake
S-3317	H. F.	449	State Government
S-3318	H. F.	152	State Government
S-3319	S. F.	512	Wally Horn
S-3320	S. F.	374	Elaine Szymoniak
S-3321	S. F.	452	Leonard Boswell
S-3322	S. F.	444	Appropriations
S-3323	S. F.	451	Ray Taylor
S-3324	S. F.	451	Ralph Rosenberg
S-3325	S. F.	489	William Palmer
S-3326	S. F.	451	Jim Kersten Jim Lind
S-3327	S. F.	506	William Palmer

S-3328	S.F.	280	Harry Slife Ray Taylor Elaine Szymoniak
S-3329	S.F.	516	Michael Gronstal
S-3330	S.F.	451	Joe Welsh
S-3331	S.F.	260	Elaine Szymoniak
S-3332	H.F.	589	Business & Labor Relations
S-3333	S.F.	459	Allen Borlaug
S-3334	S.F.	479	Florence Buhr
S-3335	S.F.	516	Michael Gronstal

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:44 p.m., until 9:00 a.m., Friday, April 5, 1991.

JOURNAL OF THE SENATE

EIGHTY-SECOND CALENDAR DAY
FIFTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, April 5, 1991

The Senate met in regular session at 9:05 a.m., President Welsh presiding.

Prayer was offered by the Honorable Wilmer Rensink, member of the Senate from Sioux County, Sioux Center, Iowa.

The Journal of Thursday, April 4, 1991, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Taylor until he arrives on request of Senator Jensen.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 3, 1991, passed the following bill in which the concurrence of the House was asked:

Senate File 284, a bill for an act to permit the sale of disposable containers for the consumption of beer or wine by wholesalers to retailers for one-time use by retail customers on the premises of licensed establishments.

ALSO: That the House has on April 3, 1991, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 20, a concurrent resolution proclaiming National County Government Week and Iowa Local Government Week.

This resolution was read first time and **passed on file.**

ALSO: That the House has on April 4, 1991, passed the following bills in which the concurrence of the Senate is asked:

House File 438, a bill for an act relating to drug testing of employees and applicants for employment.

This bill was read first time and **passed on file.**

House File 593, a bill for an act relating to employment of personnel under sharing agreements and agreements to combine merged areas.

This bill was read first time and **passed on file.**

House File 612, a bill for an act relating to the publication of notice for a public hearing on a county budget.

This bill was read first time and **passed on file.**

House File 626, a bill for an act relating to adverse claims over deposits held by a savings and loan association.

This bill was read first time and **passed on file.**

House File 627, a bill for an act relating to transfer of title by affidavit of the surviving spouse.

This bill was read first time and **passed on file.**

House File 668, a bill for an act relating to the certificate of need program and providing penalties.

This bill was read first time and **passed on file.**

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 45 present, 5 absent and a quorum present.

RESOLUTIONS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that

Senate Concurrent Resolutions 18 and 19 be referred from the Regular Calendar to the committee on **Rules and Administration**.

UNFINISHED BUSINESS

(Deferred April 4, 1991)

Senate File 452

The Senate resumed consideration of Senate File 452, a bill for an act relating to the administration of fairs, amendment S—3156 by the committee on State Government and amendment S—3307 by Senator Boswell, deferred on April 4, 1991.

Senator Boswell withdrew amendment S—3307 to pages 1-3 and the title page of the bill.

Senator Priebe offered amendment S—3295 filed by Senators Priebe and Soorholtz on April 3, 1991, to pages 1 and 2 of the bill.

Senator Boswell offered amendment S—3321 filed by him on April 4, 1991 to amendment S—3295 and moved its adoption.

Amendment S—3321 was adopted by a voice vote.

Senator Priebe moved the adoption of amendment S—3295 as amended, which motion prevailed by voice vote.

With the adoption of amendment S—3295 as amended, the Chair ruled amendment S—3156 by the committee on State Government to pages 1 and 2 of the bill, out of order.

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. 452) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer

Lind	Lloyd-Jones	McLaren	Miller
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none:

Absent or not voting, 3:

Murphy	Rosenberg	Taylor
--------	-----------	--------

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred March 28, 1991)

Senate File 444

The Senate resumed consideration of Senate File 444, a bill for an act relating to law enforcement, victim services, and domestic abuse, establishing certain training and certification requirements, establishing and increasing certain criminal penalties, imposing mandatory minimum sentences, establishing a domestic abuse services fund, establishing an income tax checkoff for domestic abuse, increasing certain court costs and fees, eliminating certain court costs, requiring batterers treatment by offenders, establishing a pilot program, and containing effective date and applicability provisions, deferred on March 28, 1991, referred to the committee on Appropriations on March 28, 1991, reported out with recommendation for amendment and passage, and returned to the Senate Calendar on April 4, 1991.

Senator Gronstal offered amendment S—3322 filed by the committee on Appropriations on April 4, 1991, to pages 5, 7, 9, 11, 19 and 23 of the bill and moved its adoption.

Amendment S—3322 was adopted by a voice vote.

Senator Sturgeon moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 444) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Murphy Taylor

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 321

On motion of Senator Sturgeon, Senate File 321, a bill for an act relating to allowing persons indirectly injured by antitrust violations to sue for redress, was taken up for consideration.

Senator Hutchins asked and received unanimous consent that action on **Senate File 321** be **deferred**.

UNFINISHED BUSINESS (Deferred March 26, 1991)

Senate File 476

The Senate resumed consideration of Senate File 476, a bill for an act relating to campaign finance disclosure by changing the definition of a candidate's committee, requiring the reporting to

the treasurer of a committee of all contributions received by a person for the committee, requiring disclosure reports of out-of-state political action committees, changing the number of disclosure reports required in nonelection years, providing that the treasurer of a committee is not responsible for filing disclosure reports or liable for civil penalties, allowing contributions from family-owned corporations, directing the use of leftover campaign funds, and providing for a civil penalty for violations regarding placement of political signs, deferred March 26, 1991.

Senator Gronstal offered amendment S—3237 filed by him on April 1, 1991, to page 4 and the title page of the bill and moved its adoption.

Amendment S—3237 was adopted by a voice vote.

Senator Pate asked and received unanimous consent that action on **Senate File 476** be deferred.

UNFINISHED BUSINESS (Deferred April 3, 1991)

Senate File 4

The Senate resumed consideration of Senate File 4, a bill for an act relating to consideration of voluntary and involuntary annexation petitions which concern the same territory or city, amendment S—3082 by the committee on Local Government to strike everything after the enacting clause of the bill and amendment S—3120 by Senators Fraise et. al., to amendment S—3082, deferred on April 3, 1991.

President pro tempore Lloyd-Jones took the chair at 10:22 a.m.

Senator Fraise moved the adoption of amendment S—3120 to amendment S—3082.

A record roll call was requested.

On the question "Shall amendment S—3120 to amendment S—3082 be adopted?" (S.F. 4) the vote was:

Ayes, 28:

Borlaug

Boswell

Dieleman

Doyle

Fraise	Gettings	Hannon	Hedge
Hester	Husak	Hutchins	Jensen
Kersten	Kibbie	McLaren	Miller
Nystrom	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Soorholtz	Tieden	Vande Hoef	Varn

Nays, 20:

Buhr	Connolly	Deluhery	Drake
Fuhrman	Gronstal	Hagerla	Horn
Kinley	Kramer	Lind	Lloyd-Jones
Palmer	Rosenberg	Running	Slife
Sturgeon	Szymoniak	Tinsman	Welsh

Absent or not voting, 2:

Murphy Taylor

Amendment S—3120 was adopted.

Senator Riordan withdrew amendment S—3259 filed by him on April 2, 1991, to amendment S—3082.

Senator Riordan moved the adoption of amendment S—3082 as amended.

A non record roll call was requested.

The ayes were 28, nays 18.

Amendment S—3082 as amended was adopted.

With the adoption of amendment S—3082 as amended, the Chair ruled amendment S—3251 filed by Senator Szymoniak on April 2, 1991, to strike everything after the enacting clause and to the title page of the bill and amendment S—3115 filed by Senators Fraise et. al., on March 15, 1991, to page 1 of the bill, out of order.

Senator Riordan moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 4) the vote was:

Ayes, 27:

Borlaug	Boswell	Dieleman	Doyle
Fraise	Gettings	Hannon	Hedge
Hester	Husak	Hutchins	Jensen
Kersten	Kibbie	Miller	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Slife	Soorholtz	Sturgeon
Tieden	Vande Hoef	Varn	

Nays, 21:

Buhr	Connolly	Deluhery	Drake
Fuhrman	Gronstal	Hagerla	Horn
Kinley	Kramer	Lind	Lloyd-Jones
McLaren	Nystrom	Palmer	Pate
Rosenberg	Running	Szymoniak	Tinsman
Welsh			

Absent or not voting, 2:

Murphy Taylor

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that Senate Files 4, 452 and 444 be immediately messaged to the House.

BUSINESS PENDING

Senate File 476

The Senate resumed consideration of Senate File 476, a bill for an act relating to campaign finance disclosure by changing the definition of a candidate's committee, requiring the reporting to the treasurer of a committee of all contributions received by a person for the committee, requiring disclosure reports of out-of-state political action committees, changing the number of disclosure reports required in nonelection years, providing that the treasurer of a committee is not responsible for filing disclosure reports or liable for civil penalties, allowing contributions from family-owned corporations, directing the use of leftover campaign

funds, and providing for a civil penalty for violations regarding placement of political signs, previously deferred.

President Welsh took the chair at 11:08 a.m.

Senator Pate filed the following motion to reconsider from the floor and moved its adoption:

MR. PRESIDENT, I move to reconsider the vote by which amendment S—3237 to Senate File 476 was adopted by the Senate on April 5, 1991.

A record roll call was requested.

On the question "Shall the motion to reconsider be adopted?" (S.F. 476) the vote was:

Ayes, 19:

Borlaug	Drake	Fuhrman	Hagerla
Hedge	Hester	Kersten	Kramer
Lind	McLaren	Nystrom	Pate
Rensink	Rife	Rittmer	Slife
Soorholtz	Tinsman	Vande Hoef	

Nays, 28:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Doyle	Fraise	Gettings
Gronstal	Hannon	Horn	Husak
Hutchins	Kibbie	Kinley	Lloyd-Jones
Miller	Palmer	Peterson	Priebe
Riordan	Rosenberg	Running	Sturgeon
Szymoniak	Tieden	Varn	Welsh

Absent or not voting, 3:

Jensen	Murphy	Taylor
--------	--------	--------

The motion lost.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Sturgeon for the remainder of the day on request of Senator Hutchins and Senator Jensen for the remainder of the day on request of Senator Hester.

BUSINESS PENDING

Senate File 476

The Senate resumed consideration of Senate File 476.

Senator Lind offered amendment S—3337 filed by him from the floor to pages 4 and 5 of the bill and moved its adoption.

Amendment S—3337 was adopted by a voice vote.

The Chair ruled the following amendments out of order:

S—3338 filed by Senators Pate, et. al., from the floor to strike everything after the enacting clause and to the title page of the bill.

S—3339 filed by Senator Lind from the floor to amendment S—3338.

S—3340 filed by Senator Pate from the floor to amendment S—3338.

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. 476) the vote was:

Ayes, 46:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraïse	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Szymoniak	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none:

Absent or not voting, 4:

Jensen

Murphy

Sturgeon

Taylor

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 355

On motion of Senator Varn, Senate File 355, a bill for an act relating to authorizing a spouse to execute a power of attorney instrument sufficient to relinquish homestead rights and surviving spouse's statutory share in the homestead, 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. 355) the vote was:

Ayes, 45:

Borlaug
Deluhery
Fraise
Hagerla
Horn
Kibbie
McLaren
Pate
Rife
Running
Tieden
Welsh

Boswell
Dieleman
Fuhrman
Hannon
Husak
Kinley
Miller
Peterson
Riordan
Slife
Tinsman

Buhr
Doyle
Gettings
Hedge
Hutchins
Kramer
Nystrom
Priebe
Rittmer
Soorholtz
Vande Hoef

Connolly
Drake
Gronstal
Hester
Kersten
Lind
Palmer
Rensink
Rosenberg
Szymoniak
Varn

Nays, none:

Absent or not voting, 5:

Jensen
Taylor

Lloyd-Jones

Murphy

Sturgeon

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 479

On motion of Senator Buhr, Senate File 479, a bill for an act relating to the reassignment of duties from the division of children, youth, and families of the department of human rights to the division of child and family services within the department of human services, was taken up for consideration.

Senator Buhr withdrew amendment S—3196 filed by her on March 26, 1991, to pages 1-5 of the bill.

Senator Buhr offered amendment S—3334 filed by her on April 4, 1991, to pages 1-5 of the bill and moved its adoption.

Amendment S—3334 was adopted by a voice vote.

Senator Buhr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 479) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none:

Absent or not voting, 3:

Jensen	Murphy	Sturgeon
--------	--------	----------

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 342

On motion of Senator Hannon, Senate File 342, a bill for an act relating to the prevention of disabling conditions by establishing a prevention of disabilities policy board and a technical assistance committee of the board and by making an appropriation, with report of committees on Appropriations and State Government recommending passage, was taken up for consideration.

Senator Hannon moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 342) the vote was:

Ayes, 46:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Soorholtz	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none:

Absent or not voting, 4:

Jensen	Murphy	Slife	Sturgeon
--------	--------	-------	----------

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 346

On motion of Senator Varn, Senate File 346, a bill for an act relating to payments made pursuant to public contracts, with report of committee recommending passage, was taken up for consideration.

Senator Varn offered amendment S—3253 filed by him on April 2, 1991, to page 1 of the bill and moved its adoption.

Amendment S—3253 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. 346) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Jensen	Murphy	Sturgeon
--------	--------	----------

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 500

On motion of Senator Running, Senate File 500, a bill for an act relating to employees of the public employment relations board, was taken up for consideration.

President pro tempore Lloyd-Jones took the chair at 11:46 a.m.

Senator Running asked and received unanimous consent that action on Senate File 500 be deferred.

Senate File 520

On motion of Senator Palmer, Senate File 520, a bill for an act relating to securities by regulating transactions involving securities and regulating persons engaged in businesses related to the issuance or trading of securities, and providing penalties, was taken up for consideration.

Senator Palmer offered amendment S—3305 filed by him on April 4, 1991, to pages 2, 4 and 15 of the bill and moved its adoption.

Amendment S—3305 was adopted by a voice vote.

Senator Palmer withdrew amendment S—3282 filed by him on April 3, 1991, to pages 4 and 15 of the bill.

Senator Palmer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 520) the vote was:

Ayes, 46:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Kersten
Kibbie	Kinley	Lind	Lloyd-Jones
McLaren	Miller	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Running	Slife	Soorholtz	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Jensen	Kramer	Murphy	Sturgeon
--------	--------	--------	----------

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 269

On motion of Senator Buhr, Senate File 269, a bill for an act regulating transient food service establishments and providing for licensing fees, with report of committee on Human Resources recommending amendment and passage, and committee on Ways and Means recommending passage, was taken up for consideration.

Senator Buhr offered amendment S—3130 filed by the committee on Human Resources on March 18, 1991, to page 1 of the bill and moved its adoption.

Amendment S—3130 was adopted by a voice vote.

Senator Buhr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 269) the vote was:

Ayes, 35:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hannon
Horn	Husak	Hutchins	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Nystrom	Palmer	Peterson	Priebe
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Szymoniak	Taylor
Tinsman	Varn	Welsh	

Nays, 10:

Borlaug	Hagerla	Hedge	Hester
Kersten	Pate	Rensink	Rife
Tieden	Vande Hoef		

Absent or not voting, 5:

Jensen	Kramer	McLaren	Murphy
Sturgeon			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 476, 355, 479, 342, 346, 520 and 269** be immediately messaged to the House.

**CONFIRMATION OF GOVERNOR'S APPOINTMENTS
(En Bloc Confirmation Calendar)**

In accordance with Senate Rule 59, Senator Hutchins called up the following eligible appointees on the En Bloc Confirmation Calendar:

Sally M. O'Donnell and Kenneth A. Robinson as members of the Iowa State Civil Rights Commission.

Richard R. Vander Mey and Donald O. Vold as members of the Board of Corrections.

Connie Sue Ricklefs and Michael K. Oelrich as members of the Drug Abuse Prevention and Education Advisory Council.

Jacqueline M. Parkin as a member of the Board of Educational Examiners.

Morris E. Mikkelsen as a member of the Iowa Highway Research Board.

John M. McCann as a member of the State Judicial Nominating Commission.

William M. McCarthy as a member of the Narcotics Enforcement Advisory Council.

Earlis C. Rohret as a member of the Real Estate Appraiser Examining Board.

Senator Hutchins moved that the foregoing appointments be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 44:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Kersten
Kibbie	Kinley	Lind	Lloyd-Jones
McLaren	Miller	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Rittmer	Running
Slife	Soorholtz	Szymoniak	Taylor
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 6:

Jensen	Kramer	Murphy	Rosenberg
Sturgeon	Tieden		

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 4, 1991, passed the following bills in which the concurrence of the Senate is asked:

House File 634, a bill for an act relating to the regulation of the business of insurance, amending certain filing requirements, filing fees, and the deposit of those fees by the insurance division, providing for the prior review and approval of certain policy forms and rates prior to issuance or delivery, making modifications to certain meeting and license renewal requirements, providing administrative penalties, and providing for the Act's applicability.

This bill was read first time and **passed on file**.

House File 648, a bill for an act prohibiting the use of certain automated traffic law enforcement equipment.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 5, 1991, passed the following bills in which the concurrence of the Senate is asked:

House File 516, a bill for an act to establish a teacher exchange program within the state.

This bill was read first time and **passed on file**.

House File 658, a bill for an act relating to cost-sharing funds dedicated to support permanent soil and water conservation practices.

This bill was read first time and **passed on file**.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

President Welsh announced the assignment of the following bills to committee:

S. F.	531	Ways and Means
H. C. R.	20	Local Government
H. F.	438	Business & Labor Relations
H. F.	516	Education
H. F.	593	Education
H. F.	612	Local Government
H. F.	626	Commerce
H. F.	627	Judiciary
H. F.	634	Commerce
H. F.	648	Judiciary
H. F.	658	Agriculture
H. F.	668	Human Resources
H. F.	675	Agriculture

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 4, 1991, 2:45 p.m.

Members Present: Boswell, Chair; Welsh, Vice Chair; Tieden, Ranking Member; Buhr, Connolly, Gettings, Gronstal, Hagerla, Kersten, Lind, Lloyd-Jones, McLaren, Pate, Peterson, Rensink, Riordan, Running, Szymoniak, Tinsman and Varn.

Members Absent: Husak (excused).

Committee Business: Recommended passage of Senate File 444 as amended; recommended passage of Senate Files 280 and 342.

Adjourned: 3:35 p.m.

BUSINESS AND LABOR RELATIONS

Convened: April 4, 1991, 1:40 p.m.

Members Present: Running, Chair; Sturgeon, Vice Chair; Fuhrman, Ranking Member; Buhr, Peterson, Rensink, Slife and Taylor.

Members Absent: Kinley (excused) and Palmer.

Committee Business: Recommended passage of House File 306; recommended passage of House File 589 as amended; announced a forthcoming informational meeting on governor's appointee Robert D. Wilson.

Adjourned: 2:00 p.m.

COMMERCE

Convened: April 4, 1991, 11:40 a.m.

Members Present: Deluhery, Chair; Kinley, Vice Chair; Slife, Ranking Member; Doyle, Gettings, Gronstal, Jensen, Kersten, Lind, Palmer, Priebe and Tieden.

Members Absent: Nystrom, Sturgeon and Varn (all excused).

Committee Business: Assigned bills to subcommittees; recommended confirmation of governor's appointee; approved LSBs 2743 and 2751 as committee resolutions; recommended passage of House Files 567 and 571.

Adjourned: 11:48 a.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: April 4, 1991, 1:35 p.m.

Members Present: Rosenburg, Chair; Gronstal, Vice Chair; Jensen, Ranking Member; Borlaug, Deluhery, Fraise, Hannon, Hedge, Kersten and Miller.

Members Absent: Soorholtz and Varn.

Committee Business: Recommended confirmation of governor's appointees; recommended passage of House File 302 as amended; recommended passage of House File 325.

Adjourned: 2:05 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: April 4, 1991, 11:30 a.m.

Members Present: Riordan, Chair; Hannon, Vice Chair; Borlaug, Ranking Member; Boswell, Kibbie, Kramer, Pate, Peterson, Rittmer, Running and Vande Hoef.

Members Absent: Miller (excused).

Committee Business: Recommended passage of House File 498; recommended confirmation of governor's appointee Jane Ann Schlabaugh; placed Varel Bailey on En Bloc Confirmation Calendar without recommendation; presentation by the Department of Economic Development.

Adjourned: 12:22 p.m.

STATE GOVERNMENT

Convened: April 4, 1991, 2:08 p.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Rife, Running, Soorholtz, Vande Hoef and Welsh.

Members Absent: none.

Committee Business: Recommended passage of House Files 5, 384 and 200; assigned bills to subcommittees; recommended passage of House Files 152 and 449 as amended.

Adjourned: 2:40 p.m.

WAYS AND MEANS

Convened: April 4, 1991, 11:07 a.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hedge, Ranking Member; Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Murphy, Palmer, Rosenberg, Szymoniak and Taylor.

Members Absent: Connolly (excused).

Committee Business: Approved SSB 258 as a committee bill.

Adjourned: 11:33 a.m.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on April 4, 1991, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 92 — To create an advisory commission on intergovernmental relations, specify its membership, and enumerate its powers and duties.

REPORT OF STANDING COMMITTEE
(Place nominee on En Bloc Confirmation Calendar)

COMMERCE

Pursuant to Senate Rule 59, the committee on Commerce assigned to investigate the following Governor's appointment, completed its investigation on April 4, 1991, and recommended the appointee be confirmed:

Jay D. Stewart for appointment as a member of the Title Guaranty Division Board.

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 2, the following corrections were made:

1. Page 1, line 34, the word and letter "paragraph "e"" were changed to the word and letter "paragraph "f"".
2. Page 1, line 35, the word and letter "paragraph "e"" were changed to the word and letter "paragraph "f"".
3. Page 2, line 35, the word and letter "paragraph "e"" were changed to the word and letter "paragraph "f"".
4. Page 3, line 3, the word and letter "paragraph "e"" were changed to the word and letter "paragraph "f"".
5. Page 3, line 5, the word and letter "paragraph "e"" were changed to the word and letter "paragraph "f"".

The following corrections were made to amendment S—3143 to Senate File 2:

1. Page 1, line 34, the letter ""c."" was changed to the letter ""d.""
2. Page 1, line 37, the letter "d." was changed to the letter ""e.""
3. Page 1, line 40, the letter ""e."" was changed to the letter ""f.""

JOHN F. DWYER
Secretary of the Senate

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty eighth grade students from Paullina-Primghar Middle School, Primghar, Iowa, accompanied by Dave Larson, Chuck Hughes and Catheryn Geerdes. Senator Vande Hoef.

Twenty-eight sixth grade students from Hanawalt Elementary School, Des Moines, Iowa, accompanied by Mr. Burns and Riley Hogan. Senator Varn.

Thirty third grade students from Walnut Elementary School, Walnut, Iowa, accompanied by Annette Wilson. Senator Hester.

SUBCOMMITTEE ASSIGNMENT

House File 625

TRANSPORTATION: Gettings, Chair; Fraise and Jensen

REPORTS OF STANDING COMMITTEE

(Place nominees on En Bloc Confirmation Calendar)

STATE GOVERNMENT

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the following Governor's appointments, completed its investigations on April 4, 1991, and recommended the appointees be confirmed:

Carolyn A. McNeill for reappointment as a member of the Dental Examining Board.

Dean Frey for reappointment as a member of the Iowa Board of Veterinary Medicine.

Colleen M. Reilly for reappointment as a member of the Optometry Examining Board.

Russell D. Nading for appointment as a member of the Real Estate Commission.

STUDY BILL RECEIVED

SSB 350 Ways & Means

Allowing a deduction from the individual income tax for certain expenses incurred by a person with a developmental disability to enable the person to be gainfully employed and providing a retroactive applicability date.

AMENDMENTS FILED

S—3336	S. F.	506	William Palmer Harry Slife Berl E. Priebe
S—3337	S. F.	476	Jim Lind
S—3338	S. F.	476	Paul Pate Maggie Tinsman Jack Rife H. Kay Hedge Harry Slife Allen Borlaug Mary Kramer Jim Kersten Mark Hagerla Sheldon Rittmer Derryl McLaren Jim Lind Richard F. Drake Richard Vande Hoef Wilmer Rensink
S—3339	S. F.	476	Jim Lind
S—3340	S. F.	476	Paul Pate
S—3341	S. F.	260	Elaine Szymoniak
S—3342	S. F.	508	Michael Gronstal Ralph Rosenberg Patrick Deluhery Paul Pate

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 12:14 p.m., until 10:00 a.m., Monday, April 8, 1991.

JOURNAL OF THE SENATE

EIGHTY-FIFTH CALENDAR DAY
FIFTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 8, 1991

The Senate met in regular session at 10:05 a.m., President Welsh presiding.

Prayer was offered by the Reverend John Propert, pastor of the First Baptist Church, Boone, Iowa.

The Journal of Friday, April 5, 1991, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Riordan until he arrives and Senator Rosenberg for the day on request of Senator Hutchins.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 28, 1991, passed the following bill in which the concurrence of the Senate is asked:

House File 631, a bill for an act relating to the sale of alcoholic beverages in original containers for consumption off the premises and imposing a fee.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 4, 1991, passed the following bills in which the concurrence of the Senate is asked:

House File 569, a bill for an act establishing the rural small business transfer program.

This bill was read first time and **passed on file**.

House File 656, a bill for an act relating to unfair or discriminatory practices in housing and real estate, providing civil remedies, and a criminal penalty.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 5, 1991, passed the following bill in which the concurrence of the House was asked:

Senate File 254, a bill for an act relating to economic development by transferring funds to the revolving fund of the rural community 2000 program, establishing time frames for the completion of the community builder program, establishing a planning category in the rural community 2000 program, and providing an effective date.

ALSO: That the House has on April 5, 1991, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 18, a concurrent resolution naming a highway route and urging the United States House Public Works and Transportation Committee and the United States Senate Environment and Public Works Committee to establish priority funding measures for development of a four-lane highway in Missouri, Iowa, and Minnesota to connect the cities of St. Louis, Missouri, and St. Paul, Minnesota, more commonly referred to as "The Avenue of the Saints".

This resolution was read first time and **passed on file**.

ALSO: That the House has on April 5, 1991, passed the following bills in which the concurrence of the Senate is asked:

House File 182, a bill for an act relating to the annexation of land surrounded by one or more cities.

This bill was read first time and **passed on file**.

House File 214, a bill for an act relating to the reproductive toxicity of alcoholic beverages, and providing a penalty.

This bill was read first time and **passed on file**.

House File 624, a bill for an act relating to advertising devices in commercial or industrial zones or areas.

This bill was read first time and **passed on file**.

House File 644, a bill for an act relating to communication by permanent nonprofit organizations with their dues-paying members under the campaign finance disclosure law.

This bill was read first time and **passed on file**.

House File 649, a bill for an act relating to hazardous waste and hazardous substance disposal sites.

This bill was read first time and **passed on file**.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 41 present, 9 absent and a quorum present.

UNFINISHED BUSINESS (Deferred April 3, 1991)

Senate File 465

The Senate resumed consideration of Senate File 465, a bill for an act relating to the department of inspections and appeals by creating new licensing and fee requirements for gaming activities, and divisions S—3260A and S—3260B by the committee on Ways and Means to pages 1 and 2 of the bill, deferred on April 3, 1991.

Senator Running moved the adoption of division S—3260B, which motion prevailed by voice vote.

Senator Running offered amendment S—3284 filed by Senators Running and Connolly on April 3, 1991, to page 1 of the bill and moved its adoption.

Amendment S—3284 was adopted by a voice vote.

With the adoption of amendment S—3284, the Chair ruled division S—3260A, deferred on April 3, 1991, and amendment S—3195 filed by Senators Running and Drake on March 26, 1991, to pages 1 and 2 of the bill, 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?" (S.F. 465) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 27:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Doyle	Fraise	Gettings
Gronstal	Hannon	Horn	Husak
Hutchins	Kibbie	Kinley	Miller
Nystrom	Palmer	Pate	Peterson
Priebe	Rittmer	Running	Soorholtz
Sturgeon	Szymoniak	Varn	

Nays, 20:

Borlaug	Drake	Fuhrman	Hagerla
Hedge	Hester	Jensen	Kersten
Kramer	Lind	McLaren	Murphy
Rensink	Rife	Slife	Taylor
Tieden	Tinsman	Vande Hoef	Welsh

Absent or not voting, 3:

Lloyd-Jones	Riordan	Rosenberg
-------------	---------	-----------

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 525

On motion of Senator Hester, Senate File 525, a bill for an act relating to the regulation of dairy products, and providing effective dates, was taken up for consideration.

Senator Hester offered amendment S—3343 filed by him from the floor to pages 1, 2, 4 and the title page of the bill and moved its adoption.

Amendment S—3343 was adopted by a voice vote.

Senator Hester moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 525) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Running	Slife	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none:

Absent or not voting, 3:

Fraise	Miller	Rosenberg
--------	--------	-----------

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 10

On motion of Senator Tinsman, Senate File 10, a bill for an act relating to the establishment and licensure of elder family homes, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Tinsman offered amendment S—3157 filed by the committee on State Government on March 25, 1991, to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—3157 was adopted by a voice vote.

Senator Hannon asked and received unanimous consent that action on **Senate File 10** be deferred.

Senate File 513

On motion of Senator Palmer, Senate File 513, a bill for an act relating to increasing the impact of state assistance, was taken up for consideration.

Senator Palmer asked and received unanimous consent that action on **Senate File 513** be deferred.

Senate File 506

On motion of Senator Deluhery, Senate File 506, a bill for an act relating to establishing incentive regulation for utilities furnishing communication services, was taken up for consideration.

President pro tempore Lloyd-Jones took the chair at 11:02 a.m.

Senator Gronstal offered amendment S—3304 filed by him on April 3, 1991, to strike everything after the enacting clause of the bill.

Senator Palmer asked and received unanimous consent that action on amendment S—3327 filed by Senators Palmer and Slife on April 4, 1991, to amendment S—3304 be deferred.

Senator Palmer offered amendment S—3336 filed by Senators Palmer, Slife and Priebe on April 5, 1991, to amendment S—3304 and moved its adoption.

A non record roll call was requested.

The ayes were 36, nays 10.

Amendment S—3336 was adopted.

With the adoption of amendment S—3336 to amendment S—3304, the Chair ruled amendment S—3327 to amendment S—3304, previously deferred, out of order.

Senator Gronstal moved the adoption of amendment S—3304 as amended, which motion prevailed by 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. 506) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Rosenberg

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 372

On motion of Senator Tinsman, Senate File 372, a bill for an act relating to child in need of assistance proceedings and certain child abuse registry information, was taken up for consideration.

Senator Tinsman offered amendment S—3227 filed by Senators Tinsman and Szymoniak on March 28, 1991, to pages 1 and 2 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 32, nays 9.

Amendment S—3227 was adopted.

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. 372) the vote was:

Ayes, 34:

Boswell	Buhr	Connolly	Deluhery
Doyle	Drake	Fraise	Gronstal
Hannon	Hester	Horn	Husak
Hutchins	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Nystrom	Palmer	Pate	Priebe
Rife	Riordan	Rittmer	Slife
Soorholtz	Szymoniak	Tieden	Tinsman
Varn	Welsh		

Nays, 14:

Borlaug	Dieleman	Fuhrman	Gettings
Hagerla	Hedge	Jensen	Kersten
Murphy	Peterson	Rensink	Running
Sturgeon	Vande Hoef		

Absent or not voting, 2:

Rosenberg	Taylor
-----------	--------

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that Senate Files 465, 525, 506 and 372 be immediately messaged to the House.

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:11 p.m., until 3:00 p.m.

APPENDIX

PETITIONS

The following petitions were presented and placed on file by:

Senator Gettings from fifty-three residents of Wapello and Davis Counties opposing legislation increasing hunting and fishing fees.

Senator Tieden from twenty-seven residents of Clayton County favoring legislation giving liability protection to volunteers.

Senator Tinsman from two hundred twenty-three residents of Scott and other counties favoring legislation to retain the Fish and Wildlife Trust Fund in the 1992 budget by not transferring it to the general fund and to retain REAP at the \$30 million level.

SUBCOMMITTEE ASSIGNMENTS

House Concurrent Resolution 20

LOCAL GOVERNMENT: Buhr, Chair; Borlaug and Fraise

House File 232

HUMAN RESOURCES: Sturgeon, Chair; Hannon and Kramer

House File 438

BUSINESS AND LABOR RELATIONS: Sturgeon, Chair; Buhr and Rensink

House File 570

COMMERCE: Sturgeon, Chair; Palmer and Tieden

House File 601

COMMERCE: Priebe, Chair; Deluhery and Kersten

House File 610

NATURAL RESOURCES: Kibbie, Chair; Hester and Sturgeon

House File 612

LOCAL GOVERNMENT: Miller, Chair; Jensen and Vande Hoef

House File 626

COMMERCE: Kinley, Chair; Deluhery and Lind

House File 634

COMMERCE: Doyle, Chair; Gronstal, Jensen, Palmer and Slife

House File 655

HUMAN RESOURCES: Sturgeon, Chair; Hannon and Rittmer

House File 658

AGRICULTURE: Peterson, Chair; Palmer and Priebe

House File 660

AGRICULTURE: Priebe, Chair; Husak and Soorholtz

House File 668

HUMAN RESOURCES: Sturgeon, Chair; Buhr and Hagerla

House File 675

AGRICULTURE: Husak, Chair; Fraise, McLaren, Rittmer and Soorholtz

House File 678

AGRICULTURE: Riordan, Chair; Hester and Peterson

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Forty-one fifth grade students from Villisca Community School, Villisca, accompanied by Nina Sturm and Alan Miller. Senator McLaren.

Twenty-two sixth grade students from Meservey-Thornton Elementary School, Thornton, accompanied by Alice Heitland. Senator Miller.

Eight Cadette Girl Scouts of Andrew, accompanied by Joyce Till. Senator Welsh.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3157 to Senate File 10 was adopted by the Senate on April 8, 1991.

BEVERLY A. HANNON

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 8th day of April, 1991:

Senate Files 284 and 436.

JOHN F. DWYER
Secretary of the Senate

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 444, the following corrections were made:

1. Page 23, line 14, the word and number "Section 21" were changed to the word and number "Section 19".
2. Page 23, line 23, the word and number "section 26" were changed to the word and number "section 24".
3. Page 23, line 26, the word and number "section 35" were changed to the word and number "section 33".
4. Page 24, line 7, the words and numbers "Sections 26 and 45" were changed to the words and numbers "Sections 24 and 43".

5. Page 24, line 12, the word and number "Section 9" were changed to the word and number "Section 8".

JOHN F. DWYER
Secretary of the Senate

REPORT OF STANDING COMMITTEE
(Place nominee on Individual Confirmation Calendar)

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Pursuant to Senate Rule 59, the committee on Small Business and Economic Development assigned to investigate the following Governor's appointment, completed its investigation on April 4, 1991, and made no recommendation:

Varel G. Bailey as a member of the Wallace Technology Transfer Foundation of Iowa.

AMENDMENTS FILED

S-3343	S. F.	525	Jack W. Hester
S-3344	S. F.	491	William D. Palmer
			Emil J. Husak
			Jim Lind
			Jack Nystrom
S-3345	S. F.	10	Beverly A. Hannon
			Maggie Tinsman

AFTERNOON SESSION

The Senate reconvened at 3:01 p.m., President Welsh presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 5, 1991, passed the following bill in which the concurrence of the Senate is asked:

House File 645, a bill for an act relating to the disposal and treatment of solid waste, including special wastes and yard waste, providing fees, and providing an effective date.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 8, 1991, passed the following bill in which the concurrence of the Senate is asked:

House File 672, a bill for an act relating to the health practice profession examining boards, the duties of the board of medical examiners, the composition of the board of podiatry examiners and its disciplinary hearing panel, and providing penalties.

This bill was read first time and **passed on file**.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 42 present, 8 absent and a quorum present.

MOTION TO RECONSIDER WITHDRAWN

Senate File 390

Senator Welsh withdrew the motion to reconsider Senate File 390, a bill for an act relating to the reorganization of the disaster services division of the department of public defense by renaming the division, providing for financial assistance, renaming local emergency management commissions and managers, making

administrative changes, and making other amendments relevant to the reorganization, filed by him on March 26, 1991, and found on page 870 of the Senate Journal.

BUSINESS PENDING

Senate File 10

The Senate resumed consideration of Senate File 10, a bill for an act relating to the establishment and licensure of elder family homes, previously deferred.

Senator Hannon called up the motion to reconsider the vote by which amendment S—3157 to Senate File 10 was adopted by the Senate on April 8, 1991, filed by her on April 8, 1991, found on page 1109 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and amendment S—3157 by the committee on State Government to strike everything after the enacting clause and to the title page of the bill, was taken up for reconsideration.

Senator Hannon offered amendment S—3345 filed by Senators Hannon and Tinsman from the floor to amendment S—3157 and moved its adoption.

Amendment S—3345 was adopted by a voice vote.

Senator Tinsman moved the adoption of amendment S—3157 as amended, which motion prevailed by 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. 10) the vote was:

Ayes, 44:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hutchins	Jensen	Kersten	Kibbie
Kinley	Kramer	Lind	Lloyd-Jones
Miller	Murphy	Nystrom	Palmer

Pate	Peterson	Priebe	Rensink
Rife	Riordan	Rittmer	Running
Slife	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Varn	Welsh

Nays, 1:

Dieleman

Absent or not voting, 5:

Husak	McLaren	Rosenberg	Soorholtz
Vande Hoef			

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

MOTION TO RECONSIDER ADOPTED

Senator Vande Hoef called up the motion to reconsider Senate File 260 filed by him on March 28, 1991, found on page 936 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 260) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tinsman	Vande Hoef	Varn	Welsh

Nays, 1:

Tieden

Absent or not voting, 1:

Rosenberg

The motion prevailed.

Senator Vande Hoef moved to reconsider the vote by which Senate File 260 went to its last reading, which motion prevailed by a voice vote.

Senate File 260

On motion of Senator Vande Hoef, Senate File 260, 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 for real and personal property and providing an applicability date, was taken up for reconsideration.

Senator Vande Hoef called up the motion to reconsider the vote by which amendment S—3135 to Senate File 260 was adopted by the Senate on March 27, 1991, filed by him on March 28, 1991, found on page 936 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and amendment S—3135 by Senators Jensen, Miller and Borlaug to pages 1-3, 5-10, 12 and the title page of the bill, was taken up for reconsideration.

Senator Vande Hoef offered amendment S—3221 filed by him on March 28, 1991, to amendment S—3135 and moved its adoption.

Amendment S—3221 was adopted by a voice vote.

Senator Szymoniak offered amendment S—3341 filed by her on April 5, 1991, to amendment S—3135 and moved its adoption.

Amendment S—3341 was adopted by a voice vote.

Senator Jensen moved the adoption of amendment S—3135 as amended, which motion prevailed by a voice vote.

Senator Szymoniak offered amendment S—3331 filed by her on April 4, 1991, to pages 3, 6, 9, 11 and 12 of the bill and moved its adoption.

Amendment S—3331 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?" (S.F. 260) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Vande Hoef	Varn	Welsh	

Nays, 1:

Tinsman

Absent or not voting, 2:

Connolly Rosenberg

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

The motion to reconsider the vote by which Senate File 260 passed the Senate filed by Senator Szymoniak on March 27, 1991, and found on page 928 of the Senate Journal, was out of order.

The motion to reconsider the vote by which Senate File 260 passed the Senate filed by Senator Gronstal on April 1, 1991, and found on page 966 of the Senate Journal, was out of order.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 364

On motion of Senator Running, Senate File 364, a bill for an

act relating to joint investment of funds by public entities, with report of committee recommending passage, was taken up for consideration.

Senator Kinley asked and received unanimous consent that action on **Senate File 364** be deferred.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President 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.

President pro tempore Lloyd-Jones took the chair at 4:15 p.m.

UNFINISHED BUSINESS (Deferred April 4, 1991)

Senate File 491

The Senate resumed consideration of Senate File 491, a bill for an act relating to the rental of motor vehicles for a period of sixty days or less from a location in this state, and providing civil and criminal penalties, deferred on April 4, 1991.

Senator Palmer offered amendment S—3344 filed by Senators Palmer, et. al., from the floor to pages 1 and 5 of the bill.

Senator Doyle called for a division of amendment S—3344; lines 2-8 as division S—3344A and lines 9-18 as division S—3344B.

Senator Palmer moved the adoption of division S—3344A, which motion prevailed by voice vote.

Senator Palmer moved the adoption of division S—3344B.

A record roll call was requested.

On the question "Shall division S—3344B be adopted?" (S.F. 491) the vote was:

Ayes, 22:

Boswell	Buhr	Connolly	Gettings
Gronstal	Hannon	Hutchins	Kibbie
Kinley	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Peterson	Priebe
Riordan	Running	Sturgeon	Szymaniak
Varn	Welsh		

Nays, 27:

Borlaug	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Hagerla
Hedge	Hester	Horn	Husak
Jensen	Kersten	Kramer	Lind
McLaren	Pate	Rensink	Rife
Rittmer	Slife	Soorholtz	Taylor
Tieden	Tinsman	Vande Hoef	

Absent or not voting, 1:

Rosenberg

Division S—3344B lost.

Senator Slife offered amendment S—3348 filed by Senators Slife and Doyle 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—3348 be adopted?" (S.F. 491) the vote was:

Ayes, 27:

Borlaug	Boswell	Dieleman	Doyle
Drake	Fraise	Fuhrman	Hagerla
Hedge	Hester	Husak	Jensen
Kersten	Kramer	Lind	McLaren
Nystrom	Pate	Rensink	Rife
Rittmer	Slife	Soorholtz	Taylor
Tieden	Tinsman	Vande Hoef	

Nays, 22:

Buhr	Connolly	Deluhery	Gettings
Gronstal	Hannon	Horn	Hutchins
Kibbie	Kinley	Lloyd-Jones	Miller
Murphy	Palmer	Peterson	Priebe

Riordan	Running	Sturgeon	Szymoniak
Varn	Welsh		

Absent or not voting, 1:

Rosenberg

Amendment S—3348 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. 491) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Rosenberg

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 10, 260 and 491 be immediately messaged to the House.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 8, 1991, passed the following bill in which the concurrence of the Senate is asked:

House File 661, a bill for an act relating to certain general permits for activities affecting the environment.

This bill was read first time and **passed on file**.

APPENDIX

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 372, the following correction was made:

1. Page 1, line 7, the word "section." was changed to the word "section".

JOHN F. DWYER
Secretary of the Senate

BILLS ASSIGNED TO COMMITTEE

President Welsh announced the assignment of the following bills to committee:

H.C.R.	18	Transportation
H.F.	182	Local Government
H.F.	569	Small Business & Economic Development
H.F.	631	State Government
H.F.	644	State Government
H.F.	645	Environment & Energy Utilities
H.F.	656	Judiciary

COMMITTEE REPORTS

LOCAL GOVERNMENT

Final Bill Action: HOUSE CONCURRENT RESOLUTION 20, a concurrent resolution proclaiming National County Government Week and Iowa Local Government Week.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Miller, Rittmer, Borlaug, Buhr, Fraise, Hannon, Jensen and Vande Hoef. Nays, none. Absent or not voting, 2: Szymoniak and Boswell.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 197, a bill for an act relating to the operation and dissolution of certain special districts organized to provide a municipal service.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Miller, Szymoniak, Rittmer, Borlaug, Buhr, Fraise, Hannon, Jensen and Vande Hoef. Nays, none. Absent or not voting, 1: Boswell.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 614, a bill for an act relating to the reapportionment of county supervisor districts.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Miller, Szymoniak, Rittmer, Borlaug, Buhr, Fraise, Hannon, Jensen and Vande Hoef. Nays, none. Absent or not voting, 1: Boswell.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: HOUSE FILE 289, a bill for an act relating to the operation of snowmobiles, all-terrain vehicles, and motorcycles and limiting safety certification to certain operators on public lands and waters.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Palmer, Kibbie, Hester, Dieleman, Hagerla, Hedge, Priebe, Rensink, Riordan and Tieden. Nays, none. Absent or not voting, 2: Rosenberg and Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 577, a bill for an act relating to required reporting on state parks and preserves.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3349.

Final Vote: Ayes, 10: Palmer, Kibbie, Hester, Dieleman, Hagerla, Hedge, Priebe, Rensink, Riordan and Tieden. Nays, none. Absent or not voting, 2: Rosenberg and Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 5, a concurrent resolution relating to the recognition of the thirtieth anniversary of Iowa's sister state relationship with Yamanashi prefecture, Japan.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Hutchins, Welsh, Rife, Gettings, Husak, Jensen, Kinley, Lloyd-Jones and Soorholtz. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 6, a concurrent resolution relating to memorializing the United States Congress to support and enact legislation directing federal agencies to disclose information concerning United States armed forces personnel classified as prisoners of war or missing in action.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Hutchins, Welsh, Rife, Gettings, Husak, Jensen, Kinley, Lloyd-Jones and Soorholtz. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 14, a concurrent resolution relating to ratification of the United Nations' Convention on the Elimination of All Forms of Discrimination against Women.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Hutchins, Welsh, Rife, Gettings, Husak, Jensen, Kinley, Lloyd-Jones and Soorholtz. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE CONCURRENT RESOLUTION 12, a concurrent resolution relating to Pioneer Lawmakers.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Hutchins, Welsh, Rife, Gettings, Husak, Jensen, Kinley, Lloyd-Jones and Soorholtz. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 298, a bill for an act relating to the conduct of games and raffles by qualified organizations.

Recommendation: DO PASS.

Final Vote: Ayes. 18: Kibbie, Lloyd-Jones, Nystrom, Buhr, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Rife, Running, Soorholtz, Vande Hoef and Welsh. Nays, 1: Dieleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 592, a bill for an act relating to documents filed with the general assembly by officials and departments.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Kibbie, Nystrom, Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Lind, McLaren, Priebe, Rife, Running, Vande Hoef and Welsh. Nays, none. Absent or not voting, 4: Lloyd-Jones, Kramer, Murphy and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORTS OF STANDING COMMITTEE
(Place nominees on En Bloc Confirmation Calendar)

STATE GOVERNMENT

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the following Governor's appointments, completed its investigations on April 8, 1991, and recommended the appointees be confirmed:

Angela M. O' Rourke-Hartwig for appointment as a member of the Accountancy Examining Board.

James E. Hughes for appointment as a member of the Physical and Occupational Therapy Examining Board.

Elizabeth A. Saylor for appointment as a member of the State Board of Examiners for Nursing Home Administrators.

REPORT OF STANDING COMMITTEE
(Place nominee on Individual Confirmation Calendar)

STATE GOVERNMENT

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the following Governor's appointment, completed its investigation on April 8, 1991, and made no recommendation:

Thomas E. Donahue for reappointment as a member of the Director of the Department of Personnel.

AMENDMENTS FILED

S-3346	S.F.	339	Richard Running Michael Gronstal
S-3347	H.F.	510	Eugene Fraise Michael E. Gronstal Emil J. Husak Donald Gettings Leonard Boswell Alvin V. Miller Donald Doyle
S-3348	S.F.	491	Harry Slife Donald Doyle
S-3349	H.F.	577	Natural Resources

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:50 p.m., until 9:00 a.m., Tuesday, April 9, 1991.

JOURNAL OF THE SENATE

EIGHTY-SIXTH CALENDAR DAY
FIFTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 9, 1991

The Senate met in regular session at 9:05 a.m., President Welsh presiding.

Prayer was offered by the Reverend Mary Faith Nesmith, pastor of the St. John's Lutheran Church, Des Moines, Iowa.

The Journal of Monday, April 8, 1991, was approved.

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.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Concurrent Resolutions 5, 6, 14 and House Concurrent Resolutions 12 and 20.

Senate Concurrent Resolution 5

On motion of Senator Lloyd-Jones, Senate Concurrent Resolution 5, a concurrent resolution relating to the recognition of the thirtieth anniversary of Iowa's sister state relationship with Yamanashi prefecture, Japan, with report of committee recommending passage, was taken up for consideration.

Senator Lloyd-Jones moved the adoption of Senate Concurrent Resolution 5, which motion prevailed by a voice vote.

Senate Concurrent Resolution 6

On motion of Senator Running, Senate Concurrent Resolution 6, a concurrent resolution relating to memorializing the United States Congress to support and enact legislation directing federal agencies to disclose information concerning United States armed forces personnel classified as prisoners of war or missing in action, with report of committee recommending passage, was taken up for consideration.

Senator Running moved the adoption of Senate Concurrent Resolution 6, which motion prevailed by a voice vote.

Senate Concurrent Resolution 14

On motion of Senator Gronstal, Senate Concurrent Resolution 14, a concurrent resolution relating to ratification of the United Nations' Convention on the Elimination of All Forms of Discrimination against Women, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal moved the adoption of Senate Concurrent Resolution 14, which motion prevailed by a voice vote.

House Concurrent Resolution 12

On motion of Senator Husak, House Concurrent Resolution 12, a house concurrent resolution relating to Pioneer Lawmakers, with report of committee recommending passage, was taken up for consideration.

Senator Husak moved the adoption of House Concurrent Resolution 12, which motion prevailed by a voice vote.

House Concurrent Resolution 20

On motion of Senator Buhr, House Concurrent Resolution 20, a concurrent resolution proclaiming National County Government Week and Iowa Local Government Week, with report of committee recommending passage, was taken up for consideration.

Senator Buhr moved the adoption of House Concurrent Resolution 20, which motion prevailed by a voice vote.

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:

Wayne R. Venter as a member of the Alcoholic Beverages Commission.

James E. Benbow as a member of the County Finance Committee.

James G. Snyder as a member of the Commission on the Deaf.

Carolyn A. McNeill as a member of the Dental Examining Board.

Donald Westergard for Administrator of the Division of Persons with Disabilities.

Bertrum T. Bidne and Elmer Vermeer as members of the Commission of Elder Affairs.

Betty Grandquist as Director of the Commission of Elder Affairs.

Flora E. Haker, Lorenzo Jasso and Stephen A. Kuhn as members of the State Foster Care Review Board.

Mary Jane Zimmerman as a member of the State Judicial Nominating Commission.

Robert E. Petersen, Vilas L. Morris, Jr., Gilbert C. Hoogendoorn and Keniston H. Hoppenworth as members of the Mental Health and Mental Retardation Commission.

Colleen M. Reilly as a member of the Optometry Examining Board.

Jane Dubberke, Robert A. Witt and Barbara A. Muir as members of the Board of Physician Assistant Examiners.

Russell D. Nading as a member of the Real Estate Commission.

Jay D. Stewart as a member of the Title Guaranty Division Board.

Emmit J. George as a member of the Utilities Board.

Dean Frey and Jane A. McCall as members of the Iowa Board of Veterinary Medicine.

Charlotte Nelson as Administrator of the Division on the Status of Women.

Senator Hutchins moved that the foregoing appointments be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 50:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none:

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 Concurrent Resolutions 5, 6, 14 and House Concurrent Resolutions 12 and 20 be immediately messaged to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 202

On motion of Senator Horn, Senate File 202, a bill for an act relating to the sale of alcoholic liquor, wine, and beer on Sunday, with report of committee recommending passage, was taken up for consideration.

Senator Horn offered amendment S—3236 filed by him on March 28, 1991, to strike everything after the enacting clause of the bill and moved its adoption.

Amendment S—3236 was adopted by a voice vote.

With the adoption of amendment S—3236, the Chair ruled amendment S—3311 filed by Senator Murphy on April 4, 1991, to page 2 of the bill, out of order.

Senator Horn asked and received unanimous consent that **House File 391** be substituted for **Senate File 202** as amended.

Senator Horn asked and received unanimous consent that action on **House File 391** be deferred.

Senate File 474

On motion of Senator Deluhery, Senate File 474, a bill for an act relating to possession of a device for stimulating or depressing a horse or dog during a race, and providing for penalties, was taken up for consideration.

Senator Deluhery asked and received unanimous consent that **House File 353** be substituted for **Senate File 474**.

Senator Deluhery asked and received unanimous consent that action on **House File 353** be deferred.

Senate File 192

On motion of Senator Priebe, Senate File 192, a bill for an act relating to the omission of nullified administrative rules from the Iowa administrative code, was taken up for consideration.

Senator Priebe asked and received unanimous consent that **House File 274** be substituted for **Senate File 192**.

House File 274

On motion of Senator Priebe, House File 274, a bill for an act relating to the omission of nullified administrative rules from the Iowa administrative code, was taken up for consideration.

Senator Priebe moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 274) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kibbie	Kinley	Kramer	Lind
McLaren	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Kersten Lloyd-Jones

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred April 4, 1991)

Senate File 448

The Senate resumed consideration of Senate File 448, a bill for an act relating to hazardous waste and hazardous substance disposal sites, deferred on April 4, 1991.

Senator Varn asked and received unanimous consent that **House File 649** be substituted for **Senate File 448**.

Senator Varn asked and received unanimous consent that action on **House File 649** be deferred.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senate File 523

On motion of Senator Riordan, Senate File 523, a bill for an act relating to the Iowa community cultural grants program, was taken up for consideration.

Senator Riordan asked and received unanimous consent that **House File 639** be substituted for **Senate File 523**.

Senator Riordan asked and received unanimous consent that action on **House File 639** be deferred.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 143

On motion of Senator Varn, Senate File 143, a bill for an act relating to the perpetual care of cemeteries and cemetery lots and spaces, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Deluhery asked and received unanimous consent to withdraw amendment S-3147 filed by the committee on Commerce on March 21, 1991, to page 2 of the bill.

Senator Szymoniak asked and received unanimous consent that **House File 237** be substituted for **Senate File 143**.

Senator Szymoniak asked and received unanimous consent that action on **House File 237** be deferred.

House File 309

On motion of Senator Drake, House File 309, a bill for an act relating to maximum lengths of saddle mounted or full mounted power unit combination vehicles and the length of draw bar or other connections on certain towing vehicles, with report of committee recommending passage, was taken up for consideration.

Senator Palmer asked and received unanimous consent that action on **House File 309** be deferred.

House File 385

On motion of Senator Fraise, House File 385, a bill for an act requiring the state department of transportation to publish an official Iowa map, with report of committee recommending passage, was taken up for consideration.

Senator Fraise offered amendment S—3139 filed by him on March 20, 1991, to page 1 of the bill and moved its adoption.

Amendment S—3139 was adopted by a voice vote.

Senator Fraise offered amendment S—3248 filed by him on April 1, 1991, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 25, nays 5.

Amendment S—3248 was adopted.

Senator Fuhrman asked and received unanimous consent that action on **House File 385** be deferred.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 8, 1991, passed the following bill in which the concurrence of the Senate is asked:

House File 534, a bill for an act relating to changes and corrections in the court administration system.

This bill was read first time and **passed on file**.

INTRODUCTION OF RESOLUTION

Senate Resolution 9, by committee on Agriculture, a resolution to request that the Legislative Council establish an interim

committee to study the processing of agricultural commodities, and products derived from processing methods.

Read first time and placed on calendar.

RECESS

On motion of Senator Hutchins, the Senate recessed at 10:17 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

LOCAL GOVERNMENT

Convened: April 8, 1991, 2:40 p.m.

Members Present: Miller, Chair; Szymoniak, Vice Chair (arrived 2:44 p.m.); Rittmer, Ranking Member; Borlaug, Buhr, Fraise, Hannon, Jensen and Vande Hoef.

Members Absent: Boswell (excused).

Committee Business: Assigned bills to subcommittees; recommended passage of House Concurrent Resolution 20 and House Files 197 and 614.

Adjourned: 2:52 p.m.

NATURAL RESOURCES

Convened: April 8, 1991, 2:35 p.m.

Members Present: Palmer, Chair; Kibbie, Vice Chair; Hester, Ranking Member; Dieleman, Hagerla, Hedge, Priebe, Rensink, Riordan and Tieden.

Members Absent: Rosenberg (excused) and Sturgeon.

Committee Business: Assigned bill to subcommittee; governor's appointee Larry Wilson will appear before the committee on April 10; recommended passage of House File 577 as amended; recommended passage of House File 289.

Adjourned: 3:00 p.m.

RULES AND ADMINISTRATION

Convened: April 8, 1991, 4:00 p.m.

Members Present: Hutchins, Chair; Welsh, Vice Chair; Rife, Ranking Member; Gettings, Husak, Jensen, Kinley, Lloyd-Jones and Soorholtz.

Members Absent: none.

Committee Business: Recommended passage of Senate Concurrent Resolutions 5, 6 and 14 and House Concurrent Resolution 12; assigned resolution to a subcommittee.

Adjourned: 4:10 p.m.

STATE GOVERNMENT

Convened: April 8, 1991, 1:32 p.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Rife, Running, Soorholtz, Vande Hoef and Welsh.

Members Absent: none.

Committee Business: Recommended passage of House Files 298 and 592; recommended passage of House File 651 as amended; placed governor's appointees on En Bloc and Individual Confirmation Calendars.

Adjourned: 2:32 p.m.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Seventy members of the Linn County 4-H group, accompanied by Sandy Tegatz. Senators Pate, Horn, Running and Hannon.

Fifth grade students and members of the Camp Fire boys and girls group, Cedar Rapids, Iowa. Senator Pate.

SUBCOMMITTEE ASSIGNMENTS

Senate Resolution 8

RULES AND ADMINISTRATION: Lloyd-Jones, Chair; Husak and Rife

Senate File 376

JUDICIARY: Sturgeon, Chair; Fuhrman and Horn

Senate File 480

JUDICIARY: Sturgeon, Chair; Fuhrman and Horn

Senate File 482

JUDICIARY: Sturgeon, Chair; Fuhrman and Horn

House File 182

LOCAL GOVERNMENT: Buhr, Chair; Szymoniak and Vande Hoef

House File 335

JUDICIARY: Varn, Chair; Deluhery and Slife

House File 381

JUDICIARY: Rosenberg, Chair; Gronstal and Hester

House File 421

JUDICIARY: Murphy, Chair; Fuhrman and Varn

House File 558

JUDICIARY: Varn, Chair; Drake and Horn

House File 569

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Riordan, Chair;
Borlaug and Kibbie

House File 595

JUDICIARY: Rosenberg, Chair; Pate and Peterson

House File 615

JUDICIARY: Sturgeon, Chair; Hagerla and Varn

House File 627

JUDICIARY: Sturgeon, Chair; Hester and Varn

House File 631

STATE GOVERNMENT: Horn, Chair; Kibbie and Soorholtz

House File 644

STATE GOVERNMENT: Gronstal, Chair; Lloyd-Jones and Nystrom

House File 645

ENVIRONMENT & ENERGY UTILITIES: Fraise, Chair; Rosenberg and
Soorholtz

House File 648

JUDICIARY: Sturgeon, Chair; Slife and Varn

House File 656

JUDICIARY: Gronstal, Chair; Connolly and Pate

House File 681

JUDICIARY: Varn, Chair; Murphy and Slife

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 9th day of April, 1991:

Senate Files 254 and 518.

JOHN F. DWYER
Secretary of the Senate

STUDY BILLS RECEIVED

SSB 351 Ways & Means

Relating to the rate of the Shelby Tennant community school district income surtax and the refund of any excess income surtax paid and providing effective and applicability dates.

SSB 352 Ways & Means

Relating to increasing the fees for issuance or replacement or renewal of a permit to carry weapons.

SSB 353 Ways & Means

Relating to sales and use tax by exempting certain vessels from sales tax and providing for collection of use tax on those vessels and providing for registration of vessels by the county treasurer.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE RESOLUTION 9, a resolution to request that the Legislative Council establish an interim committee to study the processing of agricultural commodities, and products derived from processing methods.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 14: Priebe, Peterson, Soorholtz, Doyle, Fraise, Hedge, Hester, Husak, McLaren, Miller, Palmer, Riordan, Rittmer and Vande Hoef. Nays, none. Absent or not voting, 1: Boswell.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 17, a concurrent resolution to request that Iowa's congressional delegation support measures to protect America's vital interests and to review and amend procedures to ensure that Congress retains its constitutional authority to amend trade agreements affecting the traditional rights of states and the citizens of the United States.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Priebe, Peterson, Soorholtz, Doyle, Fraise, Hedge, Hester, Husak, McLaren, Miller, Palmer, Riordan, Rittmer and Vande Hoef. Nays, none. Absent or not voting, 1: Boswell.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 480, a bill for an act relating to levee and drainage districts.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Priebe, Peterson, Soorholtz, Doyle, Fraise, Hedge, Hester, Husak, McLaren, Miller, Palmer, Rittmer and Vande Hoef. Nays, none. Absent or not voting, 2: Boswell and Riordan.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: *HOUSE FILE 651, a bill for an act relating to gambling and the operation of pari-mutuel racetracks and excursion gambling boats, and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3351.

Final Vote: Ayes, 12: Kibbie, Nystrom, Buhr, Doyle, Gronstal, Kramer, Lind, McLaren, Murphy, Priebe, Rife and Soorholtz. Nays, 6: Lloyd-Jones, Dieleman, Horn, Running, Vande Hoef and Welsh. Absent or not voting, 1: Drake.

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 State Government Committee on House File 275 and they were attached to the committee report.

TRANSPORTATION

Final Bill Action: HOUSE FILE 275, a bill for an act requiring the state department of transportation to adopt administrative rules relating to damage to highways and highway structures.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Fraise, Connolly, Drake, Dieleman, Gettings, Jensen, Kersten, Kinley, Lloyd-Jones, Nystrom, Pate and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 483, a bill for an act relating to permit fees for highway advertising devices.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Fraise, Connolly, Drake, Dieleman, Gettings, Jensen, Kersten, Kinley, Lloyd-Jones, Nystrom, Pate and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 625, a bill for an act relating to issuance of junking certificates and certificates of title.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Fraise, Connolly, Drake, Dieleman, Gettings, Jensen, Kersten, Kinley, Lloyd-Jones, Nystrom, Pate and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORTS OF STANDING COMMITTEE
(Place nominees on En Bloc Confirmation Calendar)

ENVIRONMENT AND ENERGY UTILITIES

Pursuant to Senate Rule 59, the committee on Environment and Energy Utilities assigned to investigate the following Governor's appointments, completed its investigations on April 9, 1991, and recommended the appointees be confirmed:

Charlotte Mohr and Clark Yeager for reappointment as members of the Environmental Protection Commission.

AMENDMENTS FILED

S—3350	H.F.	200	William Dieleman
S—3351	H.F.	651	State Government
S—3352	H.F.	391	Larry Murphy
S—3353	S.F.	84	Larry Murphy
			Ralph Rosenberg
S—3354	S.F.	379	Wally Horn
S—3355	H.F.	237	Elaine Szymoniak
S—3356	S.F.	177	Jean Lloyd-Jones
S—3357	H.F.	510	John Jensen
S—3358	H.F.	649	Joe Welsh
			Mike Connolly

AFTERNOON SESSION

The Senate reconvened at 4:42 p.m., President Welsh presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 37 present, 13 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Slife until he arrives on request of Senator Rife.

CONSIDERATION OF BILL (Appropriations Calendar)

Senate File 278

On motion of Senator Dieleman, Senate File 278, a bill for an act relating to the salaries paid to chaplains employed in state institutions and providing a retroactive applicability date, with report of committees on Appropriations and Ways and Means recommending passage, was taken up for consideration.

Senator Connolly offered amendment S—3278 filed by him on April 3, 1991, to page 1 of the bill and moved its adoption.

Amendment S—3278 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. 278) the vote was:

Ayes, 45:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Gronstal	Hagerla
Hannon	Hester	Horn	Husak
Hutchins	Jensen	Kersten	Kibbie

Kinley	Kramer	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Rosenberg	Running
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 4:

Fuhrman	Hedge	Palmer	Rittmer
---------	-------	--------	---------

Absent or not voting, 1:

Slife

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 515

On motion of Senator Murphy, Senate File 515, a bill for an act relating to the confidential reporting of terminations of pregnancy and establishing a penalty, was taken up for consideration.

Senator Hutchins asked and received unanimous consent that **Senate File 515** be referred to the committee on **Human Resources** and returned to the Senate Calendar by 12:00 noon on April 10, 1991.

UNFINISHED BUSINESS (Deferred April 8, 1991)

Senate File 364

The Senate resumed consideration of Senate File 364, a bill for an act relating to joint investment of funds by public entities, deferred on April 8, 1991.

Senator Kinley offered amendment S-3367 filed by him from the floor to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3367 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. 364) the vote was:

Ayes, 46:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn		

Nays, none:

Voting present, 2:

Kersten	Welsh
---------	-------

Absent or not voting, 2:

Kramer	Slife
--------	-------

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 364 and 278 be immediately messaged to the House.

MOTION TO RECONSIDER WITHDRAWN

Senate File 481

Senator Kinley withdrew the motion to reconsider Senate File

481, a bill for an act relating to voter approval of storm water drainage system projects and providing for retroactive applicability, filed by him on April 2, 1991, and found on page 987 of the Senate Journal.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that Senate File 481 be immediately messaged to the House.

MOTION TO RECONSIDER ADOPTED

Senator Running called up the motion to reconsider Senate File 339 filed by him on March 27, 1991, found on page 928 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 339) the vote was:

Ayes, 33:

Boswell	Buhr	Connolly	Deluhery
Doyle	Fraise	Fuhrman	Gettings
Gronstal	Hannon	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Kinley	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Peterson	Priebe
Riordan	Rosenberg	Running	Soorholtz
Sturgeon	Szymoniak	Taylor	Varn
Welsh			

Nays, 15:

Borlaug	Dieleman	Drake	Hagerla
Hedge	Kersten	Lind	McLaren
Pate	Rensink	Rife	Rittmer
Tieden	Tinsman	Vande Hoef	

Absent or not voting, 2:

Kramer Slife

The motion prevailed.

Senator Running moved to reconsider the vote by which Senate File 339 went to its last reading, which motion prevailed by a voice vote.

Senate File 339

On motion of Senator Running, Senate File 339, a bill for an act relating to exempting certain financial institutions from providing evidence of financial security when making an application for registration as a travel agency, was taken up for reconsideration.

Senator Running offered amendment S—3346 filed by him on April 8, 1991, to strike everything after the enacting clause of the bill and moved its adoption.

Amendment S—3346 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. 339) the vote was:

Ayes, 16:

Buhr	C Connolly	Deluhery	Gronstal
Hannon	Horn	Husak	Lloyd-Jones
Miller	Rensink	Rosenberg	Running
Sturgeon	Szymoniak	Varn	Welsh

Nays, 33:

Borlaug	Boswell	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Hagerla	Hedge	Hester	Hutchins
Jensen	Kersten	Kibbie	Kinley
Kramer	Lind	McLaren	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rife	Riordan	Rittmer
Soorholtz	Taylor	Tieden	Tinsman
Vande Hoef			

Absent or not voting, 1:

Slife

The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

UNFINISHED BUSINESS
(Deferred April 5, 1991)

Senate File 321

The Senate resumed consideration of Senate File 321, a bill for an act relating to allowing persons indirectly injured by antitrust violations to sue for redress, deferred on April 5, 1991.

Senator Sturgeon offered amendment S—3362 filed by him from the floor to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3362 be adopted?" (S.F. 321) the vote was:

Ayes, 24:

Buhr	Connolly	Deluhery	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley
Lloyd-Jones	Miller	Murphy	Palmer
Peterson	Riordan	Rosenberg	Running
Sturgeon	Szymoniak	Varn	Welsh

Nays, 23:

Borlaug	Boswell	Dieleman	Doyle
Drake	Fuhrman	Hagerla	Hedge
Hester	Jensen	Kramer	Lind
McLaren	Nystrom	Pate	Priebe
Rensink	Rife	Rittmer	Soorholtz
Taylor	Tinsman	Vande Hoef	

Absent or not voting, 3:

Kersten	Slife	Tieden
---------	-------	--------

Amendment S—3362 was adopted.

Senator Fuhrman asked and received unanimous consent that action on Senate File 321 be deferred.

**CONSIDERATION OF BILL
(Regular Calendar)**

Senate File 379

On motion of Senator Horn, Senate File 379, a bill for an act to establish a math and science grant program under the administration of the department of education and creating a math and science account, was taken up for consideration.

Senator Horn offered amendment S—3354 filed by him from the floor to page 2 and the title page of the bill and moved its adoption.

Amendment S—3354 was adopted by a voice vote.

Senator Horn asked and received unanimous consent that **House File 485 be substituted for Senate File 379** as amended.

Senator Horn asked and received unanimous consent that action on **House File 485 be deferred.**

BUSINESS PENDING

House File 309

The Senate resumed consideration of House File 309, a bill for an act relating to maximum lengths of saddle mounted or full mounted power unit combination vehicles and the length of draw bar or other connections on certain towing vehicles, previously deferred.

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. 309) the vote was:

Ayes, 46:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen

Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Soorholtz
Sturgeon	Szymoniak	Taylor	Vande Hoef
Varn	Welsh		

Nays, 2:

Palmer Tinsman

Absent or not voting, 2:

Slife Tieden

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 159

On motion of Senator Lloyd-Jones, Senate File 159, a bill for an act establishing an addiction treatment effectiveness advisory council, prescribing its duties, and providing for sanctions and civil penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Lloyd-Jones offered amendment S—3158 filed by the committee on State Government on March 25, 1991, to strike everything after the enacting clause and the title page of the bill and moved its adoption.

Amendment S—3158 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. 159) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake

Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Slife

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

BUSINESS PENDING

House File 385

The Senate resumed consideration of House File 385, a bill for an act requiring the state department of transportation to publish an official Iowa map, previously deferred.

Senator Fuhrman offered amendment S—3364 filed by him from the floor to page 1 of the bill, and moved its adoption.

A non record roll call was requested.

The ayes were 19, nays 25.

Amendment S—3364 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. 385) the vote was:

Ayes, 44:

Borlaug

Boswell

Connolly

Deluhery

Dieleman	Doyle	Drake	Fraise
Gettings	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kibbie	Kinley
Kramer	Lind	Lloyd-Jones	McLaren
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Riordan	Rittmer	Rosenberg	Running
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Varn	Welsh

Nays, 5:

Buhr	Fuhrman	Kersten	Rife
Vande Hoef			

Absent or not voting, 1:

Slife

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 309, 385 and Senate File 159** be immediately messaged to the House.

MOTION TO RECONSIDER ADOPTED

Senator Deluhery called up the motion to reconsider Senate File 508 filed by him on April 4, 1991, found on page 1071 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 508) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 27:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Doyle	Fraise	Gettings
Gronstal	Hannon	Horn	Husak
Hutchins	Kibbie	Kinley	Lloyd-Jones

Miller
Rosenberg
Szymoniak

Murphy
Running
Varn

Priebe
Soorholtz
Welsh

Riordan
Sturgeon

Nays, 21:

Borlaug
Hedge
Kramer
Palmer
Rittmer
Vande Hoef

Drake
Hester
Lind
Pate
Taylor

Fuhrman
Jensen
McLaren
Rensink
Tieden

Hagerla
Kersten
Nystrom
Rife
Tinsman

Absent or not voting, 2:

Peterson

Slife

The motion prevailed.

Senator Deluhery moved to reconsider the vote by which Senate File 508 went to its last reading, which motion prevailed by a voice vote.

Senate File 508

On motion of Senator Deluhery, Senate File 508, a bill for an act relating to energy efficiency by expanding the entities entitled to financial assistance for implementing energy conservation measures, requiring implementation of life cycle cost analyses and providing exemptions from the implementation requirements, requiring the appropriation of abandoned utility refunds and deposits, establishing energy efficiency standards for certain products, establishing various energy efficiency-related programs and projects, and providing for a sales and use tax credit for the purchase of fuel-efficient motor vehicles, was taken up for reconsideration.

Senator Gronstal offered amendment S—3342 filed by Senators Gronstal et. al., on April 5, 1991, to pages 10-12 of the bill and moved its adoption.

Amendment S—3342 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. 508) the vote was:

Ayes, 27:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Doyle	Fraise	Gettings
Gronstal	Hannon	Horn	Husak
Hutchins	Kibbie	Kinley	Lloyd-Jones
Miller	Murphy	Palmer	Priebe
Riordan	Rosenberg	Running	Sturgeon
Szymoniak	Varn	Welsh	

Nays, 21:

Borlaug	Drake	Fuhrman	Hagerla
Hedge	Hester	Jensen	Kersten
Kramer	Lind	McLaren	Nystrom
Pate	Rensink	Rife	Rittmer
Soorholtz	Taylor	Tieden	Tinsman
Vande Hoef			

Absent or not voting, 2:

Peterson Slife

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 508 be immediately messaged** to the House.

The motion to reconsider the vote by which Senate File 508 failed to pass the Senate on April 4, 1991, filed by Senator Pate on April 4, 1991, and found on page 1071 of the Senate Journal, was out of order.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 8, 1991, passed the following bill in which the concurrence of the Senate is asked:

House File 618, a bill for an act relating to the marketable title of real estate and the lapse of stale mineral interests.

This bill was read first time and passed on file.

ALSO: That the House has on April 9, 1991, passed the following bill in which the concurrence of the House was asked:

Senate File 146, a bill for an act relating to the time of making decisions for and notice of final decisions for increases in tuition, fees, or charges at institutions of higher education under the control of the state board of regents.

ALSO: That the House has on April 9, 1991, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 131, 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. (S—3359)

Senate File 276, a bill for an act amending the Iowa Uniform Securities Act, by exempting agricultural cooperative associations from certain requirements provided under the Act, providing for the retroactive application of the Act, and providing an effective date. (S—3360)

ALSO: That the House has on April 9, 1991, passed the following bill in which the concurrence of the Senate is asked:

House File 662, a bill for an act relating to facilities used to maintain animals, and providing penalties.

This bill was read first time and passed on file.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

President Welsh announced the assignment of the following bills to committee:

H.F.	214	Human Resources
H.F.	624	Transportation
H.F.	534	Judiciary
H.F.	661	Environment & Energy Utilities
H.F.	662	Agriculture
H.F.	672	State Government

REPORTS OF STANDING COMMITTEE (Place nominees on En Bloc Confirmation Calendar)

HUMAN RESOURCES

Pursuant to Senate Rule 59, the committee on Human Resources assigned to investigate the following Governor's appointments, completed its investigations on April 9, 1991, and recommended the appointees be confirmed:

Stephanie Ann Johnson for appointment as a member of the Commission on Community Action Agencies.

R. Creig Slayton for reappointment as a member of the Director of the Department for the Blind.

COMMITTEE REPORTS

COMMERCE

Final Bill Action: HOUSE FILE 20, a bill for an act to exclude Sunday and all legal public holidays as banking days for purposes of determining a bank's midnight deadline.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Deluhery, Kinley, Doyle, Gettings, Gronstal, Jensen, Kersten, Lind, Nystrom, Priebe, Sturgeon, Tieden and Varn. Nays, none. Absent or not voting, 2: Slife and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 502, a bill for an act relating to eliminating the requirement that a financial institution disclose certain information related to financial services offered by the financial institution.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3368.

Final Vote: Ayes, 12: Deluhery, Kinley, Doyle, Gettings, Gronstal, Jensen, Kersten, Lind, Nystrom, Priebe, Tieden and Varn. Nays, none. Absent or not voting, 3: Slife, Palmer and Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 566, a bill for an act relating to defective motor vehicles and providing statutory procedures under which a consumer may receive a replacement motor vehicle, or a full refund, for a motor vehicle which cannot be brought into conformity with the warranty, providing certain remedies, providing an administrative fine, making a penalty applicable, and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3369.

Final Vote: Ayes, 12: Deluhery, Kinley, Doyle, Gettings, Gronstal, Jensen, Kersten, Lind, Nystrom, Priebe, Tieden and Varn. Nays, none. Absent or not voting, 3: Slife, Palmer and Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 601, a bill for an act relating to open end credit accounts by eliminating the requirement that the banking division compile and report a summary of the volume of consumer installment credit to the administrator of the Iowa consumer credit code and providing for a change in terms in the agreement.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3365.

Final Vote: Ayes, 13: Deluhery, Kinley, Doyle, Gettings, Gronstal, Jensen, Kersten, Lind, Nystrom, Priebe, Sturgeon, Tieden and Varn. Nays, none. Absent or not voting, 2: Slife and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: HOUSE FILE 334, a bill for an act to permit districts which reorganize to change the area education agency which will provide services to students in the new or enlarged district.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Connolly, Horn, Taylor, Deluhery, Dieleman, Kibbie, Kramer, Lind, Rensink, Running, Szymoniak, Tieden, Tinsman and Varn. Nays, none. Absent or not voting, 1: Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 423, a bill for an act relating to student financial aid programs administered by the college student aid commission.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3363.

Final Vote: Ayes, 10: Connolly, Horn, Deluhery, Dieleman, Kibbie, Lind, Rensink, Running, Szymoniak and Varn. Nays, none. Absent or not voting, 5: Taylor, Kramer, Murphy, Tieden and Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 486, a bill for an act to permit the board of educational examiners to deem national board certificate holders as meeting the requirements for Iowa teachers' licenses or endorsements.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Connolly, Horn, Taylor, Deluhery, Dieleman, Kibbie, Kramer, Lind, Rensink, Running, Tieden and Tinsman. Nays, none. Absent or not voting, 3: Murphy, Szymoniak and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 518, a bill for an act to establish an advanced placement summer program.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Connolly, Horn, Deluhery, Dieleman, Kibbie, Lind, Rensink, Running, Szymoniak, Tinsman and Varn. Nays, none. Absent or not voting, 4: Taylor, Kramer, Murphy and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 580, a bill for an act to permit a person who has been issued a coaching authorization to be employed by a school district as head coach.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Connolly, Horn, Taylor, Deluhery, Dieleman, Kibbie, Kramer, Lind, Rensink, Running, Tieden, Tinsman and Varn. Nays, none. Absent or not voting, 2: Murphy and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: HOUSE FILE 343, a bill for an act relating to the enforcement authority of the Iowa utilities board regarding intrastate pipelines and electric transmission lines and providing civil penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3361.

Final Vote: Ayes, 11: Rosenberg, Jensen, Borlaug, Deluhery, Fraise, Hannon, Hedge, Kersten, Miller, Soorholtz, and Varn. Nays, none. Absent or not voting, 1: Gronstal.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 386, a bill for an act relating to public utility reorganizations and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Rosenberg, Gronstal, Jensen, Borlaug, Deluhery, Fraise, Hannon, Hedge, Kersten, Miller and Soorholtz. Nays, none. Absent or not voting, 1: Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 520, a bill for an act relating to testing to detect the presence of radon gas or radon progeny.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Rosenberg, Gronstal, Deluhery, Fraise, Hannon, Miller and Varn. Nays, 5: Jensen, Borlaug, Hedge, Kersten and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: HOUSE FILE 380, a bill for an act requiring the state registrar to provide a certified copy of a birth certificate when the certificate is registered.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Hannon, Buhr, Hagerla, Horn, Kramer, Murphy, Riordan, Rittmer, Sturgeon, Szymoniak, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: HOUSE FILE 506, a bill for an act relating to the admission into evidence of reproduced, rerecorded, or duplicated original writings, documents, and other records kept in the regular course of business or activity.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Sturgeon, Rosenberg, Fuhrman, Connolly, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate and Varn. Nays, 1: Peterson. Absent or not voting, 1: Slife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 558, a bill for an act relating to child support by affecting informational requirements of the child support recovery unit and the receipt and disbursement of child support payments.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Sturgeon, Rosenberg, Fuhrman, Connolly, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson and Varn. Nays, none. Absent or not voting, 1: Slife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 598, a bill for an act relating to the payment of certain court filing fees by the United States.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Sturgeon, Rosenberg, Fuhrman, Connolly, Deluhery, Drake, Hagerla, Horn, Pate, Peterson and Varn. Nays, 3: Gronstal, Hester and Murphy. Absent or not voting, 1: Slife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 679, a bill for an act relating to forfeiture of excursion boats and related property and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Sturgeon, Rosenberg, Fuhrman, Connolly, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson and Varn. Nays, none. Absent or not voting, 1: Slife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3359	S.F.	131	House amendment
S-3360	S.F.	276	House amendment
S-3361	H.F.	343	Environment & Energy Utilities
S-3362	S.F.	321	Al Sturgeon
S-3363	H.F.	423	Education
S-3364	H.F.	385	Linn Fuhrman
S-3365	H.F.	601	Commerce
S-3366	S.F.	451	Eugene Fraise Ralph Rosenberg Jim Kersten
S-3367	S.F.	364	George Kinley
S-3368	H.F.	502	Commerce
S-3369	H.F.	566	Commerce
S-3370	H.F.	380	Larry Murphy

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:53 p.m., until 9:00 a.m., Wednesday, April 10, 1991.

JOURNAL OF THE SENATE

EIGHTY-SEVENTH CALENDAR DAY
FIFTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 10, 1991

The Senate met in regular session at 9:05 a.m., President pro tempore Lloyd-Jones presiding.

Prayer was offered by the Reverend Gary Van Heuklom, pastor of the First Reformed Church, Sibley, Iowa.

The Journal of Tuesday, April 9, 1991, was approved.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 8, 1991, passed the following bill in which the concurrence of the House was asked:

Senate File 477, a bill for an act relating to cooperative ownership of residential, business property, providing an applicability date, and providing an effective date.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 38 present, 12 absent and a quorum present.

President Welsh took the chair at 9:24 a.m.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 369

On motion of Senator Varn, Senate File 369, a bill for an act relating to corporation law by providing electronic access to corporate records, relating to the removal or resignation of directors, relating to certain notice requirements, and by making certain nonsubstantive corrections, was taken up for consideration.

Senator Varn offered amendment S—3270 filed by Senators Varn and Sturgeon on April 2, 1991, to pages 2 and 3 of the bill and moved its adoption.

Amendment S—3270 was adopted by a voice vote.

Senator Varn asked and received unanimous consent that **House File 556** be substituted for **Senate File 369** as amended.

Senator Varn asked and received unanimous consent that action on **House File 556** be deferred.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 52** be referred from the Regular Calendar to the committee on **Environment and Energy Utilities**.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 245

On motion of Senator Slife, Senate File 245, a bill for an act providing immunity from liability for volunteers, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Slife offered amendment S—3150 filed by the committee on Judiciary on March 21, 1991, to page 1 of the bill and moved its adoption.

Amendment S—3150 was adopted by a voice vote.

Senator Slife moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 245) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Vande Hoef	Varn
Welsh			

Nays, none:

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.

Senate File 496

On motion of Senator Gronstal, Senate File 496, a bill for an act relating to persons convicted of public offenses, relating to the department of corrections and its programs and facilities, and establishing additional public offenses and criminal penalties, was taken up for consideration.

Senator Gronstal offered amendment S—3243 filed by him on April 1, 1991, to pages 10 and 15 of the bill and moved its adoption.

Amendment S—3243 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. 496) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fraise

Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Horn	Husak
Hutchins	Jensen	Kersten	Kibbie
Kinley	Kramer	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Welsh	

Nays, 1:

Doyle

Absent or not voting, 2:

Hester

Varn

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MOTION TO OVERRIDE GOVERNOR'S ITEM VETO LOST

Senator Boswell called up for consideration of Senate File 209, a bill for an act relating to and making supplemental appropriations for the remainder of the fiscal year ending June 30, 1991, to the department of human services, national conference of state legislatures, department of general services, department of revenue and finance, department of public safety, department of inspections and appeals, college student aid commission, board of regents institutions, office of lieutenant governor, department of transportation, pioneer lawmakers, the office of the state public defender, department of justice, department of human rights, Iowa finance authority, department of economic development, department of corrections, and extending ethanol fuel project, relating to certain interest, investment income, and funds received, relating to future budget estimates, and increasing the court civil penalty surcharge, and providing effective dates, and moved to reconsider and pass, the objections of the Governor notwithstanding, Section 30 as item vetoed by the Governor on March 29, 1991.

On the question "Shall the Senate on reconsideration, agree to pass Section 30, the objections of the Governor to the contrary notwithstanding?" (S.F. 209) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 27:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Doyle	Fraise	Gettings
Gronstal	Hannon	Horn	Husak
Hutchins	Kibbie	Kinley	Lloyd-Jones
Miller	Murphy	Palmer	Peterson
Priebe	Riordan	Rosenberg	Running
Sturgeon	Szymoniak	Welsh	

Nays, 22:

Borlaug	Drake	Fuhrman	Hagerla
Hedge	Hester	Jensen	Kersten
Kramer	Lind	McLaren	Nystrom
Pate	Rensink	Rife	Rittmier
Slife	Soorholtz	Taylor	Tieden
Tinsman	Vande Hoef		

Absent or not voting, 1:

Varn

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 209 be indefinitely postponed and that the bill be removed from the Veto Messages Calendar.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 443

On motion of Senator Sturgeon, Senate File 443, a bill for an act relating to workers' compensation medical benefits and weekly benefit claims, extraterritorial jurisdiction, burial expenses, and minimum benefit payments, was taken up for consideration.

Senator Sturgeon offered amendment S—3378 filed by him on April 10, 1991, to pages 1, 2, 4, 5 and the title page of the bill and moved its adoption.

Amendment S—3378 was adopted by a voice vote.

With the adoption of amendment S—3378, the Chair ruled amendment S—3138 filed on March 20, 1991, by the committee on Business and Labor Relations to pages 1-5 and the title page of the bill, out of order.

Senator Sturgeon asked and received unanimous consent that **House File 517** be substituted for **Senate File 443** as amended.

Senator Sturgeon asked and received unanimous consent that action on **House File 517** be deferred.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 245 and 496** be immediately messaged to the House.

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 427** be referred from the Regular Calendar to the committee on **State Government**.

Senator Hutchins asked and received unanimous consent that **Senate File 498** be referred from the Regular Calendar to the committee on **Business and Labor Relations**.

Senator Hutchins asked and received unanimous consent that **Senate File 459** be referred from the Unfinished Business Calendar to the committee on **Business and Labor Relations**.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 8, 1991, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 445, a bill for an act relating to the forfeiture of the rights of junior lienholders with respect to real estate contracts and providing an effective date (S—3374).

INTRODUCTION OF BILL

Senate Joint Resolution 9, by the committee on Human Resources, a joint resolution to nullify an administrative rule of the department of human services relating to reimbursement for psychiatric medical institutions for children, and providing an effective date.

Read first time and placed on calendar.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:02 a.m., until 1:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: April 9, 1991, 8:02 a.m.

Members Present: Priebe, Chair; Peterson, Vice Chair; Soorholtz, Ranking Member; Doyle, Fraise, Hedge, Hester, Husak, McLaren, Miller, Palmer, Riordan, Rittmer and Vande Hoef.

Members Absent: Boswell (excused).

Committee Business: Recommended passage of House File 480 and Senate Concurrent Resolution 17; approved LSB 2692 as a committee resolution.

Adjourned: 8:25 a.m.

BUSINESS AND LABOR RELATIONS

Convened: April 9, 1991, 11:05 a.m.

Members Present: Running, Chair; Sturgeon, Vice Chair; Fuhrman, Ranking Member; Buhr, Kinley, Peterson, Rensink and Slife.

Members Absent: Palmer and Taylor.

Committee Business: Assigned bill to subcommittee; placed governor's appointee Robert D. Wilson on Individual Confirmation Calendar without recommendation.

Adjourned: 11:12 a.m.

COMMERCE

Convened: April 9, 1991, 1:38 p.m.

Members Present: Deluhery, Chair; Kinley, Vice Chair; Doyle, Gettings, Gronstal, Jensen, Kersten, Lind, Nystrom, Priebe, Sturgeon, Tieden and Varn.

Members Absent: Slife, Ranking Member and Palmer (both excused).

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 502, 566 and 601 as amended; recommended passage of House File 20.

Adjourned: 1:50 p.m.

EDUCATION

Convened: April 9, 1991, 2:35 p.m.

Members Present: Connolly, Chair; Horn, Vice Chair; Taylor, Ranking Member; Deluhery, Dieleman, Kibbie, Kramer, Lind, Rensink, Running, Szymoniak, Tieden, Tinsman and Varn.

Members Absent: Murphy (excused).

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 486, 580, 334 and 518; recommended passage of House File 423 as amended.

Adjourned: 3:35 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: April 9, 1991, 11:10 a.m.

Members Present: Rosenburg, Chair; Gronstal, Vice Chair; Jensen, Ranking Member; Borlaug, Deluhery, Fraise, Hannon, Hedge, Kersten, Miller, Soorholtz and Varn.

Members Absent: none.

Committee Business: Recommended passage of House Files 386 and 520; recommended passage of House File 343 as amended; recommended confirmation of governor's appointees.

Adjourned: 12:00 noon.

HUMAN RESOURCES

Convened: April 9, 1991, 10:25 a.m.

Members Present: Hannon, Chair; Buhr, Vice Chair; Hagerla, Ranking Member; Horn, Kramer, Murphy, Riordan, Rittmer, Sturgeon, Szymoniak, Taylor and Tinsman.

Members Absent: none.

Committee Business: Recommended passage of House File 380; ordered SSB 338 redrafted for final approval as a committee bill; recommended passage of House File 575.

Adjourned: 11:03 a.m.

JUDICIARY

Convened: April 9, 1991, 3:45 p.m.

Members Present: Sturgeon, Chair; Rosenberg, Vice Chair; Fuhrman, Ranking Member; Connolly, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson and Varn.

Members Absent: Slife (excused).

Committee Business: Senate File 528 failed recommendation for passage; recommended passage of House Files 679, 598, 558 and 506.

Adjourned: 4:39 p.m.

TRANSPORTATION

Convened: April 9, 1991, 10:25 a.m.

Members Present: Fraise, Chair; Connolly, Vice Chair; Drake, Ranking Member; Dieleman, Gettings, Jensen, Kersten, Kinley, Lloyd-Jones, Nystrom, Pate and Welsh.

Members Absent: none.

Committee Business: Recommended passage of House Files 625, 483 and 275.

Adjourned: 10:58 a.m.

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 18**

RULES AND ADMINISTRATION: Hutchins, Chair; Lloyd-Jones and Rife

Senate Concurrent Resolution 19

RULES AND ADMINISTRATION: Hutchins, Chair; Lloyd-Jones and Rife

Senate File 515

HUMAN RESOURCES: Szymoniak, Chair; Hannon and Tinsman

House Concurrent Resolution 18

TRANSPORTATION: Fraise, Chair; Gettings and Pate

House File 214

HUMAN RESOURCES: Riordan, Chair; Szymoniak and Tinsman

House File 516

EDUCATION: Dieleman, Chair; Szymoniak and Tieden

House File 583

EDUCATION: Horn, Chair; Deluhery and Kramer

House File 593

EDUCATION: Connolly, Chair; Horn and Kramer

House File 646

EDUCATION: Dieleman, Chair; Szymoniak and Tieden

House File 647

EDUCATION: Horn, Chair; Connolly and Kramer

House File 662

AGRICULTURE: Doyle, Chair; Palmer and Vande Hoef

House File 672

STATE GOVERNMENT: Buhr, Chair; Lloyd-Jones and Vande Hoef

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifteen eighth grade students from St. John School in Bancroft, accompanied by Madeline Summitt. Senator Priebe.

Fifty-two fifth grade students from Westridge Elementary School, West Des Moines, accompanied by Sharon Gray. Senator Kramer.

Twenty-four eleventh grade students from Wellsburg/Steamboat Rock High School in Wellsburg. Senators Jensen and Taylor.

COMMITTEE REPORT

HUMAN RESOURCES

Final Bill Action: *SENATE JOINT RESOLUTION 9 (SSB 338), a joint resolution to nullify an administrative rule of the department of human services relating to reimbursement for psychiatric medical institutions for children, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hannon, Buhr, Hagerla, Horn, Kramer, Murphy, Riordan, Rittmer, Sturgeon, Szymoniak, 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 Joint Resolution 9 and they were attached to the committee report.

AMENDMENTS FILED

S-3371	S. F.	177	Jean Lloyd-Jones
S-3372	S. F.	499	Harry Slife
S-3373	H. F.	625	Jim Lind
S-3374	S. F.	445	House amendment
S-3375	S. F.	445	Richard Varn
S-3376	S. F.	341	Beverly Hannon
S-3377	S. F.	451	Jim Kersten
			Jim Lind
			John Jensen
S-3378	S. F.	443	Al Sturgeon
S-3379	H. F.	152	Wally Horn
S-3380	S. F.	177	Paul Pate

AFTERNOON SESSION

The Senate reconvened at 1:34 p.m., Senator Kibbie 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 12, duly adopted, the Senate proceeded to the House under the direction of the Secretary of the Senate and the Sergeant-at-arms.

JOINT CONVENTION PIONEER LAWMAKERS Fifty-First Biennial Session House Chamber — 1:35 p.m.

In accordance with House Concurrent Resolution 12, the joint convention was called to order, President Kibbie presiding.

President Kibbie declared a quorum present and the joint convention duly organized.

Senator Hutchins moved that a committee of four be appointed to escort the Pioneer Lawmakers into the House chamber.

The motion prevailed by a voice vote and the President appointed as such committee Senators Doyle and Rittmer and Representatives Chapman and Kissler.

The committee escorted the Pioneer Lawmakers to seats in the House chamber.

President Kibbie presented the Honorable Jean Lloyd-Jones, President pro tempore of the Senate, who welcomed the Pioneer Lawmakers on behalf of the Senate.

President Kibbie presented the Honorable John Connors, Speaker pro tempore of the House of Representatives, who welcomed the Pioneer Lawmakers on behalf of the House of Representatives.

President Kibbie presented the Honorable William Harbor, member of the House of Representatives from Mills County, who responded to the welcome.

Representative Harbor announced the 1971-72 class of legislators who were eligible to become members of the Pioneer Lawmakers and that Jim West, lobbyist from Des Moines, was awarded honorary membership in the Pioneer Lawmakers Association.

Representative Harbor presented the Honorable Ralph McCartney, Chief Judge of the Second Judicial District from Charles City and a former member of the Senate and House, who addressed the joint convention.

Representative Mike Peterson of Carroll County sang "Promise Me You'll Remember".

Representative Mühlbauer moved that the joint convention be dissolved at 2:14 p.m.

The motion prevailed by voice vote.

The Senate returned to the Senate chamber and resumed regular session, Senator Priebe presiding.

RECESS

On motion of Senator Horn, the Senate recessed at 2:31 p.m., until 4:30 p.m.

RECONVENED

The Senate reconvened at 4:30 p.m., President Welsh presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 26 present, 24 absent and a quorum present.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Welsh presiding.

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 370

On motion of Senator Varn, Senate File 370, a bill for an act relating to the marketable title of real estate, was taken up for consideration.

Senator Gronstal withdrew amendment S—3235 filed by him on March 28, 1991, to pages 1 and 2 of the bill.

Senator Varn offered amendment S—3381 filed by him from the floor to page 1 and the title page of the bill and moved its adoption.

Amendment S—3381 was adopted by a voice vote.

Senator Varn asked and received unanimous consent that **House File 618** be substituted for **Senate File 370** as amended.

Senator Varn asked and received unanimous consent that action on **House File 618** be deferred.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Welsh presiding.

APPENDIX

SUBCOMMITTEE ASSIGNMENT

House File 534

JUDICIARY: Deluhery, Chair; Connolly and Slife

REPORT OF COMMITTEE MEETING

HUMAN RESOURCES

Convened: April 10, 1991, 11:10 a.m.

Members Present: Hannon, Chair; Buhr, Vice Chair; Hagerla, Ranking Member; Horn, Kramer, Murphy, Riordan, Rittmer, Sturgeon, Szymoniak, Taylor and Tinsman.

Members Absent: none.

Committee Business: SENATE FILE 515, a bill for an act relating to the confidential reporting of terminations of pregnancy and establishing a penalty, **FAILED RECOMMENDATION FOR PASSAGE**. Final Vote: Ayes, 3: Murphy, Hagerla and Taylor. Nays, 9: Hannon, Buhr, Horn, Riordan, Sturgeon, Szymoniak, Kramer, Rittmer and Tinsman. Bill will return to the Senate Calendar because it was assigned to the Human Resources Committee under "date certain" conditions; recommended passage of House File 668 as amended; recommended passage of House File 214.

Adjourned: 11:41 a.m.

REPORT OF STANDING COMMITTEE (Place nominee on Individual Confirmation Calendar)

NATURAL RESOURCES

Pursuant to Senate Rule 59, the committee on Natural Resources assigned to investigate the following Governor's appointment, completed its investigation on April 10, 1991, and reported the appointee to the Senate **without recommendation**:

Larry J. Wilson for reappointment as Director of the Department of Natural Resources.

REPORTS OF STANDING COMMITTEE
(Place nominee 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 April 10, 1991, and recommended the appointees be confirmed:

Christopher G. Atchison for appointment as Director of Public Health.

Myron L. Gookin for reappointment as a member of the Mental Health and Mental Retardation Commission.

COMMITTEE REPORTS

EDUCATION

Final Bill Action: HOUSE FILE 516, a bill for an act to establish a teacher exchange program within the state.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Connolly, Horn, Taylor, Dieleman, Kibbie, Kramer, Murphy, Rensink, Szymoniak, Tieden, Tinsman and Varn. Nays, 2: Deluhery and Lind. Absent or not voting, 1: Running.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 583, a bill for an act relating to eligibility of school districts for the reorganization incentives and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3388.

Final Vote: Ayes, 13: Connolly, Horn, Taylor, Deluhery, Dieleman, Kramer, Lind, Murphy, Rensink, Szymoniak, Tieden, Tinsman and Varn. Nays, none. Absent or not voting, 2: Kibbie and Running.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 593, a bill for an act relating to employment of personnel under sharing agreements and agreements to combine merged areas.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Connolly, Horn, Taylor, Deluhery, Dieleman, Kibbie, Kramer, Lind, Murphy, Rensink, Szymoniak, Tieden, Tinsman and Varn. Nays, none. Absent or not voting, 1: Running.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 646, a bill for an act to permit school districts to provide educational programs to persons who are beyond the age prescribed as the school age.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Connolly, Horn, Deluhery, Dieleman, Kramer, Murphy, Szymoniak and Varn. Nays, 6: Taylor, Kibbie, Lind, Rensink, Tieden and Tinsman. Absent or not voting, 1: Running.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: HOUSE FILE 214, a bill for an act relating to the reproductive toxicity of alcoholic beverages, and providing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Hannon, Buhr, Horn, Kramer, Murphy, Riordan, Rittmer, Sturgeon, Szymoniak, Taylor and Tinsman. Nays, 1: Hagerla.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 575, a bill for an act relating to the collection and use of patient information by the health data commission, and providing penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3386.

Final Vote: Ayes, 12: Hannon, Buhr, Hagerla, Horn, Kramer, Murphy, Riordan, Rittmer, Sturgeon, Szymoniak, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 668, a bill for an act relating to the certificate of need program and providing penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3387.

Final Vote: Ayes, 10: Hannon, Buhr, Hagerla, Horn, Kramer, Murphy, Riordan, Rittmer, Sturgeon and Szymoniak. Nays, 2: Taylor and Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: HOUSE FILE 615, a bill for an act relating to the confidentiality of victim-identifying information in cases of sexual abuse, and providing for an automatic repeal.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Sturgeon, Fuhrman, Deluhery, Drake, Hagerla, Horn, Pate and Varn. Nays, 7: Rosenberg, Connolly, Gronstal, Hester, Murphy, Peterson and Slife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: HOUSE CONCURRENT RESOLUTION 18, House Concurrent Resolution 18, a concurrent resolution naming a highway route and urging the United States House Public Works and Transportation Committee and the United States Senate Environment and Public Works Committee to establish priority funding measures for development of a four-lane highway in Missouri, Iowa, and Minnesota 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: Fraise, Connolly, Drake, Gettings, Jensen, Kinley, Lloyd-Jones, Nystrom and Pate. Nays, none. Absent or not voting, 3: Dieleman, Kersten and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 92, a bill for an act relating to establishing commencement dates and terms of office for airport commissioners by ordinance.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Fraise, Connolly, Drake, Gettings, Jensen, Kinley, Lloyd-Jones, Nystrom, Pate and Welsh. Nays, none. Absent or not voting, 2: Dieleman and Kersten.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 297, a bill for an act relating to driver's license reciprocity for minors.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3382.

Final Vote: Ayes, 9: Fraise, Connolly, Drake, Gettings, Jensen, Kinley, Lloyd-Jones, Nystrom and Pate. Nays, none. Absent or not voting, 3: Dieleman, Kersten and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 491, a bill for an act relating to acquisition of rights-of-way for highways.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Fraise, Connolly, Drake, Gettings, Jensen, Kinley, Lloyd-Jones, Nystrom and Pate. Nays, none. Absent or not voting, 3: Dieleman, Kersten and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3381	S.F.	370	Richard Varn
S—3382	H.F.	297	Transportation
S—3383	S.F.	376	Al Sturgeon
S—3384	H.F.	233	Jim Kersten
			Richard Varn
			Berl Priebe
			Derryl McLaren
			Jack Rife
S—3385	H.F.	517	Linn Fuhrman
S—3386	H.F.	575	Human Resources

S-3387	H.F.	668	Human Resources
S-3388	H.F.	583	Education

RECESS

On motion of Senator Hutchins, the Senate recessed at 5:01 p.m., until 7:00 p.m.

EVENING SESSION

The Senate reconvened at 7:00 p.m. in the Senate chamber for a joint Senate and House memorial session, Senator Horn presiding.

JOINT MEMORIAL SERVICE

SEVENTY-FOURTH GENERAL ASSEMBLY
SENATE CHAMBER
WEDNESDAY, APRIL 10, 1991
7:00 p.m.

PROGRAM

SENATOR WALLY E. HORN, PRESIDING

Invocation Senator H. Kay Hedge, Fremont

"Love Divine" Wesley & Beecher

Jennifer Whitmire and Tony Ladehoff, accompanied by Dorothy Callaway

MEMORIALS — SENATE

Reading: Senator Eugene S. Fraise

MEMORIALS — HOUSE

Reading: Representative Daniel Fogarty

MEMORIALS — SENATE

Reading: Senator Linn Fuhrman

MEMORIALS — HOUSE

Reading: Representative Dave Osterberg

"Heaven Came Down and Glory Filled My Soul" John W. Peterson
Mens' Quartet: Senators Jack Hester, Jim Riordan, Harry Slife and Ray Taylor,
accompanied by Senator Mary Kramer

MEMORIALS — HOUSE AND SENATE

Reading: Senator Elaine Szymoniak

Reading: Senator Linn Fuhrman

Reading: Senator George Kinley

“My Tribute”Andre Crouche
Harriet Vande Hoef, accompanied by Senator Mary Kramer

MEMORIALS — HOUSE

Reading: Representative Mark S. Shearer

MEMORIALS — SENATE

Reading: Senator Eugene S. Fraise

MEMORIALS — HOUSE

Reading: Representative Daniel Fogarty

MEMORIALS — SENATE

Reading: Senator H. Kay Hedge

“Because He Lives”Gloria Gaither and William J. Gaither
Mixed Quartet: Senator and Mrs. Ray Taylor, Harriet Vande Hoef and
Senator Harry Slife, accompanied by Senator Mary Kramer

IN MEMORIAM**SERVED IN THE HOUSE OF REPRESENTATIVES AND SENATE**

Honorable Robert D. Blue (Wright County) House—46th, 47th, 48th and 49th.
(Wright County) Senate—50th.

Honorable Elmer F. Lange (Sac County) House—59th, 60th and 60x. (Sac County)
Senate—61st, 62nd and 63rd.

Honorable George F. Milligan (Polk County) House—63rd. (Polk County) Senate—
64th and 65th.

Honorable Howard C. Reppert, Jr. (Polk County) House—56th, 57th, 58th, 60th
and 60x. (Polk County) Senate— 61st and 62nd.

Honorable Carl H. Ringgenberg (Story County) House—54th, 55th and 56th. (Story
County) Senate—57th and 58th.

Honorable Earl M. Willits (Polk County) House—64th. (Polk County) Senate—65th, 66th, 67th and 68th.

SERVED IN THE SENATE

Honorable Tom Dailey (Des Moines County) 54th, 55th, 56th and 57th.

Honorable Pearle P. DeHart (Story County) 62nd and 63rd.

Honorable Alden Erskine (Woodbury County) 62nd and 63rd.

Honorable Stanley M. Heaberlin (Marion County) 61st and 62nd.

Honorable Dewey B. Phelps, Sr. (Henry County) 59th and 60th.

Honorable Forrest V. Schwengels (Jefferson County) 65th, 66th, 67th, 68th, 69th, 70th, 71st and 72nd.

SERVED IN THE HOUSE OF REPRESENTATIVES

Honorable Charles C. Ayres, Jr. (Wapello County) 46th.

Honorable Paul W. Eggers (Marion County) 58th.

Honorable La Mar P. Foster (Cedar County) 45th, 45x, 46th, 46x and 47th.

Honorable Lester L. Kluever (Cass County) 57th, 58th, 59th, 60th, 60x, 61st, 62nd and 63rd.

Honorable Arnold R. Lindeen (Henry County) 66th and 67th.

Honorable Raymond J. Miller (Dubuque County) 62nd.

Honorable Edward Norland (Palo Alto County) 56th.

Honorable Robert L. Oeth (Dubuque County) 54th.

Honorable George N. Pierson (Mahaska County) 62nd, 63rd and 64th.

Honorable Stanley T. Shepherd (Lee County) 62nd and 63rd.

Honorable Elmer Vermeer (Marion County) 55th, 56th, 57th, 59th and 60th.

Honorable James C. West (Marshall County) 65th, 66th, 67th, 67x and 68th.

Candlelighters

Senator Jack Hester
Senator Sheldon Rittmer
Representative Clay Spear
Representative Gordon Burke

Hosts

Senator Florence Buhr
Senator Donald Doyle
Senator Sheldon Rittmer
Representative Clay Spear
Representative Gordon Burke
Representative Don Knapp

SENATE MEMORIAL COMMITTEE

Honorable Wally E. Horn, Chair
Honorable Donald V. Doyle
Honorable H. Kay Hedge
Honorable Sheldon Rittmer

HOUSE MEMORIAL COMMITTEE

Honorable Mark Shearer, Chair
Honorable Pat Murphy
Honorable Brad Banks
Honorable Kenneth De Groot

Piano compliments of Critchett's Piano and Organ Co., Inc., Des Moines

Flowers arranged by The Bloomin' Greenery, Indianola, Iowa

ADJOURNMENT

On motion of Senator Fraise, the Senate adjourned at 7:40 p.m.,
until 9:00 a.m., Thursday, April 11, 1991.

JOURNAL OF THE SENATE

EIGHTY-EIGHTH CALENDAR DAY
FIFTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 11, 1991

The Senate met in regular session at 9:20 a.m., President Welsh presiding.

Prayer was offered by the Reverend John Quam, pastor of the First Lutheran Church, Manchester, Iowa.

The Journal of Wednesday, April 10, 1991, was approved.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 9, 1991, passed the following bills in which the concurrence of the House was asked:

Senate File 345, a bill for an act relating to state programs and institutions serving persons with mental retardation, developmental disabilities, or mental illness.

Senate File 378, a bill for an act relating to the weighting plan to be used to provide funds for the excess costs of instruction of children requiring special education.

Senate File 520, a bill for an act relating to securities by regulating transactions involving securities and regulating persons engaged in businesses related to the issuance or trading of securities, and providing penalties.

RESOLUTION REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate Resolution 9** be referred from the Regular Calendar to the committee on **Rules and Administration**.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 432

On motion of Senator Horn, Senate File 432, a bill for an act relating to participation in athletic conferences by accredited public and nonpublic schools and providing for rulemaking by the state board of education and for hearing and final action by the director of the department of education under certain circumstances, was taken up for consideration.

Senator Horn asked and received unanimous consent that action on **Senate File 432** be deferred.

Senate File 499

On motion of Senator Slife, Senate File 499, a bill for an act relating to the requirements for financing statements pursuant to the uniform commercial code, was taken up for consideration.

Senator Slife asked and received unanimous consent that action on **Senate File 499** be deferred.

Senate File 484

On motion of Senator Sturgeon, Senate File 484, a bill for an act relating to operating a motor vehicle while under the influence by eliminating the restitution limit, 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. 484) the vote was:

Ayes, 44:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fraise
Gettings	Hagerla	Hannon	Hedge
Hester	Horn	Husak	Hutchins
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Nystrom	Palmer	Pate	Priebe
Rensink	Rife	Riordan	Rittmer

Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 2:

Doyle	Peterson
-------	----------

Absent or not voting, 4:

Fuhrman	Gronstal	Jensen	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 25, 1991)

Senate File 336

The Senate resumed consideration of Senate File 336, a bill for an act relating to the historical resource development program, deferred March 25, 1991.

Senator Priebe offered amendment S—3199 filed by Senators Priebe, Kibbie and Soorholtz on March 27, 1991, to page 2 of the bill and moved its adoption.

Amendment S—3199 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. 336) the vote was:

Ayes, 47:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Gronstal	Hagerla	Hedge
Hester	Horn	Husak	Hutchins
Jensen	Kersten	Kibbie	Kinley
Kramer	Lind	Lloyd-Jones	McLaren
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg

Running
Szymoniak
Vande Hoef

Slife
Taylor
Varn

Soorholtz
Tieden
Welsh

Sturgeon
Tinsman

Nays, none:

Absent or not voting, 3:

Borlaug

Fuhrman

Hannon

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (En Bloc Confirmation Calendar)

In accordance with Senate Rule 59, Senator Hutchins called up the following eligible appointees on the En Bloc Confirmation Calendar:

Angela M. O'Rourke-Hartwig as a member of the Accountancy Examining Board.

R. Creig Slayton as Director of the Department for the Blind.

Robert J. Martin as a member of the Commission for the Blind.

Dana L. Barrer as a member of the Campaign Finance Disclosure Commission.

Ramona K. Kennedy as a member of the Chiropractic Examining Board.

Stephanie Ann Johnson as a member of the Commission on Community Action Agencies.

Reuvena M. Bruxvoort as a member of the Cosmetology Examining Board.

Patrick R. Sell as a member of the Commission on the Deaf.

R. Bruce Cochrane as a member of the Dental Examining Board.

Charlotte Mohr and Clark Yeager as members of the Environmental Protection Commission.

Maryann L. Shinrock as a member of the Iowa Highway Research Board.

Jim D. Davis and Arlene H. Dayhoff as members of the Council on Human Services.

James H. Crane as a member of the Iowa Finance Authority.

Marjorie L. Reth as a member of the Mortuary Science Examining Board.

Dennis L. Fiser as a member of the Narcotics Enforcement Advisory Council.

Elizabeth A. Saylor as a member of the State Board of Examiners for Nursing Home Administrators.

Ruth McAndrews as a member of the Optometry Examining Board.

Arlan (Jack) Van Norman as a member of the Pharmacy Examining Board.

Steven G. Berry and Nancy E. Welter as members of the Respiratory Care Advisory Committee.

Erlene Veverka as a member of the Social Work Examining Board.

Senator Hutchins moved that the foregoing appointments be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor

Tieden
Welsh

Tinsman

Vande Hoef

Varn

Nays, none:

Absent or not voting, 1:

Fuhrman

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 484 and 336** be immediately messaged to the House.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:44 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: April 10, 1991, 2:35 p.m.

Members Present: Connolly, Chair; Horn, Vice Chair; Taylor, Ranking Member; Deluhery, Dieleman, Kibbie, Kramer, Lind, Murphy, Rensink, Running, Szymoniak, Tieden, Tinsman and Varn.

Members Absent: none.

Committee Business: Recommended passage of House Files 516, 646 and 593; recommended passage of House File 583 as amended; amended and deferred action on House File 455.

Adjourned: 3:35 p.m.

JUDICIARY

Convened: April 10, 1991, 3:45 p.m.

Members Present: Sturgeon, Chair; Rosenberg, Vice Chair; Fuhrman, Ranking Member; Connolly, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson, Slife and Varn.

Members Absent: none.

Committee Business: Recommended passage of House File 615.

Adjourned: 4:42 p.m.

LOCAL GOVERNMENT

Convened: April 10, 1991, 11:46 a.m.

Members Present: Miller, Chair; Szymoniak, Vice Chair; Rittmer, Ranking Member; Borlaug, Buhr, Fraise, Hannon, and Vande Hoef.

Members Absent: Boswell and Jensen (both excused).

Committee Business: Assigned House File 182 to a subcommittee.

Adjourned: 11:50 a.m.

NATURAL RESOURCES

Convened: April 10, 1991, 11:30 a.m.

Members Present: Palmer, Chair; Kibbie, Vice Chair; Hester, Ranking Member; Dieleman, Hagerla, Hedge, Priebe, Rensink, Riordan, Rosenberg, Sturgeon and Tieden.

Members Absent: none.

Committee Business: Larry Wilson, governor's appointee as Director of the Department of Natural Resources, appeared before the committee, and the committee placed the appointee on the Individual Confirmation Calendar without recommendation.

Adjourned: 12:05 p.m.

STATE GOVERNMENT

Convened: April 10, 1991, 4:55 p.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Rife, Running, Soorholtz, Vande Hoef and Welsh.

Members Absent: none.

Committee Business: Recommended passage of House Files 420, 644, 672 and 631.

Adjourned: 5:04 p.m.

TRANSPORTATION

Convened: April 10, 1991, 11:05 a.m.

Members Present: Fraise, Chair; Connolly, Vice Chair; Drake, Ranking Member; Dieleman, Gettings, Jensen, Kinley, Lloyd-Jones, Nystrom and Pate.

Members Absent: Kersten and Welsh (both excused).

Committee Business: Assigned resolution to subcommittee; recommended passage of House File 297 as amended; recommended passage of House Files 92 and 491 and House Concurrent Resolution 18.

Adjourned: 11:24 a.m.

REPORT OF STANDING COMMITTEE
(Place nominee on Individual 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 appointment, completed its investigation on April 10, 1991, and **made no recommendation:**

Robert D. Wilson for appointment as Industrial Commissioner.

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 April 11, 1991, and recommended the appointees be confirmed:

James E. Smith for reappointment as Administrator of the Division of Community Action Agencies.

Gaylon L. Halverson for appointment as a member of the State Health Facilities Council.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Pursuant to Senate Rule 59, the committee on Small Business assigned to investigate the following Governor's appointment, completed its investigation on April 4, 1991, and recommended the appointee be confirmed:

Jane Ann Schlabaugh for appointment as a member of the Iowa Product Development Corporation.

EXPLANATION OF VOTES

MR. PRESIDENT: I was unavoidably absent from the Senate chamber on the morning of April 11, 1991.

Had I been present, I would have voted "aye" on Senate Files 484 and 336 and the En Bloc Calendar appointees.

LINN FUHRMAN

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 11th day of April, 1991:

Senate File 146.

JOHN F. DWYER
Secretary of the Senate

STUDY BILL RECEIVED**SSB 228.1 Ways & 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 and providing retroactive applicability and effective dates.

SUBCOMMITTEE ASSIGNMENTS

House File 624

TRANSPORTATION: Dieleman, Chair; Nystrom and Pate

House File 661

ENVIRONMENT & ENERGY UTILITIES: Rosenberg, Chair; Gronstal and Jensen

COMMITTEE REPORTS**AGRICULTURE**

Final Bill Action: HOUSE FILE 657, a bill for an act relating to alcohol blended gasoline, by changing references from gasohol to ethanol blended gasoline.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Priebe, Peterson, Soorholtz, Doyle, Fraise, Hedge, Hester, Husak, McLaren, Miller, Palmer, Riordan, Rittmer and Vande Hoef. Nays, none. Absent or not voting, 1: Boswell.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 678, a bill for an act relating to agricultural production and commerce, by providing for the production and distribution of ethanol.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Priebe, Peterson, Soorholtz, Doyle, Fraise, Hedge, Hester, Husak, McLaren, Miller, Palmer, Riordan, Rittmer and Vande Hoef. Nays, none. Absent or not voting, 1: Boswell.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BUSINESS AND LABOR RELATIONS

Final Bill Action: HOUSE FILE 438, a bill for an act relating to drug testing of employees and applicants for employment.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3393.

Final Vote: Ayes, 6: Running, Sturgeon, Fuhrman, Buhr, Peterson and Slife. Nays, none. Absent or not voting, 4: Kinley, Palmer, Rensink and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: HOUSE FILE 570, a bill for an act relating to limitations on the use of automatic dialing-announcing device equipment and providing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Deluhery, Kinley, Slife, Doyle, Gettings, Gronstal, Kersten, Lind, Nystrom, Palmer, Priebe, Sturgeon and Tieden. Nays, none. Absent or not voting, 2: Jensen and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 617, a bill for an act relating to the central location of original loan documentation recordkeeping functions at the office of a bank holding company.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Deluhery, Kinley, Slife, Doyle, Gettings, Gronstal, Kersten, Lind, Nystrom, Palmer, Priebe, Sturgeon and Tieden. Nays, none. Absent or not voting, 2: Jensen and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 619, a bill for an act relating to the preservation of financial institution records.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Deluhery, Kinley, Slife, Doyle, Gettings, Gronstal, Kersten, Lind, Nystrom, Palmer, Priebe, Sturgeon and Tieden. Nays, none. Absent or not voting, 2: Jensen and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 626, a bill for an act relating to adverse claims over deposits held by a savings and loan association.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Deluhery, Kinley, Slife, Doyle, Gettings, Gronstal, Kersten, Lind, Nystrom, Palmer, Sturgeon and Tieden. Nays, 1: Priebe. Absent or not voting, 2: Jensen and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 634, a bill for an act relating to the regulation of the business of insurance, amending certain filing requirements, filing fees, and the deposit of those fees by the insurance division, providing for the prior review and approval of certain policy forms and rates prior to issuance or delivery, making modifications to certain meeting and license renewal requirements, providing administrative penalties, and providing for the Act's applicability.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Deluhery, Kinley, Slife, Doyle, Gettings, Gronstal, Kersten, Lind, Nystrom, Palmer, Priebe, Sturgeon and Tieden. Nays, none. Absent or not voting, 2: Jensen and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: HOUSE FILE 455, a bill for an act relating to school instruction and attendance of children of compulsory school attendance age and providing for mediation of truancy issues and penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3392.

Final Vote: Ayes, 13: Connolly, Horn, Taylor, Deluhery, Kibbie, Kramer, Lind, Murphy, Running, Szymoniak, Tieden, Tinsman and Varn. Nays, 2: Dieleman and Rensink.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: HOUSE FILE 375, a bill for an act relating to the prohibiting of the disposal of baled solid waste at a sanitary landfill.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3395.

Final Vote: Ayes, 11: Rosenberg, Gronstal, Jensen, Borlaug, Deluhery, Fraise, Hannon, Hedge, Kersten, Miller, and Varn. Nays, none. Absent or not voting, 1: Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 661, a bill for an act relating to certain general permits for activities affecting the environment.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3394.

Final Vote: Ayes, 11: Rosenberg, Gronstal, Jensen, Borlaug, Deluhery, Fraise, Hannon, Hedge, Kersten, Miller, and Varn. Nays, none. Absent or not voting, 1: Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: HOUSE FILE 232, a bill for an act relating to the sale and furnishing of cigarettes and tobacco products to certain persons and providing penalties and an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Hannon, Hagerla, Kramer, Rittmer, Sturgeon, Szymoniak, Taylor and Tinsman. Nays, 2: Buhr and Murphy. Absent or not voting, 2: Horn and Riordan.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 655, a bill for an act relating to emergency care providers who are exposed to contagious or infectious diseases, and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Hannon, Buhr, Hagerla, Horn, Kramer, Murphy, Rittmer, Sturgeon, Szymoniak, Taylor and Tinsman. Nays, none. Absent or not voting, 1: Riordan.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 420, a bill for an act relating to corrective changes to Iowa's election laws, providing emergency powers to the state commissioner of elections, and relating to the affidavit filing requirements for a single public office by primary election candidates and certain general election candidates, and relating to absentee voting.

Recommendation: DO PASS.

Final Vote: Ayes, 16: Kibbie, Lloyd-Jones, Nystrom, Buhr, Dieleman, Doyle, Gronstal, Horn, Kramer, Lind, McLaren, Priebe, Rife, Soorholtz, Vande Hoef and Welsh. Nays, none. Absent or not voting, 3: Drake, Murphy and Running.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 631, a bill for an act relating to the sale of alcoholic beverages in original containers for consumption off the premises and imposing a fee.

Recommendation: DO PASS.

Final Vote: Ayes, 17: Kibbie, Lloyd-Jones, Nystrom, Buhr, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Rife, Running, Soorholtz and Welsh. Nays, 2: Dieleman and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 644, a bill for an act relating to communication by permanent nonprofit organizations with their dues-paying members under the campaign finance disclosure law.

Recommendation: DO PASS.

Final Vote: Ayes, 16: Kibbie, Lloyd-Jones, Nystrom, Buhr, Dieleman, Doyle, Gronstal, Horn, Kramer, Lind, McLaren, Priebe, Rife, Soorholtz, Vande Hoef and Welsh. Nays, none. Absent or not voting, 3: Drake, Murphy and Running.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 672, a bill for an act relating to the health practice profession examining boards, the duties of the board of medical examiners, the composition of the board of podiatry examiners and its disciplinary hearing panel, and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 16: Kibbie, Lloyd-Jones, Nystrom, Buhr, Dieleman, Doyle, Gronstal, Horn, Kramer, Lind, McLaren, Priebe, Rife, Soorholtz, Vande Hoef and Welsh. Nays, none. Absent or not voting, 3: Drake, Murphy and Running.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3389	H.F.	500	Ray Taylor Joe Welsh
S-3390	S.F.	177	Allen Borlaug
S-3391	S.F.	177	Richard Running
S-3392	H.F.	455	Education
S-3393	H.F.	438	Business & Labor Relations
S-3394	H.F.	661	Environment & Energy Utilities
S-3395	H.F.	375	Environment & Energy Utilities

AFTERNOON SESSION

The Senate reconvened at 4:45 p.m., President Welsh presiding.

INTRODUCTION OF RESOLUTION

Senate Resolution 10, by Lloyd-Jones, Varn, Drake and Kramer, a senate resolution posthumously honoring Paul Engle, Clark Fisher Ansley Professor of Creative Writing at the University of Iowa, and honoring his wife, novelist Hualing Nieh.

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.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Running, Connolly and Varn for the remainder of the week and Senator Riordan for the remainder of the day on request of Senator Hutchins; Senator Rensink for the remainder of the week on request of Senator Jensen.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Welsh presiding.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: HOUSE FILE 372, a bill for an act amending the pesticide Act of Iowa, by providing for the establishment and assessment of civil penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3398.

Final Vote: Ayes, 13: Priebe, Peterson, Soorholtz, Doyle, Fraise, Hedge, Hester, Husak, McLaren, Miller, Palmer, Rittmer and Vande Hoef. Nays, none. Absent or not voting, 2: Boswell and Riordan.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 662, a bill for an act relating to facilities used to maintain animals, and providing penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3397.

Final Vote: Ayes, 14: Priebe, Peterson, Soorholtz, Doyle, Fraise, Hedge, Hester, Husak, McLaren, Miller, Palmer, Riordan, Rittmer and Vande Hoef. Nays, none. Absent or not voting, 1: Boswell.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 675, 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 providing dates of applicability.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3399.

Final Vote: Ayes, 14: Priebe, Peterson, Soorholtz, Doyle, Fraise, Hedge, Hester, Husak, McLaren, Miller, Palmer, Riordan, Rittmer and Vande Hoef. Nays, none. Absent or not voting, 1: Boswell.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: HOUSE FILE 198, a bill for an act relating to nonsubstantive Code and Act corrections.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Sturgeon, Rosenberg, Fuhrman, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson and Slife. Nays, none. Absent or not voting, 2: Connolly and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 201, a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and providing effective and retroactive applicability dates.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Sturgeon, Rosenberg, Fuhrman, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson and Slife. Nays, none. Absent or not voting, 2: Connolly and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 324, a bill for an act relating to aiding and abetting and retaliation under the civil rights law.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Sturgeon, Rosenberg, Fuhrman, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson and Slife. Nays, none. Absent or not voting, 2: Connolly and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 335, a bill for an act relating to a parent's right of action for the death of a child.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Sturgeon, Rosenberg, Fuhrman, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson and Slife. Nays, none. Absent or not voting, 2: Connolly and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 357, a bill for an act establishing the Iowa uniform premarital agreement Act, and providing effective date and applicability provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Sturgeon, Rosenberg, Fuhrman, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson and Slife. Nays, none. Absent or not voting, 2: Connolly and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 421, a bill for an act relating to establishing a registry of sex offenders and establishing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Sturgeon, Rosenberg, Deluhery, Gronstal, Hagerla, Hester, Horn, Murphy, Pate and Slife. Nays, 2: Fuhrman and Peterson. Absent or not voting, 3: Connolly, Drake and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 534, a bill for an act relating to changes and corrections in the court administration system.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Sturgeon, Rosenberg, Fuhrman, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson and Slife. Nays, none. Absent or not voting, 2: Connolly and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 594, a bill for an act relating to the release of privileged information.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 13: Sturgeon, Rosenberg, Fuhrman, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson and Slife. Nays, none. Absent or not voting, 2: Connolly and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 595, a bill for an act relating to the taxation of attorney fees in prison disciplinary cases.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Sturgeon, Rosenberg, Fuhrman, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Pate, Peterson and Slife. Nays, 1: Murphy. Absent or not voting, 2: Connolly and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 602, a bill for an act relating to the transfer of ownership of a vehicle by operation of law.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Sturgeon, Rosenberg, Fuhrman, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson and Slife. Nays, none. Absent or not voting, 2: Connolly and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 627, a bill for an act relating to transfer of title by affidavit of the surviving spouse.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Sturgeon, Rosenberg, Fuhrman, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson and Slife. Nays, none. Absent or not voting, 2: Connolly and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 656, a bill for an act relating to unfair or discriminatory practices in housing and real estate, providing civil remedies, and a criminal penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Sturgeon, Rosenberg, Fuhrman, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson and Slife. Nays, none. Absent or not voting, 2: Connolly and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 460, a bill for an act relating to the establishment of certain county roads and legalizing the proceedings concerning the establishment of certain county roads.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Sturgeon, Rosenberg, Deluhery, Gronstal, Hester, Horn, Murphy, Pate, Peterson and Slife. Nays, 3: Fuhrman, Drake and Hagerla. Absent or not voting, 2: Connolly and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 10, 1991.

Had I been present, I would have voted "aye" on Senate File 245.

MAGGIE TINSMAN

COMMITTEE REPORT

APPROPRIATIONS

Final Bill Action: SENATE FILE 532, a bill for an act relating to reductions and increases in appropriations made for the fiscal year ending June 30, 1991, to departments and agencies of state government and to other public purposes, transferring moneys to the general fund of the state, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Boswell, Welsh, Tieden, Buhr, Gettings, Gronstal, Husak, Lloyd-Jones, McLaren, Pate, Peterson, Szymoniak and Tinsman. Nays, none. Absent or not voting, 8: Connolly, Hagerla, Kersten, Lind, Rensink, Riordan, Running and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILL

Senate File 532, by committee on Appropriations, a bill for an act relating to reductions and increases in appropriations made for the fiscal year ending June 30, 1991, to departments and agencies of state government and to other public purposes, transferring moneys to the general fund of the state, and providing an effective date.

Read first time under Rule 28 placed on Appropriations Calendar.

AMENDMENTS FILED

S—3396	H.F.	296	Beverly Hannon
S—3397	H.F.	662	Agriculture
S—3398	H.F.	372	Agriculture
S—3399	H.F.	675	Agriculture
S—3400	S.F.	451	Richard Vande Hoef John Kibbie William Dieleman
S—3401	H.F.	651	Maggie Tinsman Patrick Deluhery

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:07 p.m., until 9:00 a.m., Friday, April 12, 1991.

JOURNAL OF THE SENATE

EIGHTY-NINTH CALENDAR DAY
FIFTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, April 12, 1991

The Senate met in regular session at 9:10 a.m., President Welsh presiding.

Prayer was offered by the Honorable John W. Jensen, member of the Senate from Bremer County, Plainfield, Iowa.

The Journal of Thursday, April 11, 1991, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Tieden for the day on request of Senator Hester.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 10, 1991, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 257, a bill for an act changing the definition of targeted small business and providing an effective date (S—3404).

Senate File 382, a bill for an act relating to rural water districts (S—3403).

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
(Appropriations Calendar)

Senate File 532

On motion of Senator Boswell, Senate File 532, a bill for an act relating to reductions and increases in appropriations made for the fiscal year ending June 30, 1991, to departments and agencies of state government and to other public purposes, transferring moneys to the general fund of the state, and providing an effective date, was taken up for consideration.

Senator Boswell asked and received unanimous consent that action on **Senate File 532** be deferred.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate Joint Resolution 3

On motion of Senator Kibbie, Senate Joint Resolution 3, a joint resolution proposing an amendment to the Constitution of the State of Iowa to increase the term of office for a member of the House of Representatives to four years and for a member of the Senate to six years, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Kibbie asked and received unanimous consent that action on **Senate Joint Resolution 3** be deferred.

Senate File 344

On motion of Senator Taylor, Senate File 344, a bill for an act to permit licensed advanced registered nurse practitioners who are certified registered nurse anesthetists to prescribe and administer drug therapy when it is necessary for peri-operative management in the care of a patient, was taken up for consideration.

Senator Taylor asked and received unanimous consent that action on **Senate File 344** be deferred.

Senate File 374

On motion of Senator Miller, Senate File 374, a bill for an act relating to the appeal of local governmental budgets, was taken up for consideration.

Senator Miller asked and received unanimous consent that action on Senate File 374 be deferred.

Senate File 177

On motion of Senator Murphy, Senate File 177, a bill for an act prohibiting discriminatory practices based upon a person's sexual orientation, with report of committee recommending passage, was taken up for consideration.

Senator Murphy asked and received unanimous consent that action on Senate File 177 be deferred.

Senate File 450

On motion of Senator Sturgeon, Senate File 450, a bill for an act relating to the enforcement of child custody and visitation orders, was taken up for consideration.

Senator Sturgeon asked and received unanimous consent that action on Senate File 450 be deferred.

Senate File 512

On motion of Senator Rosenberg, Senate File 512, a bill for an act relating to air emission standards and limitations and imposing a fee, with report of committee on Ways and Means recommending passage, was taken up for consideration.

Senator Rosenberg asked and received unanimous consent that action on Senate File 512 be deferred.

Senate File 515

The Senate resumed consideration of Senate File 515, a bill for an act relating to the confidential reporting of terminations of pregnancy and establishing a penalty, considered on April 9, 1991, referred to the committee on Human Resources on April 9, 1991, with a specified April 10, 1991 return date, failed committee recommendation for passage on April 10, 1991, and

returned to Senate Calendar on April 10, 1991, because of date specified provisions, was taken up for further consideration.

Senator Murphy asked and received unanimous consent that action on **Senate File 515** be **deferred**.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **House File 438** be referred from the Regular Calendar to the committee on **Judiciary**.

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:

Warren Lawson as Adjutant General.

Richard W. Pattschull as a member of the Architectural Examining Board.

Jean Klingaman as a member of the Board of Corrections.

Gary A. Kirchhof as a member of the State Board of Examiners for Nursing Home Administrators.

Nancy E. Knutstrom as a member of the Board of Nursing Examiners.

James E. Hughes as a member of the Physical and Occupational Therapy Examining Board.

Lillian Madison as a member of the Podiatry Examining Board.

Christopher G. Atchison as Director of Public Health.

Michael G. Genz as a member of the Speech Pathology and Audiology Examining Board.

Senator Hutchins moved that the foregoing appointments be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 41:

Borlaug	Boswell	Buhr	Doyle
Drake	Fraise	Fuhrman	Gettings
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Husak	Hutchins
Jensen	Kersten	Kibbie	Kinley
Kramer	Lind	Lloyd-Jones	McLaren
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Riordan
Rittmer	Rosenberg	Slife	Soorholtz
Sturgeon	Taylor	Tinsman	Vande Hoef
Welsh			

Nays, none:

Absent or not voting, 9:

Connolly	Deluhery	Dieleman	Rensink
Rife	Running	Szymoniak	Tieden
Varn			

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senate Concurrent Resolution 17

On motion of Senator Riordan, Senate Concurrent Resolution 17, a concurrent resolution to request that Iowa's congressional delegation support measures to protect America's vital interests and to review and amend procedures to ensure that Congress retains its constitutional authority to amend trade agreements affecting the traditional rights of states and the citizens of the United States, with report of committee recommending passage, was taken up for consideration.

Senator Hutchins asked and received unanimous consent that action on **Senate Concurrent Resolution 17** be deferred.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Welsh presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 34 present, 16 absent and a quorum present.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: April 11, 1991, 8:05 a.m.

Members Present: Priebe, Chair; Peterson, Vice Chair; Soorholtz, Ranking Member; Doyle, Fraise, Hedge, Hester, Husak, McLaren, Miller, Palmer, Riordan, Rittmer and Vande Hoef.

Members Absent: Boswell.

Committee Business: Amended Senate File 513; recommended passage of House Files 678, 657 and 675; recommended passage of House Files 372, 662 and 675 as amended.

Adjourned: 8:43 a.m.

APPROPRIATIONS

Convened: April 11, 1991, 5:00 p.m.

Members Present: Boswell, Chair; Welsh, Vice Chair; Tieden, Ranking Member; Buhr, Gettings, Gronstal, Husak, Lloyd-Jones, McLaren, Pate, Peterson, Szymoniak and Tinsman.

Members Absent: Connolly, Hagerla, Kersten, Lind, Rensink, Riordan, Running and Varn (all excused).

Committee Business: Approved LSB 2764 as a committee bill.

Adjourned: 5:04 p.m.

BUSINESS AND LABOR RELATIONS

Convened: April 11, 1991, 11:10 a.m.

Members Present: Running, Chair; Sturgeon, Vice Chair; Fuhrman, Ranking Member; Buhr, Peterson, Slife and Taylor.

Members Absent: Kinley, Palmer and Rensink (all excused).

Committee Business: Recommended passage of House File 438 as amended.

Adjourned: 11:20 a.m.

COMMERCE

Convened: April 11, 1991, 1:39 p.m.

Members Present: Deluhery, Chair; Kinley, Vice Chair; Slife, Ranking Member; Doyle, Gettings, Gronstal, Kersten, Lind, Nystrom, Palmer, Priebe, Sturgeon and Tieden.

Members Absent: Jensen and Varn (both excused).

Committee Business: Recommended passage of House Files 634, 570, 617, 619 and 626.

Adjourned: 1:50 p.m.

EDUCATION

Convened: April 11, 1991, 10:35 a.m.

Members Present: Connolly, Chair; Horn, Vice Chair; Taylor, Ranking Member; Deluhery, Dieleman, Kibbie, Kramer, Lind, Murphy, Rensink, Running, Szymoniak, Tieden, Tinsman and Varn.

Members Absent: none.

Committee Business: Recommended passage of House File 455 as amended.

Adjourned: 11:19 a.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: April 11, 1991, 11:25 a.m.

Members Present: Rosenburg, Chair; Gronstal, Vice Chair; Jensen, Ranking Member; Borlaug, Deluhery, Fraise, Hannon, Hedge, Kersten, Miller and Varn.

Members Absent: Soorholtz.

Committee Business: Recommended passage of House Files 661 and 375.

Adjourned: 11:45 a.m.

HUMAN RESOURCES

Convened: April 11, 1991, 2:37 p.m.

Members Present: Hannon, Chair; Buhr, Vice Chair; Hagerla, Ranking Member; Horn, Kramer, Murphy, Rittmer, Sturgeon, Szymoniak, Taylor and Tinsman.

Members Absent: Riordan (excused).

Committee Business: Recommended passage of House Files 232 and 655.

Adjourned: 2:59 p.m.

JUDICIARY

Convened: April 11, 1991, 3:13 p.m.

Members Present: Sturgeon, Chair; Rosenberg, Vice Chair; Fuhrman, Ranking Member; Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson and Slife.

Members Absent: Connolly and Varn (both excused).

Committee Business: House File 648 failed recommendation for passage; recommended passage of House Files 357, 627, 198, 656, 595, 534, 602, 335, 324, 421, 201 and Senate File 460; recommended passage of House File 596 as amended; placed House File 594 on calendar without recommendation.

Adjourned: 4:43 p.m.

RESOLUTION ASSIGNED TO COMMITTEE

President Welsh announced the assignment of the following resolution to committee:

S. R. 10 Rules and Administration

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 477, the following correction was made:

1. Page 7, line 3, the words "defaulting members cooperative" were changed to the words "defaulting member's cooperative."

JOHN F. DWYER
Secretary of the Senate

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 12th day of April, 1991:

Senate File 477.

JOHN F. DWYER
Secretary of the Senate

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 11, 1991, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 254 — Relating to economic development by transferring funds to the revolving fund of the rural community 2000 program, establishing time frames for the completion of the community builder program, establishing a planning category in the rural community 2000 program, and providing an effective date.

SENATE FILE 284 — To permit the sale of disposable containers for the consumption of beer or wine by wholesalers to retailers for one-time use by retail customers on the premises of licensed establishments.

SENATE FILE 436 — To increase the percentage of the state ceiling allocated to qualified small issue bonds issued for first-time farmers, and providing an effective date.

SENATE FILE 518 - Relating to the financial supervision and solvency oversight of insurance companies by the commissioner of insurance and accreditation of the insurance division as an approved insurance regulator by the national association of insurance commissioners, imposing civil liability, authorizing administrative and criminal penalties, and providing effective dates and applicability provisions.

REPORTS OF STANDING COMMITTEE
(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 April 12, 1991, and recommended the appointees be confirmed:

Warren B. Dunham for appointment and Rose Rennekamp for reappointment as members of the Wallace Technology Transfer Foundation of Iowa.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty Camp Fire Girls from Coolridge School, Cedar Rapids, Iowa. Senators Hannon, Horn and Pate.

Nineteen eighth grade students from Mar-Mac Middle School, McGregor, Iowa, accompanied by Mr. Vick, Mrs. Davis and Mrs. Denning. Senator Tieden.

Fifty fifth and sixth grade students from Harris-Lake Park Elementary School, Harris, Iowa, accompanied by Judy Brueggeman. Senators Kibbie and Vande Hoef.

Forty-four eighth grade students from the Alden Community School District, Alden Iowa, accompanied by Mrs. Harris and Mrs. Harty. Senator Taylor.

Eleven tenth grade students from Prescott High School, Prescott, Iowa, accompanied by Dray Walter and Jayne Rychnovsky. Senator Boswell.

Twenty-five fifth grade students from Cambridge Elementary School, Cambridge, Iowa, accompanied by Joan Larson. Senator Rosenberg.

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: HOUSE FILE 596, a bill for an act relating to the liability of certain persons rendering emergency medical care in good faith.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3402.

Final Vote: Ayes, 13: Sturgeon, Rosenberg, Fuhrman, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson Slife. Nays, none. Absent or not voting, 2: Connolly and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: HOUSE FILE 182, a bill for an act relating to the annexation of land surrounded by one or more cities.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Miller, Szymoniak, Rittmer, Borlaug, Boswell, Buhr, Fraise, Hannon, Jensen and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 469, a bill for an act relating to the appointment of city and county boards, commissions, committees, or other multimember appointive bodies.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Miller, Szymoniak, Rittmer, Boswell, Buhr, Fraise and Hannon. Nays, 3: Borlaug, Jensen and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 612, a bill for an act relating to the publication of notice for a public hearing on a county budget.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Miller, Szymoniak, Rittmer, Borlaug, Boswell, Buhr, Fraise, Hannon and Vande Hoef. Nays, none. Absent or not voting, 1: Jensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: HOUSE FILE 610, a bill for an act to create a Missouri river preservation and land use authority and fund.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3408.

Final Vote: Ayes, 8: Palmer, Kibbie, Hester, Dieleman, Hagerla, Hedge, Priebe and Sturgeon. Nays, none. Absent or not voting, 4: Rensink, Riordan, Rosenberg and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 8, a resolution to support the Quad Cities' Acquisition Committee's effort to acquire a class AAA baseball franchise.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Hutchins, Welsh, Gettings, Husak, Jensen, Kinley, Lloyd-Jones and Soorholtz. Nays, none. Absent or not voting, 1: Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: HOUSE FILE 569, a bill for an act establishing the rural small business transfer program.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Riordan, Hannon, Borlaug, Boswell, Kibbie, Miller, Pate, Peterson, Rittmer and Vande Hoef. Nays, 1: Kramer. Absent or not voting, 1: Running.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3402	H.F.	596	Judiciary
S-3403	S.F.	382	House amendment
S-3404	S.F.	257	House amendment
S-3405	H.F.	644	Michael Gronstal John Kibbie
S-3406	S.F.	374	Berl Priebe
S-3407	H.F.	661	Ralph Rosenberg
S-3408	H.F.	610	Natural Resources
S-3409	H.F.	634	Michael Gronstal

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 10:54 a.m., until 9:00 a.m., Monday, April 15, 1991.

JOURNAL OF THE SENATE

NINETY-SECOND CALENDAR DAY
FIFTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 15, 1991

The Senate met in regular session at 9:02 a.m., President pro tempore Lloyd-Jones presiding.

Prayer was offered by the Reverend Dwight E. Rengstorf, pastor of the Trinity Lutheran Church, Shenandoah, Iowa.

The Journal of Friday, April 12, 1991, was approved.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 11, 1991, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 313, a bill for an act relating to the accreditation process for schools and school districts (S—3410).

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 46 present, 4 absent and a quorum present.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President pro tempore Lloyd-Jones presiding.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (En Bloc Confirmation Calendar)

In accordance with Senate Rule 59, Senator Hutchins asked and received unanimous consent to take up the following eligible appointees on the En Bloc Confirmation Calendar:

James E. Smith as Administrator of the Division of Community Action Agencies.

Gaylon L. Halverson as a member of the State Health Facilities Council.

Myron L. Gookin and Michael D. Stallman as members of the Mental Health and Mental Retardation Commission.

Jane Ann Schlabaugh as a member of the Iowa Product Development Corporation.

Carl S. Davis as a member of the Psychology Examining Board.

Warren B. Dunham and Rose Rennekamp as members Wallace Technology Transfer Foundation of Iowa.

Gary Priebe as a member of the Environmental Protection 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, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Slife Soorholtz

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

President Welsh took the chair at 10:08 a.m.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Buhr called up the appointment of Robert I. Kramme as a member of the County Finance Committee, placed on the Individual Confirmation Calendar on April 1, 1991, and found on page 952 of the Senate Journal.

Senator Buhr moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 1:

Murphy

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Murphy called up the reappointment of Kenneth L. Mueller as a member of the Chiropractic Examining Board, placed on the Individual Confirmation Calendar on March 27, 1991, and found on page 911 of the Senate Journal.

Senator Murphy moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 41:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Doyle	Drake	Fraise
Fuhrman	Gronstal	Hagerla	Hannon
Hester	Horn	Hutchins	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Slife	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 9:

Dieleman	Gettings	Hedge	Husak
Jensen	Miller	Rosenberg	Running
Soorholtz			

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Deluhery called up the reappointment of William H. Jackson as Director of the Department of Cultural Affairs, placed on the Individual Confirmation Calendar on April 4, 1991, and found on page 1065 of the Senate Journal.

Senator Deluhery moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
---------	---------	------	----------

Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 1:

Murphy

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Riordan called up the appointment of Allan Thoms as Director of the Iowa Department of Economic Development, placed on the Individual Confirmation Calendar on March 6, 1991, and found on page 540 of the Senate Journal.

Senator Riordan moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Hannon

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Buhr called up the reappointment of Edward J. Stanek as Commissioner of the Lottery, placed on the Individual Confirmation Calendar on April 2, 1991, and found on page 999 of the Senate Journal.

Senator Buhr moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 1:

Dieleman

Absent or not voting, 1:

Rittmer

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Buhr called up the reappointment of Lorraine J. May as a member of the State Racing and Gaming Commission, placed on the Individual Confirmation Calendar on March 25, 1991, and found on page 789 of the Senate Journal.

Senator Buhr moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 50:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none:

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Varn called up the appointment of Thomas C. Dorr as a member of the State Board of Regents, placed on the Individual Confirmation Calendar on April 3, 1991, and found on page 1027 of the Senate Journal.

Senator Varn moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 50:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal

Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none:

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Horn called up the appointment of John E. Tyrrell as a member of the State Board of Regents, placed on the Individual Confirmation Calendar on April 3, 1991, and found on page 1027 of the Senate Journal.

Senator Horn moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kinley	Kramer	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Riordan	Rittmer	Rosenberg
Running	Slife	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 1:

Hannon

Absent or not voting, 2:

Kibbie

Rife

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Szymoniak called up the appointment and reappointment of Patrick D. Cavanaugh as a member of the School Budget Review Committee, placed on the Individual Confirmation Calendar on April 4, 1991, and found on page 1065 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, 46:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kinley	Kramer	Lind	Lloyd-Jones
McLaren	Miller	Nystrom	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 4:

Dieleman	Kibbie	Murphy	Peterson
----------	--------	--------	----------

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Rosenberg called up the reappointment of Dennis Nagel as Chairperson of the Utilities Board, placed on the Individual Confirmation Calendar on April 4, 1991, and found on page 1071 of the Senate Journal.

Senator Rosenberg moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Riordan	Rittmer
Rosenberg	Slife	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none:

Voting present, 1:

Doyle

Absent or not voting, 2:

Rife

Running

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

RECESS

On motion of Senator Hutchins, the Senate recessed at 10:51 a.m., until 1:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

LOCAL GOVERNMENT

Convened: April 12, 1991, 8:39 a.m.

Members Present: Miller, Chair; Szymoniak, Vice Chair; Rittmer, Ranking Member; Borlaug, Boswell, Buhr, Fraise, Hannon, Jensen and Vande Hoef.

Members Absent: none.

Committee Business: Recommended passage of House Files 182, 469 and 612.

Adjourned: 9:12 a.m.

NATURAL RESOURCES

Convened: April 12, 1991, 8:35 a.m.

Members Present: Palmer, Chair; Kibbie, Vice Chair; Hester, Ranking Member; Dieleman, Hagerla, Hedge, Priebe and Sturgeon.

Members Absent: Rensink, Riordan, Rosenberg and Tieden (excused).

Committee Business: Recommended passage of House File 610 as amended.

Adjourned: 8:45 a.m.

RULES AND ADMINISTRATION

Convened: April 12, 1991, 10:00 a.m.

Members Present: Hutchins, Chair; Welsh, Vice Chair; Gettings, Husak, Jensen, Kinley, Lloyd-Jones and Soorholtz.

Members Absent: Rife, Ranking Member.

Committee Business: Recommended passage of Senate Resolution 8; excused governor's appointee Myron L. Gookin from introduction before the Senate.

Adjourned: 10:05 a.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: April 12, 1991, 10:00 a.m.

Members Present: Riordan, Chair; Hannon, Vice Chair; Borlaug, Ranking Member; Boswell, Kibbie, Kramer, Miller, Pate, Peterson, Rittmer and Vande Hoef.

Members Absent: Running (excused).

Committee Business: Recommended confirmation of governor's appointees; recommended passage of House File 569.

Adjourned: 10:25 a.m.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued certificates of recognition as follows:

Stacey Paskert, Emmetsburg — For being 1991 Miss Basketball of Iowa. Senator Kibbie.

Emmetsburg High School girls' basketball team — State champions of the 1991 Girls' State six-player high school basketball tournament. Senator Kibbie (3-16-91).

Mallard High School boys' basketball team — For participation in the 1991 Boys' State high school basketball tournament. Senator Kibbie (3-31-91).

Estherville High School boys' basketball team — For participation in the 1991 Boys' State high school basketball tournament. Senator Kibbie (3-31-91).

Coach Wayne Clinton and the Ames Little Cyclones — For winning the 1991 Class 3-A Boys' State high school basketball tournament. Senator Rosenberg (3-26-91).

Ames High School Decathlon Team — State champions of the 1991 State Academic Decathlon. Senator Rosenberg (3-27-91).

Coach Mitch Osborn and the Pomeroy-Palmer Knights boys' basketball team — For winning the consolation game in the 1991 Class A Boys' State high school basketball tournament. Senator Fuhrman (3-22-91).

Greater Quad Cities Volunteers — For the valuable work done by volunteers through their love, compassion and dedication to the community. Senator Tinsman (4-12-91).

Reba Clawson, West Burlington — For celebrating her 90th birthday. Senator Hagerla (5-20-91).

Joe Duffy, Oelwein — For service above and beyond the call of duty. Senator Murphy (4-12-91).

PETITION

The following petition was presented and placed on file by:

Senator Tinsman from eighty-one residents of Scott County opposing legislation increasing hunting and fishing fees projected for the next five years.

AMENDMENTS FILED

S-3410	S.F.	313	House amendment
S-3411	H.F.	232	Elaine Szymoniak
S-3412	H.F.	583	Ray Taylor
			Emil J. Husak
			Berl E. Priebe
			John W. Jensen
S-3413	H.F.	232	Al Sturgeon
			Florence Buhr
			Mary Kramer
S-3414	H.F.	489	William Dieleman

AFTERNOON SESSION

The Senate reconvened at 2:08 p.m., President Welsh presiding.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

Senator Kersten took the chair at 2:11 p.m.

The vote revealed 43 present, 7 absent and a quorum present.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President pro tempore Lloyd-Jones presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 41 present, 9 absent and a quorum present.

President Welsh took the chair at 2:44 p.m.

CONFIRMATION OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Lind called up the appointment of Anna Mae Weems as a member of the Commission on the Status of Blacks, placed on the Individual Confirmation Calendar on April 1, 1991, and found on page 952 of the Senate Journal.

Senator Lind moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 48:

Borlaug
Deluhery
Fraise

Boswell
Dieleman
Fuhrman

Buhr
Doyle
Gettings

Connolly
Drake
Gronstal

Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Lloyd-Jones Szymoniak

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

DEFERRAL OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Hannon called up the appointment of Richard J. Witham as a member of the Iowa Economic Development Board, placed on the Individual Confirmation Calendar on March 6, 1991, and found on page 540 of the Senate Journal.

Senator Hannon moved that the foregoing appointment be confirmed by the Senate.

Senator Lind asked and received unanimous consent that action on the confirmation of Richard J. Witham be deferred.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 11, by committee on Rules and Administration, a senate resolution deferring action on the confirmation of an appointment submitted by the Governor.

Read first time and placed on calendar.

Senate Resolution 12, by committee on Rules and Administration, a senate resolution deferring action on the confirmation of an appointment submitted by the Governor.

Read first time and placed on calendar.

COMMITTEE REPORTS

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 11, a resolution deferring action on the confirmation of an appointment submitted by the Governor (Doug Gross).

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 8: Hutchins, Welsh, Rife, Gettings, Husak, Kinley, Lloyd-Jones and Soorholtz. Nays, 1: Jensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE RESOLUTION 12, a resolution deferring action on the confirmation of an appointment submitted by the Governor (Larry J. Wilson).

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 6: Hutchins, Welsh, Rife, Gettings, Kinley, Lloyd-Jones. Nays, 1: Jensen. Pass, 2: Husak and Soorholtz.

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 11.

Senate Resolution 11

On motion of Senator Hutchins, Senate Resolution 11, a senate resolution deferring action on the confirmation of an appointment submitted by the Governor (Doug Gross as a member of the Higher Education Strategic Planning Council), was taken up for consideration.

Senator Hutchins moved the adoption of Senate Resolution 11, which motion prevailed by a voice vote.

BUSINESS PENDING

The Senate resumed consideration of the confirmation of

Richard J. Witham as a member of the Iowa Economic Development Board, previously deferred.

Senator Hannon moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 24:

Borlaug	Drake	Fuhrman	Gronstal
Hagerla	Hedge	Hester	Jensen
Kersten	Kramer	Lind	McLaren
Nystrom	Pate	Rensink	Rife
Riordan	Rittmer	Slife	Sturgeon
Taylor	Tieden	Tinsman	Vande Hoef

Nays, 26:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Doyle	Fraise	Gettings
Hannon	Horn	Husak	Hutchins
Kibbie	Kinley	Lloyd-Jones	Miller
Murphy	Palmer	Peterson	Priebe
Rosenberg	Running	Soorholtz	Szymoniak
Varn	Welsh		

The appointee not having received a two-thirds vote, the Chair declared the Senate refused to confirm the appointment of Richard J. Witham.

Senator Hutchins moved to reconsider the vote by which the confirmation of Richard J. Witham failed to pass the Senate on April 15, 1991.

On the question "Shall the motion to reconsider be adopted?" the vote was:

Ayes, 21:

Borlaug	Drake	Fuhrman	Gronstal
Hagerla	Hedge	Hester	Jensen
Kersten	Kramer	Lind	McLaren
Nystrom	Pate	Rensink	Rife

Rittmer	Slife	Taylor	Tinsman
Vande Hoef			

Nays, 29:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Doyle	Fraise	Gettings
Hannon	Horn	Husak	Hutchins
Kibbie	Kinley	Lloyd-Jones	Miller
Murphy	Palmer	Peterson	Priebe
Riordan	Rosenberg	Running	Soorholtz
Sturgeon	Szymoniak	Tieden	Varn
Welsh			

The motion lost.

REFUSAL OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Sturgeon called up the appointment of Robert D. Wilson as Industrial Commissioner, placed on the Individual Confirmation Calendar on April 11, 1991, and found on page 1193 of the Senate Journal.

President pro tempore Lloyd-Jones took the chair at 4:17 p.m.

Senator Sturgeon moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 25:

Borlaug	Buhr	Deluhery	Drake
Fuhrman	Gronstal	Hagerla	Hedge
Hester	Jensen	Kersten	Kinley
Kramer	Lind	McLaren	Nystrom
Pate	Rensink	Rife	Rittmer
Slife	Taylor	Tieden	Tinsman
Vande Hoef			

Nays, 25:

Boswell	Connolly	Dieleman	Doyle
---------	----------	----------	-------

Fraise	Gettings	Hannon	Horn
Husak	Hutchins	Kibbie	Lloyd-Jones
Miller	Murphy	Palmer	Peterson
Priebe	Riordan	Rosenberg	Running
Soorholtz	Sturgeon	Szymoniak	Varn
Welsh			

The appointee not having received a two-thirds vote, the Chair declared the Senate **refused to confirm** the appointment of Robert D. Wilson.

Senator Hutchins moved to reconsider the vote by which the confirmation of Robert D. Wilson failed to pass the Senate on April 15, 1991.

On the question "Shall the motion to reconsider be adopted?" the vote was:

Ayes, 21:

Borlaug	Deluhery	Drake	Fuhrman
Hagerla	Hedge	Hester	Jensen
Kersten	Kramer	Lind	McLaren
Nystrom	Pate	Rensink	Rife
Rittmer	Slife	Taylor	Tinsman
Vande Hoef			

Nays, 29:

Boswell	Buhr	Connolly	Dieleman
Doyle	Fraise	Gettings	Gronstal
Hannon	Horn	Husak	Hutchins
Kibbie	Kinley	Lloyd-Jones	Miller
Murphy	Palmer	Peterson	Priebe
Riordan	Rosenberg	Running	Soorholtz
Sturgeon	Szymoniak	Tieden	Varn
Welsh			

The motion lost.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for immediate consideration Senate Resolution 12.

Senate Resolution 12

On motion of Senator Priebe, Senate Resolution 12, a senate resolution deferring action on the confirmation of an appointment submitted by the Governor (Larry J. Wilson as Director of the Department of Natural Resources), was taken up for consideration.

Senator Priebe moved the adoption of Senate Resolution 12.

A non record roll call was requested.

The ayes were 17, nays 33.

The motion lost.

CONFIRMATION OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Palmer called up the appointment of Larry J. Wilson as Director of the Department of Natural Resources, placed on the Individual Confirmation Calendar on April 10, 1991, and found on page 1176 of the Senate Journal.

Senator Palmer moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 50:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none:

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

REFUSAL OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Murphy called up the appointment of Thomas E. Donahue as Director of the Department of Personnel, placed on the Individual Confirmation Calendar on April 8, 1991, and found on page 1124 of the Senate Journal.

Senator Murphy moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 28:

Borlaug	Drake	Fuhrman	Gronstal
Hagerla	Hedge	Hester	Horn
Jensen	Kersten	Kramer	Lind
McLaren	Nystrom	Palmer	Pate
Priebe	Rensink	Rife	Rittmer
Slife	Soorholtz	Sturgeon	Taylor
Tieden	Tinsman	Vande Hoef	Welsh

Nays, 22:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Doyle	Fraise	Gettings
Hannon	Husak	Hutchins	Kibbie
Kinley	Lloyd-Jones	Miller	Murphy
Peterson	Riordan	Rosenberg	Running
Szymoniak	Varn		

The appointee not having received a two-thirds vote, the Chair declared the Senate refused to confirm the appointment of Thomas E. Donahue.

Senator Peterson called up the appointment of Varel G. Bailey as a member of the Wallace Technology Transfer Foundation of Iowa, placed on the Individual Confirmation Calendar on April 8, 1991, and found on page 1110 of the Senate Journal.

Senator Peterson moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 30:

Borlaug	Boswell	Drake	Fuhrman
Gronstal	Hagerla	Hedge	Hester
Horn	Hutchins	Jensen	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
McLaren	Nystrom	Pate	Priebe
Rensink	Rittmer	Slife	Soorholtz
Sturgeon	Taylor	Tieden	Tinsman
Vande Hoef	Welsh		

Nays, 20:

Buhr	Connolly	Deluhery	Dieleman
Doyle	Fraise	Gettings	Hannon
Husak	Kinley	Miller	Murphy
Palmer	Peterson	Rife	Riordan
Rosenberg	Running	Szymoniak	Varn

The appointee not having received a two-thirds vote, the Chair declared the Senate **refused to confirm** the appointment of Varel G. Bailey.

MR. PRESIDENT: I move to reconsider the vote by which the confirmation of Varel G. Bailey failed to be approved by the Senate on April 15, 1991.

JACK RIFE

Senator Peterson moved to reconsider the vote by which the confirmation of Varel G. Bailey failed to pass the Senate on April 15, 1991.

Senator Vande Hoef raised the point of order that Senator Rife had filed a motion to reconsider the confirmation of Varel G. Bailey in writing prior to Senator Peterson's motion and that under Rule 24, Senator Rife had the right for three days whether or not to call up the motion.

The Chair ruled the point not well taken and Senator Peterson's motion to reconsider in order.

Senator Peterson renewed his motion to reconsider the vote by which the confirmation of Varel G. Bailey failed to pass the Senate on April 15, 1991.

On the question "Shall the motion to reconsider be adopted?" the vote was:

Ayes, 23:

Borlaug	Boswell	Drake	Fuhrman
Hagerla	Hedge	Hester	Jensen
Kersten	Kramer	Lind	McLaren
Nystrom	Pate	Priebe	Rensink
Rife	Rittmer	Soorholtz	Sturgeon
Taylor	Tinsman	Vande Hoef	

Nays, 26:

Buhr	Connolly	Deluhery	Dieleman
Doyle	Fraise	Gettings	Gronstal
Hannon	Horn	Husak	Hutchins
Kibbie	Kinley	Lloyd-Jones	Miller
Murphy	Palmer	Peterson	Riordan
Rosenberg	Running	Szymoniak	Tieden
Varn	Welsh		

Absent or not voting, 1:

Slife

The motion lost.

MOTION TO RECONSIDER LOST (Governor's Appointee)

Senator Murphy filed the following motion to reconsider from the floor and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which the confirmation of Thomas E. Donahue failed to be approved by the Senate on April 15, 1991.

On the question "Shall the motion to reconsider be adopted?" the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 20:

Borlaug	Drake	Fuhrman	Hagerla
Hedge	Hester	Jensen	Kersten
Kramer	McLaren	Nystrom	Pate
Rensink	Rife	Rittmer	Slife
Soorholtz	Taylor	Tinsman	Vande Hoef

Nays, 29:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Doyle	Fraise	Gettings
Hannon	Horn	Husak	Hutchins
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Murphy	Palmer	Peterson
Priebe	Riordan	Rosenberg	Running
Sturgeon	Szymoniak	Tieden	Varn
Welsh			

Absent or not voting, 1:

Gronstal.

The motion lost.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 20, by Running, Doyle, Gettings, Nystrom, Sturgeon and Soorholtz, a concurrent resolution relating to rail union contract negotiations conducted under the authority of the federal Railway Labor Act.

Read first time and passed on file.

APPENDIX

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on April 15, 1991, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 146 — Relating to the time of making decisions for and notice of final decisions for increases in tuition, fees, or charges at institutions of higher education under the control of the state board of regents.

RESOLUTION ASSIGNED TO COMMITTEE

President Welsh announced the assignment of the following resolution to committee:

S. C. R. 20 Business & Labor Relations

AMENDMENTS FILED

—S—3415	H.F.	612	Alvin Miller
S—3416	S.F.	532	Leonard Boswell Dale L. Tieden
S—3417	H.F.	455	John W. Jensen
S—3418	S.F.	532	Leonard L. Boswell Dale L. Tieden
S—3419	S.F.	532	Jim Riordan
S—3420	H.F.	520	Richard Varn Jack Rife
S—3421	H.F.	675	John W. Jensen Allen Borlaug Ray Taylor
S—3422	S.F.	532	Jim Riordan
S—3423	S.F.	532	Florence Buhr Maggie Tinsman
S—3424	H.F.	566	Richard Varn
S—3425	S.F.	276	Ray Taylor
S—3426	S.F.	513	Agriculture
S—3427	H.F.	594	Al Sturgeon
S—3428	S.F.	532	Leonard L. Boswell Dale Tieden

S—3429

S. F.

532

Jim Riordan

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:58 p.m., until 9:00 a.m., Tuesday, April 16, 1991.

JOURNAL OF THE SENATE

NINETY-THIRD CALENDAR DAY
FIFTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 16, 1991

The Senate met in regular session at 9:06 a.m., President pro tempore Lloyd-Jones presiding.

Prayer was offered by the Reverend Glenn Wiechmann, pastor of the Trinity Lutheran Church, Manilla, Iowa.

The Journal of Monday, April 15, 1991, was approved.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 42 present, 8 absent and a quorum present.

CONSIDERATION OF BILLS (Regular Calendar)

House File 459

On motion of Senator Peterson, House File 459, a bill for an act relating to the administration of the employment security law by the division of job service of the department of employment services and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Peterson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 459) the vote was:

Ayes, 44:

Borlaug

Boswell

Buhr

Connolly

Deluhery	Dieleman	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Jensen	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Running	Slife
Soorholtz	Sturgeon	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 6:

Doyle	Husak	Hutchins	Kersten
Rosenberg	Szymoniak		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 91

On motion of Senator Hannon, House File 91, a bill for an act exempting certain decorative fountains from regulation as swimming pools and spas, 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. 91) the vote was:

Ayes, 44:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Jensen	Kersten	Kibbie	Kinley
Kramer	Lind	Lloyd-Jones	McLaren
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Rensink	Rife
Riordan	Rittmer	Running	Slife
Soorholtz	Sturgeon	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 1:

Priebe

Absent or not voting, 5:

Doyle

Husak

Hutchins

Rosenberg

Szymoniak

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 233

On motion of Senator Dieleman, House File 233, a bill for an act relating to the hunter safety and ethics education program, and providing a penalty for violations, with report of committee recommending passage, was taken up for consideration.

Senator Kersten offered amendment S—3384 filed by Senators Kersten, et. al., on April 10, 1991, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3384 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. 233) the vote was:

Ayes, 47:

Borlaug

Boswell

Buhr

Connolly

Deluhery

Dieleman

Drake

Fraise

Fuhrman

Gettings

Gronstal

Hagerla

Hannon

Hedge

Hester

Horn

Hutchins

Jensen

Kersten

Kibbie

Kinley

Kramer

Lind

Lloyd-Jones

McLaren

Miller

Murphy

Nystrom

Palmer

Pate

Peterson

Priebe

Rensink

Rife

Riordan

Rittmer

Rosenberg

Running

Slife

Soorholtz

Sturgeon

Taylor

Tieden

Tinsman

Vande Hoef

Varn

Welsh

Nays, none:

Absent or not voting, 3:

Doyle

Husak

Szymoniak

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

House File 285

On motion of Senator Tinsman, House File 285, a bill for an act relating to the approval of certain business or activities in a health care facility, 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. 285) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hutchins	Jensen	Kersten	Kibbie
Kinley	Kramer	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Riordan	Rittmer	Rosenberg
Running	Slife	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none:

Absent or not voting, 3:

Doyle

Husak

Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred April 12, 1991)

Senate File 532

The Senate resumed consideration of Senate File 532, a bill for an act relating to reductions and increases in appropriations made for the fiscal year ending June 30, 1991, to departments and agencies of state government and to other public purposes, transferring moneys to the general fund of the state, and providing an effective date, deferred on April 12, 1991.

Senator Buhr offered amendment S—3423 filed by Senators Buhr and Tinsman on April 15, 1991, to pages 3 and 4 of the bill and moved its adoption.

Amendment S—3423 was adopted by a voice vote.

Senator Boswell asked and received unanimous consent to withdraw amendment S—3418 filed by Senators Boswell and Tieden on April 15, 1991, to page 11 of the bill.

Senator Boswell offered amendment S—3428 filed by Senators Boswell and Tieden on April 15, 1991, to page 11 of the bill and moved its adoption.

Amendment S—3428 was adopted by a voice vote.

Senator Riordan offered amendment S—3419 filed by him on April 15, 1991, to pages 18, 22, 24 and 48 of the bill.

Senator Riordan withdrew amendment S—3422 filed by him on April 15, 1991, to amendment S—3419.

Senator Riordan offered amendment S—3429 filed by him on April 15, 1991, to amendment S—3419 and moved its adoption.

Amendment S—3429 was adopted by a voice vote.

President Welsh took the chair at 9:50 a.m.

Senator Riordan moved the adoption of amendment S—3419 as amended, which motion prevailed by voice vote.

Senator Boswell offered amendment S—3416 filed by Senators Boswell and Tieden on April 15, 1991, to page 45 of the bill and moved its adoption.

Amendment S—3416 was adopted by a voice vote.

Senator Boswell asked and received unanimous consent that action on Senate File 532 be deferred.

CONSIDERATION OF BILLS (Regular Calendar)

House File 288

On motion of Senator Tieden, House File 288, a bill for an act relating to boating registration requirements for boat manufacturers or dealers and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Tieden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 288) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Kersten	Kibbie
Kinley	Kramer	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none:

Absent or not voting, 3:

Doyle	Jensen	Slife
-------	--------	-------

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 296

On motion of Senator Buhr, House File 296, a bill for an act relating to record checks and evaluations concerning facilities providing care to children and state institutions controlled by the department of human services, and containing applicability provisions, with report of committee recommending passage, was taken up for consideration.

Senator Hannon offered amendment S—3396 filed by her on April 11, 1991 to page 4 of the bill and moved its adoption.

Amendment S—3396 was adopted by a voice vote.

Senator Buhr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 296) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Kersten	Kibbie
Kinley	Kramer	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Riordan	Rittmer	Rosenberg
Running	Slife	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none:

Absent or not voting, 3:

Doyle	Jensen	Rife
-------	--------	------

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 373

On motion of Senator Riordan, House File 373, a bill for an act authorizing the issuance of warning citations by state conservation officers and employees who are peace officers, with report of committee recommending passage, was taken up for consideration.

Senator Riordan moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 373) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Doyle

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 392

On motion of Senator Riordan, House File 392, a bill for an act relating to animals specially trained or being trained to assist a disabled or handicapped person, making a penalty applicable, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Riordan moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 392) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Horn	Husak
Hutchins	Jensen	Kersten	Kibbie
Kinley	Kramer	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Doyle Hester

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 419

On motion of Senator Lloyd-Jones, House File 419, a bill for an act relating to school bus traffic violations and making a penalty applicable, 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. 419) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla

Hannon	Hedge	Horn	Husak
Hutchins	Jensen	Kersten	Kibbie
Kinley	Kramer	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Doyle Hester

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 426

On motion of Senator Dieleman, House File 426, a bill for an act relating to Pearl Harbor motor vehicle registration plates, 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. 426) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Horn	Husak
Hutchins	Jensen	Kersten	Kibbie
Kinley	Kramer	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Doyle

Hester

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 499

On motion of Senator Miller, House File 499, a bill for an act relating to demolition insurance reserves required for property within the corporate limits of a city, 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. 499) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 1:

Running

Absent or not voting, 1:

Doyle

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 500

On motion of Senator Hannon, House File 500, a bill for an act relating to requirements for child day care facilities operated in a school building in which child day care is an adjunct to the primary purpose of the building and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Taylor offered amendment S—3389 filed by Senators Taylor and Welsh on April 11, 1991, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3389 was adopted by a voice vote.

Senator Hannon moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 500) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Doyle

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 532

The Senate resumed consideration of Senate File 532, a bill for an act relating to reductions and increases in appropriations made for the fiscal year ending June 30, 1991, to departments and agencies of state government and to other public purposes, transferring moneys to the general fund of the state, and providing an effective date, previously deferred.

Senator Varn offered amendment S—3430 filed by Senators Varn and Lind from the floor to pages 24-26 and 29-33 of the bill.

Senator Husak called for a division of amendment S—3430: Page 1, lines 2-50 and page 2, lines 1-42 as division S—3430A; page 2, lines 43-50 and page 3 as division S—3430B.

Senator Kersten took the chair at 10:42 a.m.

President Welsh took the chair at 11:00 a.m.

Senator Varn moved the adoption of division S—3430A.

A record roll call was requested.

On the question "Shall division S—3430A be adopted?" (S.F. 532) the vote was:

Ayes, 17:

Boswell	Connolly	Fraise	Fuhrman
Gronstal	Hutchins	Jensen	Kinley
Kramer	Lind	Murphy	Pate
Peterson	Riordan	Rosenberg	Szymoniak
Varn			

Nays, 32:

Borlaug	Buhr	Deluhery	Dieleman
Doyle	Drake	Gettings	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Kersten	Kibbie	McLaren
Miller	Nystrom	Palmer	Priebe

Rensink	Rife	Rittmer	Running
Slife	Soorholtz	Sturgeon	Taylor
Tieden	Tinsman	Vande Hoef	Welsh

Absent or not voting, 1:

Lloyd-Jones

Division S—3430A lost.

Senator Connolly offered amendment S—3431 filed by him from the floor to division S—3430B and moved its adoption.

Amendment S—3431 was adopted by a voice vote.

Senator Tieden asked and received unanimous consent that action on division S—3430B as amended and Senate File 532 be deferred.

CONSIDERATION OF BILLS (Regular Calendar)

House File 254

On motion of Senator Jensen, House File 254, a bill for an act relating to corn shellers and feed grinders and special mobile equipment, 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. 254) the vote was:

Ayes, 50:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running

Slife	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 File 565

On motion of Senator Buhr, House File 565, a bill for an act relating to contracts for the purchase of goods or services by a city, with report of committee recommending passage, was taken up for consideration.

Senator Buhr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 565) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Hagerla

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 5

On motion of Senator Nystrom, House File 5, a bill for an act relating to the payment of pension benefits to surviving spouses under the chapters 97A, 410, and 411 retirement systems, and providing retroactive applicability dates, 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. 5) the vote was:

Ayes, 50:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	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 File 306

On motion of Senator Buhr, House File 306, a bill for an act relating to the collateral effect of job service division determinations regarding claims for unemployment benefits, with report of committee recommending passage, was taken up for consideration.

Senator Buhr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 306) the vote was:

Ayes, 50:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	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 File 532

The Senate resumed consideration of Senate File 532, a bill for an act relating to reductions and increases in appropriations made for the fiscal year ending June 30, 1991, to departments and agencies of state government and to other public purposes, transferring moneys to the general fund of the state, and providing an effective date, and division S—3430B as amended, previously deferred.

Senator Tinsman offered amendment S—3432 filed by Senators Tinsman and Varn from the floor to division S—3430B and moved its adoption.

Amendment S—3432 was adopted by a voice vote.

Senator Varn moved the adoption of division S—3430B as amended, which motion prevailed by 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. 532) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Hester

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Hutchins asked and received unanimous consent that Senate File 532 be immediately messaged to the House.

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that House Files 298, 325, 483, 631 and 634 be referred from the Regular Calendar to the committee on Ways and Means.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 21, by Palmer, Priebe, Gronstal, Tieden, Hedge, Hester, Sturgeon, Horn, Murphy, Miller, Gettings, Welsh, Riordan, Rife, Buhr, Nystrom, Vande Hoef, Peterson, Kramer, Tinsman, Husak, Kersten, Slife, Rensink, Varn, Fraise, Soorholtz, Running, Szymoniak, Rittmer, Borlaug, Pate, Lind, Kibbie, McLaren, Kinley and Fuhrman, a concurrent resolution relating to the establishment of an interim committee

to study the development of an incentive motivated management program for state agencies and departments.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:52 a.m., until 2:30 p.m.

APPENDIX

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifty fifth grade students from Union-Whitten-Beaman-Conrad-Liscomb Middle School, Union, Iowa, accompanied by Mary Pieper and John Ehn. Senators Jensen and Taylor.

Fifteen eleventh and twelfth grade students from Community Christian School, Fort Dodge, Iowa, accompanied by Mr. and Mrs. David Craig. Senator Kersten.

One hundred sixth grade students from Clarinda Middle School, Clarinda, Iowa, accompanied by Connie Richardson. Senator McLaren.

Fifteen sixth grade students from Cedar Valley Christian School, Cedar Rapids, Iowa, accompanied by Karen Bronkhost. Senator Horn.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on April 16, 1991, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 477 — Relating to cooperative ownership of residential, business property, providing an applicability date, and providing an effective date.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 500 passed the Senate on April 16, 1991.

BEVERLY A. HANNON

MR. PRESIDENT: I move to reconsider the vote by which House File 500 passed the Senate on April 16, 1991.

RAY TAYLOR

STUDY BILLS RECEIVED**SSB 354 Appropriations**

A joint resolution to nullify an administrative rule of the department of human services relating to a limitation on payment for liver transplants under the medical assistance program and providing an effective date.

SSB 355 Ways & Means

Relating to the Iowa pharmacy practice act and assessing a fee.

SUBCOMMITTEE ASSIGNMENTS**Senate Resolution 9**

RULES AND ADMINISTRATION: Hutchins, Chair; Lloyd-Jones and Rife

Senate Resolution 10

RULES AND ADMINISTRATION: Hutchins, Chair; Lloyd-Jones and Rife

Senate File 531

WAYS AND MEANS: Connolly, Chair; Fuhrman and Husak

SSB 228.1

WAYS AND MEANS: Dieleman, Chair; Drake and Szymoniak

SSB 350

WAYS AND MEANS: Szymoniak, Chair; Drake and Fraise

SSB 351

WAYS AND MEANS: Hester, Chair; McLaren and Murphy

SSB 352

WAYS AND MEANS: Dieleman, Chair; Husak and McLaren

SSB 353

WAYS AND MEANS: Dieleman, Chair; Fraise and Hester

SSB 355

WAYS AND MEANS: Szymoniak, Chair; Hedge and Murphy

House File 298

WAYS AND MEANS: Murphy, Chair; Rosenberg and Taylor

House File 325

WAYS AND MEANS: Deluhery, Chair; Fuhrman and Rosenberg

House File 483

WAYS AND MEANS: Connolly, Chair; Fraise and Hester

House File 631

WAYS AND MEANS: Dieleman, Chair; Hedge and Taylor

House File 634

WAYS AND MEANS: Palmer, Chair; Deluhery and Drake

AMENDMENTS FILED

S—3430	S.F.	532	Richard Varn Jim Lind
S—3431	S.F.	532	Mike Connolly
S—3432	S.F.	532	Maggie Tinsman Richard J. Varn
S—3433	H.F.	662	Donald V. Doyle

AFTERNOON SESSION

The Senate reconvened at 2:47 p.m., President Welsh 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 Slife for the afternoon on request of Senator Rife.

CONSIDERATION OF BILLS (Regular Calendar)

House File 567

On motion of Senator Doyle, House File 567, a bill for an act relating to the requirements for a notice of right to cure concerning an obligation secured by a deed of trust or mortgage, 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. 567) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Soorholtz

Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Kinley	Slife
--------	-------

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 571

On motion of Senator Jensen, House File 571, a bill for an act relating to the advertisement and sale of wood products and making certain consumer fraud penalties applicable, with report of committee recommending passage, was taken up for consideration.

Senator Husak asked and received unanimous consent that action on **House File 571** be **deferred**.

House File 589

On motion of Senator Buhr, House File 589, a bill for an act relating to the administration of a voluntary shared work-unemployment compensation program administered by the department of employment services, and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Buhr offered amendment S—3332 filed by the committee on Business and Labor Relations on April 4, 1991, to page 4 of the bill and moved its adoption.

Amendment S—3332 was adopted by a voice vote.

Senator Buhr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 589) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
---------	---------	------	----------

Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Slife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 289

On motion of Senator Riordan, House File 289, a bill for an act relating to the operation of snowmobiles, all-terrain vehicles, and motorcycles in certain special events and limiting safety certification to certain operators on public lands and waters, with report of committee recommending passage, was taken up for consideration.

Senator Riordan moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 289) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife

Riordan	Rittmer	Rosenberg	Running
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Slife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 577

On motion of Senator Kibbie, House File 577, a bill for an act relating to required reporting on state parks and preserves, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Kibbie offered amendment S—3349 filed by the committee on Natural Resources on April 8, 1991, to page 1 of the bill and moved its adoption.

Amendment S—3349 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?" (H.F. 577) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Slife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 592

On motion of Senator Buhr, House File 592, a bill for an act relating to documents filed with the general assembly by officials and departments, with report of committee recommending passage, was taken up for consideration.

Senator Buhr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 592) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Slife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 614

On motion of Senator Szymoniak, House File 614, a bill for an act relating to the reapportionment of county supervisor districts, with report of committee recommending passage, was taken up for consideration.

Senator Vande Hoef asked and received unanimous consent that action on **House File 614** be **deferred**.

House File 275

On motion of Senator Dieleman, House File 275, a bill for an act requiring the state department of transportation to adopt administrative rules relating to damage to highways and highway structures, 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. 275) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Slife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 334

On motion of Senator Running, House File 334, a bill for an act to permit districts which reorganize to change the area education agency which will provide services to students in the new or enlarged district, 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. 334) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Kramer Slife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 386

On motion of Senator Deluhery, House File 386, a bill for an act relating to public utility reorganizations and providing an effective date, 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. 386) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Slife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 423

On motion of Senator Kibbie, House File 423, a bill for an act relating to student financial aid programs administered by the college student aid commission, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Varn offered amendment S—3363 filed by the committee on Education on April 9, 1991, to page 2 of the bill and moved its adoption.

Amendment S—3363 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?" (H.F. 423) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Hester Slife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 486

On motion of Senator Horn, House File 486, a bill for an act to permit the board of educational examiners to deem national board certificate holders as meeting the requirements for Iowa teachers' licenses or endorsements, 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. 486) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer

Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Slife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 502

On motion of Senator Gettings, House File 502, a bill for an act relating to eliminating the requirement that a financial institution disclose certain information related to financial services offered by the financial institution, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Deluhery offered amendment S—3368 filed by the committee on Commerce on April 9, 1991, to page 1 of the bill and moved its adoption.

Amendment S—3368 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?" (H.F. 502) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate

Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Slife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 558

On motion of Senator Varn, House File 558, a bill for an act relating to child support by affecting informational requirements of the child support recovery unit and the receipt and disbursement of child support payments, with report of committee recommending passage, was taken up for consideration.

Senator Hannon asked and received unanimous consent that action on **House File 558** be deferred.

House File 566

On motion of Senator Varn, House File 566, a bill for an act relating to defective motor vehicles and providing statutory procedures under which a consumer may receive a replacement motor vehicle, or a full refund, for a motor vehicle which cannot be brought into conformity with the warranty, providing certain remedies, providing an administrative fine, making a penalty applicable, and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Varn offered amendment S—3369 filed by the committee on Commerce on April 9, 1991, to page 18 of the bill and moved its adoption.

Amendment S—3369 was adopted by a voice vote.

Senator Varn offered amendment S—3424 filed by him on April 15, 1991, to page 17 of the bill and moved its adoption.

- Amendment S—3424 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. 566) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Murphy Slife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 598

On motion of Senator Deluhery, House File 598, a bill for an act relating to the payment of certain court filing fees by the United States, 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. 598) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Soorholtz	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Slife Sturgeon

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 601

On motion of Senator Priebe, House File 601, a bill for an act relating to open end credit accounts by eliminating the requirement that the banking division compile and report a summary of the volume of consumer installment credit to the administrator of the Iowa consumer credit code and providing for a change in terms in the agreement, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Priebe offered amendment S—3365 filed by the committee on Commerce on April 9, 1991, to page 1 of the bill and moved its adoption.

Amendment S—3365 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?" (H.F. 601) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Soorholtz	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Slife Sturgeon

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 625

On motion of Senator Gettings, House File 625, a bill for an act relating to issuance of junking certificates and certificates of title, with report of committee recommending passage, was taken up for consideration.

Senator Lind offered amendment S—3373 filed by him on April 10, 1991, to page 2 of the bill and moved its adoption.

Amendment S—3373 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?" (H.F. 625) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester

Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Slife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 297

On motion of Senator Connolly, House File 297, a bill for an act relating to driver's license reciprocity for minors, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Connolly offered amendment S—3382 filed by the committee on Transportation on April 10, 1991, to page 1 and the title page of the bill.

Senator Fuhrman asked and received unanimous consent that action on amendment S—3382 and **House File 297** be deferred.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 15, 1991, passed the following bills in which the concurrence of the House was asked:

Senate File 53, a bill for an act relating to certificates required for moving swine, and creating penalties.

Senate File 104, a bill for an act relating to certain administrative functions of the department of personnel. -

Senate File 171, a bill for an act providing for the identification and eradication of marijuana plants.

Senate File 179, a bill for an act relating to the protection of trade secrets and providing an effective date.

Senate File 213, a bill for an act relating to probate code provisions with respect to testamentary trusts, investments by fiduciaries, conservatorships, and the distribution of decedents' property by affidavit.

Senate File 231, a bill for an act allowing the issuance of personalized collegiate registration plates for motor vehicles and providing an effective date.

Senate File 308, a bill for an act relating to the Iowa uniform controlled substances Act.

Senate File 326, a bill for an act exempting members, employees, and the secretary of the board of trustees for the statewide fire and police retirement system from certain liabilities, providing per diem compensation for board members, appropriating funds to the board, changing the date for completion of an actuarial study, providing that certain cities that did not participate in a chapter 411 retirement system as of May 3, 1990, are not required to participate in the statewide system, and providing retroactive applicability and effective date provisions.

Senate File 337, a bill for an act relating to contracts for road, bridge, and culvert construction.

Senate File 383, a bill for an act relating to the installation of smoke detectors in multiple-unit residential buildings and single-family dwellings and making penalties applicable.

Senate File 389, a bill for an act relating to the department of human rights commission of Latino affairs and commission on the status of blacks.

Senate File 419, a bill for an act relating to voting hours for drainage or levee district trustee elections.

Senate File 488, a bill for an act relating to the appointment of the clerk or secretary to a city civil services commission.

ALSO: That the House has on April 16, 1991, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 115, a bill for an act relating to the income eligibility level for the payment of indigent obstetrical and newborn care costs (S—3439).

Senate File 182, a bill for an act relating to administrative rulemaking (S—3438).

Senate File 268, a bill for an act establishing and allocating moneys to the arts and cultural enhancement and endowment program (S—3437).

Senate File 355, a bill for an act relating to authorizing a spouse to execute a power of attorney instrument sufficient to relinquish homestead rights and surviving spouse's statutory share in the homestead (S—3440).

Senate File 479, a bill for an act relating to the reassignment of duties from the division of children, youth, and families of the department of human rights to the division of child and family services within the department of human services (S—3441).

INTRODUCTION OF BILL

Senate File 533, by committee on Ways and Means, a bill for an act relating to the rate of the Shelby Tennant community school district income surtax and the refund of any excess income surtax paid and providing effective and applicability dates.

Read first time and placed on Ways and Means Calendar.

APPENDIX

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Jason Heitland, Iowa Falls — For achieving the coveted rank of Eagle Scout in the Boy Scouts of America. Senator Taylor.

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: HOUSE FILE 479, a bill for an act relating to appropriations for state departments, agencies, programs, funds, and INTERNET, and adjusting the school foundation aid program, delaying the effective date of certain tax rate reductions, credits, or rent reimbursements, redirecting net lottery revenues, relating to the amount of federal income taxes deductible for the state individual income tax, and providing for effective and applicability dates.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3444.

Final Vote: Ayes, 18: Boswell, Welsh, Buhr, Connolly, Gronstal, Hagerla, Husak, Kersten, Lind, Lloyd-Jones, McLaren, Pate, Peterson, Rensink, Riordan, Szymoniak, Tinsman and Varn. Nays, 1: Running. Absent or not voting 2: Tieden and Gettings.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 533 (SSB 351), a bill for an act relating to the rate of the Shelby Tennant community school district income surtax and the refund of any excess income surtax paid and providing effective and applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Dieleman, Husak, Hedge, Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Murphy and Szymoniak. Nays, none. Absent or not voting, 3: Palmer, Rosenberg and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 16, 1991, when the final vote was taken on House File 565.

Had I been present, I would have voted "aye" on this bill.

MARK R. HAGERLA

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 502 passed the Senate on April 16, 1991.

JOE WELSH

MR. PRESIDENT: I move to reconsider the vote by which House File 601 passed the Senate on April 16, 1991.

JOE WELSH

MR. PRESIDENT: I move to reconsider the vote by which House File 423 passed the Senate on April 16, 1991.

MIKE CONNOLLY

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifteen members of Troop 50 Boy Scouts, Des Moines, Iowa, accompanied by John Goeldner. Senator Szymoniak.

AMENDMENTS FILED

S-3434	H.F.	655	Al Sturgeon
S-3435	H.F.	500	Beverly Hannon
S-3436	H.F.	500	Ray Taylor
S-3437	S.F.	268	House amendment
S-3438	S.F.	182	House amendment
S-3439	S.F.	115	House amendment
S-3440	S.F.	355	House amendment
S-3441	S.F.	479	House amendment

S-3442	H.F.	610	John Kibbie Al Sturgeon
S-3443	H.F.	558	Beverly Hannon
S-3444	H.F.	479	Appropriations

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:39 p.m., until 9:00 a.m., Wednesday, April 17, 1991.

JOURNAL OF THE SENATE

NINETY-FOURTH CALENDAR DAY
FIFTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 17, 1991

The Senate met in regular session at 9:07 a.m., President pro tempore Lloyd-Jones presiding.

Prayer was offered by Father Lawrence McCarty, pastor of the Sacred Heart Catholic Church, Fort Dodge, Iowa.

The Journal of Tuesday, April 16, 1991, was approved.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 43 present, 7 absent and a quorum present.

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that the following bills on the Senate Calendar no longer eligible for consideration under Joint Rule 20 be referred to committee:

To State Government:

Senate Files 84, 108, 325, 366, 466 and 514.

To Human Resources:

Senate Files 30, 43, 85, 293, 381, 469 and 489.

To Natural Resources:

Senate Files 264 and 392.

To Judiciary:

Senate Files 27, 388, 475 and 483.

To Local Government:

Senate Files 80 and 464.

To Business and Labor Relations:

Senate File 442.

To Environment and Energy Utilities:

Senate Files 59 and 375.

To Commerce:

Senate Files 36 and 516.

To Agriculture:

Senate Files 517 and 526.

CONSIDERATION OF BILLS
(Regular Calendar)

House File 491

On motion of Senator Connolly, House File 491, a bill for an act relating to acquisition of rights-of-way for highways, 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. 491) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Running	Soorholtz

Szymoniak
Vande Hoef

Taylor
Varn

Tieden
Welsh

Tinsman

Nays, none:

Absent or not voting, 3:

Rosenberg

Slife

Sturgeon

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 575

On motion of Senator Buhr, House File 575, a bill for an act relating to the collection and use of patient information by the health data commission, and providing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Buhr offered amendment S—3386 filed by the committee on Human Resources on April 10, 1991, to page 1 of the bill and moved its adoption.

Amendment S—3386 was adopted by a voice vote.

Senator Murphy asked and received unanimous consent that action on **House File 575** be deferred.

House File 593

On motion of Senator Connolly, House File 593, a bill for an act relating to employment of personnel under sharing agreements and agreements to combine merged areas, 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. 593) the vote was:

Ayes, 49:

Borlaug
Deluhery
Fraise

Boswell
Dieleman
Fuhrman

Buhr
Doyle
Gettings

Connolly
Drake
Gronstal

Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Rosenberg

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House Concurrent Resolution 18

On motion of Senator Fraise, House Concurrent Resolution 18, a concurrent resolution naming a highway route and urging the United States House Public Works and Transportation Committee and the United States Senate Environment and Public Works Committee to establish priority funding measures for development of a four-lane highway in Missouri, Iowa, and Minnesota to connect the cities of St. Louis, Missouri, and St. Paul, Minnesota, more commonly referred to as "The Avenue of the Saints", with report of committee recommending passage, was taken up for consideration.

Senator Fraise moved the adoption of House Concurrent Resolution 18, which motion prevailed by a voice vote.

House File 198

On motion of Senator Sturgeon, House File 198, a bill for an act relating to nonsubstantive Code and Act corrections, 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. 198) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Kramer

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 Murphy, House File 324, a bill for an act relating to aiding and abetting and retaliation under the civil rights law, 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. 324) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller

Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 357

On motion of Senator Sturgeon, House File 357, a bill for an act establishing the Iowa uniform premarital agreement act, and providing effective date and applicability provisions, with report of committee recommending passage, was taken up for consideration.

Senator Sturgeon asked and received unanimous consent that action on **House File 357** be deferred.

House File 372

On motion of Senator Peterson, House File 372, a bill for an act amending the pesticide act of Iowa, by providing for the establishment and assessment of civil penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Peterson offered amendment S—3398 filed by the committee on Agriculture on April 11, 1991, to strike everything after the enacting clause and to the title page of the bill.

Senator Lind raised the point of order that amendment S—3398 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3398 out of order.

President Welsh took the chair at 10:04 a.m.

Senator Priebe asked and received unanimous consent that action on **House File 372** be deferred.

House File 570

On motion of Senator Sturgeon, House File 570, a bill for an act relating to limitations on the use of automatic dialing-announcing device equipment 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?" (H.F. 570) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Kramer McLaren

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 602

On motion of Senator Peterson, House File 602, a bill for an act relating to the transfer of ownership of a vehicle by operation of law, with report of committee recommending passage, was taken up for consideration.

Senator Peterson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 602) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Kramer McLaren

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 617

On motion of Senator Kinley, House File 617, a bill for an act relating to the central location of original loan documentation recordkeeping functions at the office of a bank holding company, with report of committee recommending passage, was taken up for consideration.

Senator Kinley moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 617) the vote was:

Ayes, 46:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake

Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Soorholtz	Sturgeon
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none:

Absent or not voting, 4:

Kramer	McLaren	Slife	Szymoniak
--------	---------	-------	-----------

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 619

On motion of Senator Kinley, House File 619, a bill for an act relating to the preservation of bank records, with report of committee recommending passage, was taken up for consideration.

Senator Kinley moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 619) the vote was:

Ayes, 47:

Borlaug	Boswell	Connolly	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Running	Slife	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none:

Absent or not voting, 3:

Buhr Kramer McLaren

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 626

On motion of Senator Kinley, House File 626, a bill for an act relating to adverse claims over deposits held by a savings and loan association, with report of committee recommending passage, was taken up for consideration.

Senator Kinley moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 626) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Kramer McLaren

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 627

On motion of Senator Sturgeon, House File 627, a bill for an act relating to transfer of title by affidavit of the surviving spouse, 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. 627) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Kramer McLaren

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 657

On motion of Senator Riordan, House File 657, a bill for an act relating to alcohol blended gasoline, by changing references from gasohol to ethanol blended gasoline, with report of committee recommending passage, was taken up for consideration.

Senator Riordan moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 657) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	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	Rittmer	Rosenberg
Running	Slife	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Kersten Kramer McLaren

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 384

On motion of Senator Running, House File 384, a bill for an act to establish a single method for obtaining agency consent for an employee to sell goods or services to individuals, associations, or corporations subject to the regulatory authority of the agency, 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. 384) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen

Kersten	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Kramer McLaren

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 498

On motion of Senator Kibbie, House File 498, a bill for an act relating to updating criteria under the Iowa retraining program and providing an effective date, 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. 498) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Kramer McLaren

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 501

On motion of Senator Sturgeon, House File 501, a bill for an act relating to establishing a durable power of attorney authorized to make health care decisions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Sturgeon offered amendment S—3299 filed by the committee on Judiciary on April 3, 1991, to page 8 and the title page of the bill and moved its adoption.

Amendment S—3299 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. 501) the vote was:

Ayes, 46:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hutchins	Jensen	Kersten
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 2:

Husak Rensink

Absent or not voting, 2:

Kramer McLaren

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

House File 20

On motion of Senator Kinley, House File 20, a bill for an act to exclude Sunday and all legal public holidays as banking days for purposes of determining a bank's midnight deadline, with report of committee recommending passage, was taken up for consideration.

Senator Kinley moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 20) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Kramer McLaren

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 302

On motion of Senator Gronstal, House File 302, a bill for an act relating to infectious and radioactive waste treatment and disposal facilities by extending the moratorium on construction and operation, requiring operating permits for treatment and disposal facilities and collection and transportation operations, providing for emission limitations and standards, and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that action on **House File 302** be deferred.

House File 420

On motion of Senator Gronstal, House File 420, a bill for an act relating to corrective changes to Iowa's election laws, providing emergency powers to the state commissioner of elections, and relating to the affidavit filing requirements for a single public office by primary election candidates and certain general election candidates, and relating to absentee voting, with report of committee recommending passage, was taken up for consideration.

Senator Hagerla offered amendment S—3445 filed by him from the floor to page 1 and the title page of the bill.

Senator Gronstal raised the point of order that amendment S—3445 was not germane to the bill.

Senator Gronstal withdrew his point of order.

Senator Hagerla moved the adoption of amendment S—3445, 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. 420) the vote was:

Ayes, 48:

Borlaug
Deluhery
Fraise

Boswell
Dieleman
Fuhrman

Buhr
Doyle
Gettings

Connolly
Drake
Gronstal

Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Kramer McLaren

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

House File 421

On motion of Senator Murphy, House File 421, a bill for an act relating to establishing a registry of sex offenders and establishing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Murphy asked and received unanimous consent that action on House File 421 be deferred.

House File 520

On motion of Senator Varn, House File 520, a bill for an act relating to testing to detect the presence of radon gas or radon progeny, with report of committee recommending passage, was taken up for consideration.

Senator Varn offered amendment S-3420 filed by Senators Varn and Rife on April 15, 1991, to page 1 of the bill and moved its adoption.

Amendment S-3420 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. 520) the vote was:

Ayes, 37:

Boswell	Buhr	Connolly	Deluhery
Doyle	Drake	Fraise	Gettings
Gronstal	Hannon	Horn	Husak
Hutchins	Kersten	Kibbie	Kinley
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Varn
Welsh			

Nays, 12:

Borlaug	Dieleman	Fuhrman	Hagerla
Hedge	Hester	Jensen	Priebe
Taylor	Tieden	Tinsman	Vande Hoef

Absent or not voting, 1:

Kramer

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 655

On motion of Senator Sturgeon, House File 655, a bill for an act relating to emergency care providers who are exposed to contagious or infectious diseases, and making penalties applicable, with report of committee recommending passage, was taken up for consideration.

Senator Sturgeon withdrew amendment S—3434 filed by him on April 16, 1991, to page 7 of the bill.

Senator Hannon took the chair at 11:29 a.m.

Senator Sturgeon moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 655) the vote was:

Ayes, 43:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Hagerla	Hannon
Hedge	Horn	Husak	Hutchins
Jensen	Kersten	Kibbie	Kinley
Kramer	Lind	McLaren	Miller
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 7:

Fuhrman	Gronstal	Hester	Lloyd-Jones
Murphy	Rosenberg	Tieden	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred April 16, 1991)

House File 297

The Senate resumed consideration of House File 297, a bill for an act relating to driver's license reciprocity for minors, and amendment S—3382 by the committee on Transportation to page 1 and the title page of the bill, deferred on April 16, 1991.

Senator Connolly moved the adoption of amendment S—3382, which motion prevailed by a voice vote.

With the adoption of amendment S—3382, the Chair ruled amendment S—3110 filed by Senator Connolly on March 13, 1991, to page 1 and the title page 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. 297) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Cannolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

McLaren Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

President Welsh took the chair at 11:48 a.m.

MOTION TO RECONSIDER ADOPTED

Senator Hannon called up the motion to reconsider House File 500 filed by her on April 16, 1991, found on page 1266 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (H.F. 500) the vote was:

Ayes, 38:

Boswell	Buhr	Cannolly	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hannon
Horn	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Murphy	Nystrom	Palmer
Peterson	Priebe	Rensink	Riordan
Rittmer	Rosenberg	Running	Soorholtz
Sturgeon	Szymoniak	Taylor	Tinsman
Varn	Welsh		

Nays, 9:

Borlaug	Hagerla	Hedge	Hester
Kersten	Kramer	Pate	Tieden
Vande Hoef			

Absent or not voting, 3:

McLaren	Rife	Slife
---------	------	-------

The motion prevailed.

Senator Hannon moved to reconsider the vote by which House File 500 went to its last reading, which motion prevailed by a voice vote.

House File 500

On motion of Senator Hannon, House File 500, a bill for an act relating to requirements for child day care facilities operated in a school building in which child day care is an adjunct to the primary purpose of the building and providing an effective date, was taken up for reconsideration.

Senator Taylor filed the following motion to reconsider from the floor and moved its adoption.

MR. PRESIDENT, I move to reconsider the vote by which amendment S—3389 to House File 500 was adopted by the Senate on April 16, 1991.

The motion prevailed by a voice vote and amendment S—3389 by Senators Taylor and Welsh to page 1 and the title page of the bill, was taken up for reconsideration.

Senator Taylor offered amendment S—3436 filed by him on April 16, 1991, to amendment S—3389 and moved its adoption.

Amendment S—3436 was adopted by a voice vote.

Senator Taylor moved the adoption of amendment S—3389 as amended, which motion prevailed by a voice vote.

Senator Hannon offered amendment S—3435 filed by her on April 16, 1991, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3435 was adopted by a voice vote.

Senator Hannon moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 500) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Peterson	Priebe
Rensink	Riordan	Rittmer	Rosenberg
Running	Slife	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hóef	Varn	Welsh	

Nays, none:

Absent or not voting, 3:

McLaren	Pate	Rife
---------	------	------

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

The motion to reconsider the vote by which House File 500 passed the Senate on April 16, 1991, filed by Senator Taylor on April 16, 1991, and found on page 1266 of the Senate Journal, was out of order.

MOTION TO RECONSIDER WITHDRAWN

House File 502

Senator Welsh withdrew the motion to reconsider House File 502, a bill for an act relating to eliminating the requirement that a financial institution disclose certain information related to financial services offered by the financial institution, filed by him on April 16, 1991, and found on page 1287 of the Senate Journal.

UNFINISHED BUSINESS
(Deferred April 16, 1991)

House File 558

The Senate resumed consideration of House File 558, a bill for an act relating to child support by affecting informational requirements of the child support recovery unit and the receipt and disbursement of child support payments, deferred on April 16, 1991.

Senator Hannon offered amendment S—3443 filed by her on April 16, 1991, to page 4 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 26, nays 20.

Amendment S—3443 was adopted.

Senator Murphy asked and received unanimous consent that action on **House File 558** be deferred.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 22, by Fraise, Drake, Lloyd-Jones, Rife, Kibbie and Vande Hoef, a concurrent resolution relating to railroad industry labor negotiations conducted pursuant to the federal Railway Labor Act.

Read first time and **passed on file**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:10 p.m., until 2:00 p.m.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****APPROPRIATIONS**

Convened: April 16, 1991, 4:45 p.m.

Members Present: Boswell, Chair; Welsh, Vice Chair; Tieden, Ranking Member; Buhr, Connolly, Gettings, Gronstal, Hagerla, Husak, Kersten, Lind, Lloyd-Jones, McLaren, Pate, Peterson, Rensink, Riordan, Running, Szymoniak, Tinsman and Varn.

Members Absent: none.

Committee Business: Recommended passage of House File 479 as amended.

Adjourned: 6:30 p.m.

WAYS AND MEANS

Convened: April 16, 1991, 1:38 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hedge, Ranking Member; Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Murphy and Szymoniak.

Members Absent: Palmer, Rosenberg (excused) and Taylor (excused).

Committee Business: Assigned bills to subcommittees; approved SSB 351 as a committee bill.

Adjourned: 1:59 p.m.

SUBCOMMITTEE ASSIGNMENTS**SSB 354**

APPROPRIATIONS: Szymoniak, Chair; Buhr and Tinsman

House File 438

JUDICIARY: Rosenberg, Chair; Fuhrman and Murphy

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Eight sixth through twelfth grade students from Norwalk High School, Norwalk, Iowa, accompanied by Jeanie Johnson. Senator Peterson.

Thirty-seven eighth grade students from the Pekin-Packwood Community School, Pekin, Iowa, accompanied by Bill Anderson and Art Milliken. Senator Hedge.

Thirty ninth grade students from Newton High School, Newton, Iowa, accompanied by Frank Kruse. Senator Soorholtz.

Nine kindergarten, first and second grade students from Wallace Elementary School, Des Moines, Iowa, accompanied by Susan Lawrence. Senator Buhr.

Seventeen twelfth grade students from Charles City High School, Charles City, Iowa, accompanied by Chuck Redinas. Senator Borlaug.

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which House File 20 passed the Senate on April 17, 1991.

JOE WELSH

AMENDMENTS FILED

S-3445	H.F.	420	Mark Hagerla
S-3446	H.F.	479	Michael Gronstal Richard Vande Hoef
S-3447	H.F.	675	John P. Kibbie William W. Dieleman Richard V. Running Jack Nystrom Richard Vande Hoef H. Kay Hedge Linn Fuhrman

			Jack Hester
			Wilmer Rensink
			Dale L. Tieden
			Mary E. Kramer
			Allen Borlaug
			Jim Kersten
			Jim Riordan
			Beverly A. Hannon
			Jean Lloyd-Jones
			Al Sturgeon
			Mark Hagerla
			Alvin Miller
			Leonard Boswell
S—3448	H.F.	469	Sheldon Rittmer
S—3449	H.F.	479	Michael Gronstal
			Richard Vande Hoef
S—3450	H.F.	651	John Kibbie
			Michael Gronstal
			George Kinley
			Jack Rife
S—3451	H.F.	302	Michael E. Gronstal
			Mike Connolly
S—3452	H.F.	639	Jim Riordan

AFTERNOON SESSION

The Senate reconvened at 2:14 p.m., President Welsh 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

House File 357

The Senate resumed consideration of House File 357, a bill for an act establishing the Iowa uniform premarital agreement act, and providing effective date and applicability provisions, previously deferred.

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. 357) the vote was:

Ayes, 44:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Doyle	Fraise	Fuhrman
Gettings	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kersten	Kibbie
Kinley	Kramer	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rife	Riordan	Rittmer	Rosenberg
Running	Slife	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Welsh

Nays, 2:

Rensink	Vande Hoef
---------	------------

Absent or not voting, 4:

Dieleman	Drake	Tinsman	Varn
----------	-------	---------	------

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL
(Regular Calendar)

House File 375

On motion of Senator Rosenberg, House File 375, a bill for an act relating to the prohibiting of the disposal of baled solid waste at a sanitary landfill, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Rosenberg offered amendment S—3395 filed by the committee on Environment and Energy Utilities on April 11, 1991, to page 1 of the bill and moved its adoption.

Amendment S—3395 was adopted by a voice vote.

Senator Rosenberg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 375) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Vande Hoef	Varn
Welsh			

Nays, 1:

Tinsman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS CALENDAR
(Deferred April 10, 1991)

House File 517

On motion of Senator Sturgeon, House File 517, a bill for an act relating to workers' compensation medical benefits and weekly benefit claims, burial expenses, and minimum benefit payments, was taken up for further consideration (substituted for Senate File 443 as amended, and deferred on April 10, 1991).

Senator Sturgeon asked and received unanimous consent that action on **House File 517** be **deferred**.

House File 487

On motion of Senator Szymoniak, House File 487, a bill for an act relating to the imposition of the state sales, services, and use tax on pay television service provided by a municipality, with report of committee recommending passage, was taken up for consideration.

Senator Kibbie took the chair at 2:44 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?" (H.F. 487) the vote was:

Ayes, 29:

Buhr	Connolly	Deluhery	Dieleman
Doyle	Fraise	Gettings	Gronstal
Hannon	Horn	Husak	Hutchins
Jensen	Kibbie	Kinley	Kramer
Lloyd-Jones	Miller	Murphy	Palmer
Peterson	Riordan	Rosenberg	Slife
Soorholtz	Sturgeon	Szymoniak	Vande Hoef
Varn			

Nays, 21:

Borlaug	Boswell	Drake	Fuhrman
Hagerla	Hedge	Hester	Kersten
Lind	McLaren	Nystrom	Pate
Priebe	Rensink	Rife	Rittmer

Running
Welsh

Taylor

Tieden

Tinsman

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 152

On motion of Senator Soorholtz, House File 152, a bill for an act relating to boxing and wrestling laws administered by the athletic commissioner, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Horn offered amendment S—3318 filed by the committee on State Government on April 4, 1991, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3318 was adopted by a voice vote.

Senator Horn offered amendment S—3379 filed by him on April 10, 1991, to page 1 of the bill and moved its adoption.

Amendment S—3379 was adopted by a voice vote.

Senator Soorholtz moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 152) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife

Soorholtz
Tieden
Welsh

Sturgeon
Tinsman

Szymoniak
Vande Hoef

Taylor
Varn

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.

House File 449

On motion of Senator Murphy, House File 449, a bill for an act relating to the composition of the advisory committee to the office of rural health, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Murphy offered amendment S—3317 filed by the committee on State Government on April 4, 1991, to page 1 of the bill and moved its adoption.

Amendment S—3317 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. 449) the vote was:

Ayes, 48:

Borlaug
Deluhery
Fraise
Hagerla
Horn
Kersten
Lind
Murphy
Peterson
Riordan
Slife
Taylor

Boswell
Dieleman
Fuhrman
Hannon
Husak
Kibbie
Lloyd-Jones
Nystrom
Priebe
Rittmer
Soorholtz
Vande Hoef

Buhr
Doyle
Gettings
Hedge
Hutchins
Kinley
McLaren
Palmer
Rensink
Rosenberg
Sturgeon
Varn

Connolly
Drake
Gronstal
Hester
Jensen
Kramer
Miller
Pate
Rife
Running
Szymoniak
Welsh

Nays, 2:

Tieden

Tinsman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 343

On motion of Senator Deluhery, House File 343, a bill for an act relating to the enforcement authority of the Iowa utilities board regarding intrastate pipelines and electric transmission lines and providing civil penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Deluhery offered amendment S—3361 filed by the committee on Environment and Energy Utilities on April 9, 1991, to page 1 of the bill and moved its adoption.

Amendment S—3361 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. 343) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 380

On motion of Senator Murphy, House File 380, a bill for an act requiring the state registrar to provide a certified copy of a birth certificate when the certificate is registered, with report of committee recommending passage, was taken up for consideration.

Senator Murphy offered amendment S—3370 filed by him on April 9, 1991, to page 1 and the title page of the bill.

Senator Jensen asked and received unanimous consent that action on amendment S—3370 and **House File 380** be deferred.

House File 480

On motion of Senator Priebe, House File 480, a bill for an act relating to common outlet determination and constructive notice of levee and drainage districts, 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. 480) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Szymoniak
Taylor	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

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 File 506

On motion of Senator Hester, House File 506, a bill for an act relating to the admission into evidence of reproduced, rerecorded, or duplicated original writings, documents, and other records kept in the regular course of business or activity, with report of committee recommending passage, was taken up for consideration.

Senator Hester moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 506) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Szymoniak
Taylor	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

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 File 92

On motion of Senator Connolly, House File 92, a bill for an act relating to establishing commencement dates and terms of office for airport commissioners by ordinance, 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. 92) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Taylor
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Szymoniak Tieden

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 516

On motion of Senator Dieleman, House File 516, a bill for an act to establish a teacher exchange program within the state, 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. 516) the vote was:

Ayes, 48:

Borlaug	Boswell	Connolly	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nyström	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tinsman	Vande Hoef	Varn	Welsh

Nays, 1:

Tieden

Absent or not voting, 1:

Buhr

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 583

On motion of Senator Horn, House File 583, a bill for an act relating to eligibility of school districts for the reorganization incentives and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Connolly offered amendment S-3388 filed by the committee on Education on April 10, 1991, to pages 1-5 of the bill and moved its adoption.

Amendment S-3388 was adopted by a voice vote.

Senator Taylor offered amendment S-3412 filed by Senators Taylor, et. al., on April 15, 1991, to page 5 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3412 be adopted?" (H.F. 583) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 24:

Borlaug	Drake	Fraise	Fuhrman
Gettings	Hagerla	Hannon	Hedge
Hester	Husak	Jensen	Kersten
Kibbie	McLaren	Nystrom	Pate
Priebe	Rensink	Rife	Riordan
Soorholtz	Taylor	Tieden	Vande Hoef

Nays, 25:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Doyle	Gronstal	Horn
Hutchins	Kinley	Kramer	Lind
Lloyd-Jones	Miller	Murphy	Palmer
Rittmer	Rosenberg	Running	Slife
Sturgeon	Szymoniak	Tinsman	Varn
Welsh			

Absent or not voting, 1:

Peterson

Amendment S—3412 lost.

Senator Taylor asked and received unanimous consent that action on **House File 583** be deferred.

House File 615

On motion of Senator Sturgeon, House File 615, a bill for an act relating to the confidentiality of victim-identifying information in cases of sexual abuse, and providing for an automatic repeal, with report of committee recommending passage, was taken up for consideration.

Senator Sturgeon asked and received unanimous consent that action on **House File 615** be deferred.

House File 534

On motion of Senator Deluhery, House File 534, a bill for an act relating to changes and corrections in the court administration system, with report of committee recommending passage, was taken up for consideration.

President pro tempore Lloyd-Jones took the chair at 3:57 p.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?" (H.F. 534) the vote was:

Ayes, 46:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Gronstal	Hannon
Hester	Horn	Husak	Hutchins
Jensen	Kersten	Kibbie	Kinley
Kramer	Lind	Lloyd-Jones	McLaren
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Running	Slife	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Varn	Welsh		

Nays, 4:

Fuhrman	Hagerla	Hedge	Vande Hoef
---------	---------	-------	------------

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Boswell until he returns on request of Senator Hutchins.

CONSIDERATION OF BILLS (Regular Calendar)

House File 594

On motion of Senator Deluhery, House File 594, a bill for an act relating to the release of privileged information, with report of committee without recommendation, was taken up for consideration.

Senator Sturgeon offered amendment S—3427 filed by him on April 15, 1991, to page 2 of the bill.

Senator Palmer asked and received unanimous consent that action on amendment S—3427 and House File 594 be deferred.

Senate Resolution 8

On motion of Senator Rife, Senate Resolution 8, a senate resolution to support the Quad Cities' Acquisition Committee's effort to acquire a class AAA baseball franchise, with report of committee recommending passage, was taken up for consideration..

Senator Rife moved the adoption of Senate Resolution 8, which motion prevailed by a voice vote.

House File 612

On motion of Senator Miller, House File 612, a bill for an act relating to the publication of notice for a public hearing on a county budget, with report of committee recommending passage, was taken up for consideration.

Senator Miller offered amendment S—3415 filed by him on April 15, 1991, to page 1 of the bill and moved its adoption.

Amendment S—3415 was adopted by a voice vote.

Senator Priebe asked and received unanimous consent that action on House File 612 be deferred.

House File 661

On motion of Senator Rosenberg, House File 661, a bill for an act relating to certain general permits for activities affecting the environment, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Rosenberg offered amendment S—3394 filed by the committee on Environment and Energy Utilities on April 11, 1991, to page 2 of the bill and moved its adoption.

Amendment S—3394 was adopted by a voice vote.

Senator Rosenberg offered amendment S—3407 filed by him on April 12, 1991, to page 2 and the title page of the bill and moved its adoption.

Amendment S—3407 was adopted by a voice vote.

Senator Rosenberg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 661) the vote was:

Ayes, 48:

Borlaug	Buhr	Connolly	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Boswell Murphy

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 23, by Welsh, a concurrent resolution expressing opposition to a proposed graduated annual fee for recreational vessels operated on navigable waters of the United States where the coast guard is present.

Read first time and passed on file.

UNFINISHED BUSINESS

(Deferred April 9, 1991)

House File 353

On motion of Senator Deluhery, House File 353, a bill for an act relating to the possession or use of a device or appliance to stimulate or depress a race horse or dog and providing penalties, was taken up for further consideration (substituted for Senate File 474 and deferred on April 9, 1991).

Senator Priebe asked and received unanimous consent that action on **House File 353** be deferred.

UNFINISHED BUSINESS

(Deferred April 9, 1991)

House File 485

On motion of Senator Horn, House File 485, a bill for an act to establish a math and science grant program under the administration of the department of education, creating a math and science account, and providing for licensing changes by the board of educational examiners, was taken up for further consideration (substituted for Senate File 379 as amended, and deferred on April 9, 1991).

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. 485) the vote was:

Ayes, 50:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running

Slife
Taylor
Varn

Soorholtz
Tieden
Welsh

Sturgeon
Tinsman

Szymoniak
Vande Hoef

Nays, none:

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Horn asked and received unanimous consent that **Senate File 379** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS (Deferred April 9, 1991)

House File 639

On motion of Senator Riordan, House File 639, a bill for an act relating to the Iowa community cultural grants program, was taken up for further consideration (substituted for Senate File 523 and deferred on April 9, 1991).

Senator Riordan offered amendment S—3452 filed by him on April 17, 1991, to page 1 of the bill and moved its adoption.

Amendment S—3452 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. 639) the vote was:

Ayes, 50:

Borlaug
Deluhery
Fraise
Hagerla
Horn
Kersten
Lind
Murphy
Peterson
Riordan
Slife

Boswell
Dieleman
Fuhrman
Hannon
Husak
Kibbie
Lloyd-Jones
Nystrom
Priebe
Rittmer
Soorholtz

Buhr
Doyle
Gettings
Hedge
Hutchins
Kinley
McLaren
Palmer
Rensink
Rosenberg
Sturgeon

Connolly
Drake
Gronstal
Hester
Kramer
Miller
Pate
Rife
Running
Szymoniak

Taylor
Varn

Tieden
Welsh

Tinsman

Vande Hoef

Nays, none:

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 523** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS (Deferred April 10, 1991)

House File 618

On motion of Senator Varn, House File 618, a bill for an act relating to the marketable title of real estate and the lapse of stale mineral interests, was taken up for further consideration (substituted for Senate File 370 as amended, and deferred on April 10, 1991).

Senator Gronstal offered amendment S—3453 filed by him from the floor to pages 1, 2 and the title page of the bill and moved its adoption.

Amendment S—3453 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. 618) the vote was:

Ayes, 50:

Borlaug
Deluhery
Fraise
Hagerla
Horn
Kersten
Lind
Murphy
Peterson
Riordan

Boswell
Dieleman
Fuhrman
Hannon
Husak
Kibbie
Lloyd-Jones
Nystrom
Priebe
Rittmer

Buhr
Doyle
Gettings
Hedge
Hutchins
Kinley
McLaren
Palmer
Rensink
Rosenberg

Connolly
Drake
Gronstal
Hester
Jensen
Kramer
Miller
Pate
Rife
Running

Slife
Taylor
Varn

Soorholtz
Tieden
Welsh

Sturgeon
Tinsman

Szymoniak
Vande Hoef

Nays, none:

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Varn asked and received unanimous consent that **Senate File 370** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILL (Regular Calendar)

House File 678

On motion of Senator Riordan, House File 678, a bill for an act relating to agricultural production and commerce, by providing for the production and distribution of ethanol, with report of committee recommending passage, was taken up for consideration.

Senator Riordan asked and received unanimous consent that action on **House File 678** be **deferred**.

BUSINESS PENDING

House File 558

The Senate resumed consideration of House File 558, a bill for an act relating to child support by affecting informational requirements of the child support recovery unit and the receipt and disbursement of child support payments, previously deferred.

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. 558) the vote was:

Ayes, 50:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	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.

APPENDIX

RESOLUTIONS ASSIGNED TO COMMITTEE

President Welsh announced the assignment of the following resolutions to committee:

S. C. R.	21	Rules & Administration
S. C. R.	22	Business & Labor Relations

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-seven fifth grade students from Lakeview Elementary School, Centerville, Iowa, accompanied by Sherry Murphy. Senator Gettings.

AMENDMENTS FILED

S—3453	H.F.	618	Michael Gronstal
S—3454	H.F.	252	Don Gettings
S—3455	H.F.	675	Emil Husak Eugenen Fraise Sheldon Rittmer John Soorholtz Derryl McLaren
S—3456	H.F.	580	Wally Horn
S—3457	H.F.	594	Harry Slife Ralph Rosenberg
S—3458	H.F.	479	Richard Vande Hoef Michael Gronstal
S—3459	H.F.	610	Jack W. Hester Berl E. Priebe

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:52 p.m., until 9:00 a.m., Thursday, April 18, 1991.

JOURNAL OF THE SENATE

NINETY-FIFTH CALENDAR DAY
SIXTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 18, 1991

The Senate met in regular session at 9:14 a.m., President Welsh presiding.

Prayer was offered by the Honorable Joe J. Welsh, President of the Senate from Dubuque, Iowa.

The Journal of Wednesday, April 17, 1991, was approved.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 16, 1991, passed the following bills in which the concurrence of the House was asked:

Senate File 10, a bill for an act relating to the establishment and registration of elder family homes.

Senate File 78, a bill for an act relating to the membership of the college student aid commission, to substitute a representative from the community colleges for the member of the state council on vocational education.

Senate File 291, a bill for an act relating to the date of completion of the transfer of responsibilities for certain child support orders from the department of human services to the judicial department.

Senate File 310, a bill for an act relating to the repeal of chapter 536B, and the restrictions on investments made by, and debt instruments offered for sale by, an industrial loan company.

Senate File 435, a bill for an act relating to the transfer of regulatory authority over mortgage bankers and brokers from the superintendent of savings and loans to the superintendent of banking.

Senate File 454, a bill for an act authorizing the state department of transportation to contract for a light rail study.

Senate File 494, a bill for an act relating to the transfer of the regulatory authority of the superintendent of savings and loan associations to the director of the department of commerce and the superintendent of banking.

Senate File 495, a bill for an act relating to the ability of a mentally disabled person to obtain a marriage license or an annulment, and findings by the court in guardianship proceedings concerning capacity to contract a valid marriage.

Senate File 525, a bill for an act relating to the regulation of dairy products, providing for the repeal of certain sections, and providing effective dates.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 44 present, 6 absent and a quorum present.

The Senate stood at ease until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session, Senator Kibbie 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.

President Welsh took the chair at 11:13 a.m.

CONSIDERATION OF BILL
(Appropriations Calendar)

House File 479

On motion of Senator Boswell, House File 479, a bill for an act relating to appropriations for state departments, agencies, programs, funds, and INTERNET, and adjusting the school foundation aid program, delaying the effective date of certain tax rate reductions, credits, or rent reimbursements, redirecting net lottery revenues, relating to the amount of federal income taxes deductible for the state individual income tax, and providing for effective and applicability dates, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Boswell offered amendment S—3444 filed by the committee on Appropriations on April 16, 1991, to strike everything after the enacting clause and to the title page of the bill.

Senator Szymoniak offered amendment S—3479 filed by Senators Szymoniak, Murphy and Welsh from the floor to pages 4 and 35 of amendment S—3444 and moved its adoption.

Amendment S—3479 was adopted by a voice vote.

Senator Szymoniak offered amendment S—3477 filed by Senators Szymoniak and Hagerla from the floor to pages 5, 8, 10, 15, 18-22, 25, 26, 28, 35, 37 and 38 of amendment S—3444.

Senator Running called for a division of amendment S—3477 to amendment S—3444: Page 1, lines 4-27 and 43-50; page 2, lines 1-44 as division S—3477A; page 1, lines 28-42 as division S—3477B.

Senator Szymoniak raised the point of order that amendment S—3477 was not divisible.

The Chair ruled the point not well taken.

Senator Szymoniak asked and received unanimous consent that action on division S—3477A to amendment S—3444 be deferred.

Senator Szymoniak moved the adoption of division S—3477B to amendment S—3444.

A non record roll call was requested.

The ayes were 27, nays 10.

Division S—3477B was adopted.

Senator Szymoniak moved the adoption of division S—3477A to amendment S—3444 previously deferred, which motion prevailed by voice vote.

With the adoption of divisions S—3477A and S—3477B to amendment S—3444, the Chair ruled amendment S—3484 filed by Senators Running, Kibbie and Vande Hoef from the floor to page 21 of amendment S—3444, out of order.

Senator Lloyd-Jones offered amendment S—3460 filed by Senators Lloyd-Jones, et. al., from the floor to pages 25, 54 and 70 of amendment S—3444, and called for a division: lines 3-6 as division S—3460A and lines 7-12 as division S—3460B.

Senator Lloyd-Jones asked and received unanimous consent that action on division S—3460A to amendment S—3444 be deferred.

Senator Lloyd-Jones moved the adoption of division S—3460B to amendment S—3444.

A record roll call was requested.

On the question "Shall division 3460B to amendment S—3444 be adopted?" (H.F. 479) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 23:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Drake	Gronstal	Hannon
Hutchins	Kramer	Lloyd-Jones	Miller
Murphy	Pate	Rife	Riordan
Rosenberg	Slife	Sturgeon	Szymoniak
Tinsman	Varn	Welsh	

Nays, 27:

Borlaug	Doyle	Fraise	Fuhrman
Gettings	Hagerla	Hedge	Hester

Horn	Husak	Jensen	Kersten
Kibbie	Kinley	Lind	McLaren
Nystrom	Palmer	Peterson	Priebe
Rensink	Rittmer	Running	Soorholtz
Taylor	Tieden	Vande Hoef	

Division S—3460B lost.

Senator Hutchins asked and received unanimous consent that action on division S—3460A to amendment S—3444 be deferred.

Senator Priebe asked and received unanimous consent that action on amendment S—3461 filed by Senators Priebe, et. al., from the floor to pages 25 and 70 of amendment S—3444 be deferred.

Senator Buhr took the chair at 12:29 p.m.

Senator Taylor asked and received unanimous consent that action on amendment S—3474 filed by Senators Taylor, et. al., from the floor to page 66 of amendment S—3444 be deferred.

Senator Riordan offered amendment S—3486 filed by Senators Riordan and Kramer from the floor to pages 70, 71 and 84 of amendment S—3444 and moved its adoption.

Amendment S—3486 was adopted by a voice vote.

Senator Riordan offered amendment S—3478 filed by Senators Riordan and Kramer from the floor to page 73 of amendment S—3444 and moved its adoption.

Amendment S—3478 was adopted by a voice vote.

Senator Riordan offered amendment S—3462 filed by Senators Riordan and Kramer from the floor to page 79 of amendment S—3444 and moved its adoption.

Amendment S—3462 was adopted by a voice vote.

Senator Gronstal offered amendment S—3446 filed by Senators Gronstal and Vande Hoef on April 17, 1991, to page 93 of amendment S—3444 and moved its adoption.

Amendment S—3446 was adopted by a voice vote.

President Welsh took the chair at 1:47 p.m.

Senator Vande Hoef offered amendment S—3458 filed by Senators Vande Hoef and Gronstal on April 17, 1991, to page 94 of amendment S—3444 and moved its adoption.

Amendment S—3458 was adopted by a voice vote.

Senator Gronstal offered amendment S—3449 filed by Senators Gronstal and Vande Hoef on April 17, 1991, to page 96 of amendment S—3444 and moved its adoption.

Amendment S—3449 was adopted by a voice vote.

Senator Gronstal offered amendment S—3480 filed by Senators Gronstal and Vande Hoef from the floor to pages 96, 98 and 99 of amendment S—3444 and moved its adoption.

Amendment S—3480 was adopted by a voice vote.

Senator Boswell offered amendment S—3483 filed by Senators Boswell, et. al., from the floor to pages 106, 107 and 109 of amendment S—3444 and moved its adoption.

Amendment S—3483 lost by a voice vote.

Senator Lloyd-Jones asked and received unanimous consent to withdraw division S—3460A to pages 25 and 54 of amendment S—3444, previously deferred.

Senator Soorholtz asked and received unanimous consent that action on amendment S—3461 to pages 25 and 70 of amendment S—3444 continue to be deferred.

Senator Varn offered amendment S—3488 filed by Senators Varn and Lind from the floor to pages 46-53, 55-59 and 66 of amendment S—3444.

Senator Riordan asked for a division of amendment S—3488 to amendment S—3444: Page 1, lines 4-50, page 2 and page 3, lines 1-15 as division S—3488A; page 3, lines 16-26 as division 3488B.

On motion of Senator Varn, divisions S—3488A and S—3488B to amendment S—3444 were adopted by a voice vote.

Senator Running offered amendment S—3490 filed by Senators Running, et. al., from the floor to page 75 of amendment S—3444 and moved its adoption.

Amendment S—3490 was adopted by a voice vote.

Senator Taylor asked and received unanimous consent to withdraw amendment S—3474 to page 66 of amendment S—3444, previously deferred.

Senator Taylor offered amendment S—3489 filed by Senators Taylor, Lind and Varn from the floor to page 66 of amendment S—3444 and moved its adoption.

Amendment S—3489 was adopted by a voice vote.

Senator Priebe asked and received unanimous consent to withdraw amendment S—3461 to pages 25 and 70 of amendment S—3444, previously deferred.

Senator Boswell offered amendment S—3492 filed by Senators Boswell and Tieden from the floor to page 102 of amendment S—3444 and moved its adoption.

Amendment S—3492 was adopted by a voice vote.

Senator Murphy offered amendment S—3491 filed by Senators Boswell and Tieden from the floor to page 105 of amendment S—3444 and moved its adoption.

Amendment S—3491 was adopted by a voice vote.

Senator Taylor offered amendment S—3493 filed by Senators Taylor, Hagerla and Szymoniak from the the floor to page 38 of amendment S—3444 and moved its adoption.

Amendment S—3493 was adopted by a voice vote.

President pro tempore Lloyd-Jones took the chair at 1:45 p.m.

Senator Boswell moved the adoption of amendment S—3444 as amended, which motion prevailed by 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. 479) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 1:

Palmer

Absent or not voting, 1:

Running

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 479 be immediately messaged to the House.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 16, 1991, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 114, a bill for an act relating to the definition of a physician for the purpose of the practice of nursing (S-3467).

Senate File 205, a bill for an act relating to residency requirements for commercial mussel fishers and providing an effective date (S—3468).

Senate File 210, a bill for an act relating to agreements by physicians restricting professional practices, providing that such agreements violate public policy, and providing effective date and retroactive applicability provisions (S—3473).

Senate File 211, a bill for an act relating to crimes against the elderly and disabled persons by creating a cause of action, creating a special fund, and providing a civil penalty (S—3466).

Senate File 297, a bill for an act relating to the confidentiality of information identifying inert ingredients in pesticides, and providing retroactive applicability and effective dates (S—3465).

Senate File 317, a bill for an act relating to the regulation of pay-per-call service and advertisements and providing for the applicability of established penalties (S—3464).

Senate File 323, a bill for an act relating to delegates to the Iowa congress on resource enhancement and protection (S—3469).

Senate File 338, a bill for an act relating to movement of indivisible loads of excessive size and weight and increasing the fee for escort services (S—3471).

Senate File 411, a bill for an act relating to the availability of certain information concerning nonprofit agencies or corporations receiving public funds (S—3472).

Senate File 453, a bill for an act relating to judicial officers having jurisdiction over civil commitment proceedings and providing an effective date (S—3463).

Senate File 471, a bill for an act relating to state policies and procedures affecting children (S—3470).

RECESS

On motion of Senator Hutchins, the Senate recessed at 2:12 p.m., until 3:15 p.m.

APPENDIX

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 18th day of April, 1991:

Senate Files 345, 378 and 520.

JOHN F. DWYER
Secretary of the Senate

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued certificates of recognition as follows:

Zion American Lutheran Church, Wyoming — For 100th anniversary, April 18, 1891—April 17, 1991. Senator Hannon.

Kelly A. Stone, Ed-Co High School — For being the outstanding student in government at Ed-Co High School. Senator Pate.

Laura Strable, West Delaware High School — For being the outstanding student in government at West Delaware High School. Senator Pate.

Regina Long, Alburnett High School — For being the outstanding student in government at Alburnett High School. Senator Pate.

Edward Fiedler, Maquoketa Valley High School — For being the outstanding student in government at Maquoketa Valley High School. Senator Pate.

Jonathan Green, Linn-Marr High School — For being the outstanding student in government at Linn-Marr High School, Senator Pate.

Paul Roby, Washington High School — For being the outstanding student in government at Washington High School. Senator Pate.

Brennan Buckley, Marion High School — For being the outstanding student in government at Marion High School. Senator Pate.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Forty-nine twelfth grade students from Schleswig Middle-Senior High School, Schleswig, Iowa, accompanied by George Pickup. Senator Hutchins.

Six students from South Clay Community School, Gillett Grove, accompanied by Larry Stegge. Senator Kibbie.

Thirty-five twelfth grade students from Colo-Nesco High School, Colo, Iowa, accompanied by Jack Roberts. Senator Nystrom.

Forty-seven fifth grade students from Lincoln Elementary School, Mechanicsville, Iowa, accompanied by Mrs. Miller. Senator Hannon.

Twelve eighth grade students from Waukee Middle School, Waukee, Iowa, accompanied by Monte Friestad. Senator Riordan.

Forty-four sixth grade students from Allison-Bristow Community School, Allison, Iowa, accompanied by Mark Randall and Mrs. Chris Jese. Senator Jensen.

Forty sixth grade students from Greenfield Elementary School, Greenfield, Iowa, accompanied by Rana Glade and Christie Auten. Senator Boswell.

Forty-five eleventh and twelfth grade students from North High School, Sioux City, Iowa, accompanied by Steve Maguire, Dr. Sharon Ocker and Larry Twait. Senators Doyle and Sturgeon.

AMENDMENTS FILED

S-3460	H.F.	479	Jean Lloyd-Jones Larry Murphy Michael W. Connolly Elaine Szymoniak Joe J. Welsh
S-3461	H.F.	479	Berl E. Priebe Emil J. Husak William D. Palmer

			John E. Soorholtz
			Richard Vande Hoef
			Alvin V. Miller
			John Peterson
			Eugene S. Fraise
			Linn Fuhrman
			John Kibbie
			Jim Kersten
			Sheldon Rittmer
			Derryl McLaren
			Joe Welsh
			Ray Taylor
			Donald Doyle
			Don E. Gettings
			Harry Slife
			Jack Nystrom
			H. Kay Hedge
			Allen Borlaug
			Wilmer Rensink
			Paul Pate
			Jack Hester
			Mark Hagerla
S-3462	H.F.	479	Jim Riordan
			Mary E. Kramer
S-3463	S.F.	453	House amendment
S-3464	S.F.	317	House amendment
S-3465	S.F.	297	House amendment
S-3466	S.F.	211	House amendment
S-3467	S.F.	114	House amendment
S-3468	S.F.	205	House amendment
S-3469	S.F.	323	House amendment
S-3470	S.F.	471	House amendment
S-3471	S.F.	338	House amendment
S-3472	S.F.	411	House amendment
S-3473	S.F.	210	House amendment
S-3474	H.F.	479	Ray Taylor
			Jim Lind
			Richard Varn
			Larry Murphy
			Michael W. Connolly
			Dale L. Tieden
S-3475	H.F.	353	Berl E. Priebe

			Patrick Deluhery
			Linn Fuhrman
S-3476	H.F.	634	Michael Gronstal
S-3477	H.F.	479	Elaine Szymoniak
			Mark Hagerla
S-3478	H.F.	479	Jim Riordan
			Mary Kramer
S-3479	H.F.	479	Elaine Szymoniak
			Larry Murphy
			Joe Welsh
S-3480	H.F.	479	Michael Gronstal
			Richard Vande Hoef
S-3481	H.F.	580	Ray Taylor
S-3482	H.F.	580	Ray Taylor
S-3483	H.F.	479	Leonard Boswell
			Dale Tieden
			Emil Husak
			Eugene Fraise
			William W. Dieleman
			Don Gettings
			Richard V. Running
			Richard F. Drake
			John W. Jensen
S-3484	H.F.	479	Richard Running
			John Kibbie
			Richard Vande Hoef
S-3485	H.F.	668	Al Sturgeon
S-3486	H.F.	479	Jim Riordan
			Mary E. Kramer
S-3487	H.F.	353	Berl Priebe
			Patrick Deluhery
			Linn Fuhrman
S-3488	H.F.	479	Richard Varn
			Jim Lind
S-3489	H.F.	479	Ray Taylor
			Jim Lind
			Richard Varn
S-3490	H.F.	479	Richard Running
			James Riordan
			Leonard Boswell
			Mary Kramer
			Dale L. Tieden

S—3491	H.F.	479	Leonard Boswell Dale L. Tieden
S—3492	H.F.	479	Leonard Boswell Dale L. Tieden
S—3493	H.F.	479	Ray Taylor Mark Hagerla Elaine Szymoniak
S—3494	S.F.	276	Ray Taylor

AFTERNOON SESSION

The Senate reconvened at 3:26 p.m., President 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.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Pate for the remainder of the day on request of Senator Hagerla.

CONSIDERATION OF BILL (Regular Calendar)

House File 675

On motion of Senator Husak, House File 675, 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 providing dates of applicability, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Husak offered amendment S—3399 filed by the committee on Agriculture on April 11, 1991, to strike everything after the enacting clause and to the title page of the bill.

Senator Kibbie offered amendment S—3447 filed by Senators Kibbie, et. al., on April 17, 1991, to pages 1-13 of amendment S—3399.

President pro tempore Lloyd-Jones took the chair at 3:55 p.m.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Taylor for the remainder of the week on request of Senator Vande Hoef.

BUSINESS PENDING

House File 675

The Senate resumed consideration of House File 675.

Senator Kibbie moved the adoption of amendment S—3447 to amendment S—3399.

A record roll call was requested.

On the question "Shall amendment S—3447 to amendment S—3399 be adopted?" (H.F. 675) the vote was:

Ayes, 36:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fuhrman
Gettings	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hutchins
Jensen	Kersten	Kibbie	Kinley
Kramer	Lloyd-Jones	Miller	Murphy
Nystrom	Rensink	Riordan	Rosenberg
Running	Slife	Sturgeon	Szymoniak
Tieden	Vande Hoef	Varn	Welsh

Nays, 12:

Doyle	Fraise	Husak	Lind
McLaren	Palmer	Peterson	Priebe
Rife	Rittmer	Soorholtz	Tinsman

Absent or not voting, 2:

Pate Taylor

Amendment S—3447 was adopted.

With the adoption of amendment S—3447 to amendment S—3399, the Chair ruled the following amendments to amendment S—3399 out of order:

S—3455 filed by Senators Husak, et. al., on April 17, 1991, to page 4.

S—3497 filed by Senators Taylor, Jensen and Kersten from the floor to pages 4, 6 and 9.

S—3498 filed by Senators Vande Hoef, et. al., from the floor to pages 9 and 13.

S—3421 filed by Senators Jensen, Borlaug and Taylor on April 15, 1991, to page 13.

Senator Priebe asked and received unanimous consent that action on amendment S—3399 as amended and **House File 675** be **deferred**.

CONSIDERATION OF BILL (Regular Calendar)

House File 252

On motion of Senator Gettings, House File 252, a bill for an act relating to exempting certain cargo tank motor vehicles from hazardous materials transportation regulations, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gettings offered amendment S—3309 filed by the committee on Transportation on April 4, 1991, to page 1 and the title page of the bill.

Senator Gettings offered amendment S—3454 filed by him on April 17, 1991, to amendment S—3309 and moved its adoption.

Amendment S—3454 was adopted by a voice vote.

Senator Gettings moved the adoption of amendment S—3309 as amended, which motion prevailed by voice vote.

Senator Gettings moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 252) the vote was:

Ayes, 48:

Borlaug
Deluhery

Boswell
Dieleman

Buhr
Doyle

Connolly
Drake

Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Pate

Taylor

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

MOTION TO RECONSIDER WITHDRAWN

House File 601

Senator Welsh withdrew the motion to reconsider House File 601, a bill for an act relating to open end credit accounts by eliminating the requirement that the banking division compile and report a summary of the volume of consumer installment credit to the administrator of the Iowa consumer credit code and providing for a change in terms in the agreement, filed by him on April 16, 1991, and found on page 1287 of the Senate Journal.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 18, 1991, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 42, a bill for an act relating to the authority of physician assistants to prescribe and supply prescription drugs and controlled substances (S—3495).

APPENDIX

EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on April 17, 1991.

Had I been present, I would have voted "aye" on House File 357.

MAGGIE TINSMAN

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty-nine sixth grade students from Keota Elementary School, Keota, Iowa, accompanied by Joann Winters and Rod Hill. Senator Hedge.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S-3412 to House File 583 failed to be adopted by the Senate on April 17, 1991.

MARY KRAMER

COMMITTEE REPORTS

WAYS AND MEANS

Final Bill Action: SENATE FILE 352, a bill for an act relating to the interest penalty applied to delinquent property taxes.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Dieleman, Husak, Hedge, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Murphy, Palmer, Rosenberg, Szymoniak and Taylor. Nays, none. Absent or not voting, 1: Connolly.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 298, a bill for an act relating to the conduct of games and raffles by qualified organizations.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Dieleman, Husak, Hedge, Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Murphy, Palmer, Rosenberg, Szymoniak and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 325, a bill for an act relating to the establishment of a well contractor certification program, establishing fees, and making penalties applicable.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3501.

Final Vote: Ayes, 9: Dieleman, Husak, Connolly, Deluhery, Fraise, Murphy, Palmer, Rosenberg and Szymoniak. Nays, 6: Hedge, Drake, Fuhrman, Hester, McLaren and Taylor.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 483, a bill for an act relating to permit fees for highway advertising devices.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Dieleman, Husak, Hedge, Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Murphy, Palmer, Rosenberg, Szymoniak and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 634, a bill for an act relating to the regulation of the business of insurance, amending certain filing requirements, filing fees, and the deposit of those fees by the insurance division, providing for the prior review and approval of certain policy forms and rates prior to issuance or delivery, making modifications to certain meeting and license renewal requirements, providing administrative penalties, and providing for the Act's applicability.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Dieleman, Husak, Hedge, Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Murphy, Palmer, Rosenberg, Szymoniak and Taylor. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

RESOLUTION ASSIGNED TO COMMITTEE

President Welsh announced the assignment of the following resolution to committee:

S. C. R. 23 Rules & Administration

AMENDMENTS FILED

S-3495	S.F.	42	House amendment
S-3496	H.F.	517	Linn Fuhrman
S-3497	H.F.	675	Ray Taylor John W. Jensen Jim Kersten
S-3498	H.F.	675	Richard Vande Hoef Jim Kersten John P. Kibbie Jack Hester John Jensen Allen Borlaug
S-3499	H.F.	668	Mark Hagerla
S-3500	H.F.	634	Michael Gronstal
S-3501	H.F.	325	Ways and Means

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:55 p.m., until 9:00 a.m., Friday, April 19, 1991.

JOURNAL OF THE SENATE

NINETY-SIXTH CALENDAR DAY
SIXTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, April 19, 1991

The Senate met in regular session at 9:05 a.m., President Welsh presiding.

Prayer was offered by the Honorable James R. Riordan, member of the Senate from Dallas County, Waukee, Iowa.

The Journal of Thursday, April 18, 1991, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 15, 1991, passed the following bill in which the concurrence of the House was asked:

Senate File 422, a bill for an act allowing certain elections to be conducted by mail ballots, providing penalties, and providing for the prospective repeal of the Act.

ALSO: That the House has on April 17, 1991, passed the following bills in which the concurrence of the House was asked:

Senate File 33, a bill for an act amending the pesticide Act of Iowa, by providing requirements for pesticide dealers, and providing for fees.

Senate File 48, a bill for an act relating to professional titles and abbreviations of physical therapists and physical therapist assistants, and licensure, examination fees, and conditions of practice of physical therapist assistants.

Senate File 327, a bill for an act requiring that certain settlements of claims involving governmental bodies be filed with the governmental bodies as public records.

Senate File 457, a bill for an act relating to collective bargaining.

ALSO: That the House has on April 17, 1991, passed the following bill in which the concurrence of the Senate is asked:

House File 689, a bill for an act relating to the establishment of joint water utilities and their tax status.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 17, 1991, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 23, a bill for an act relating to the teaching of American sign language in accredited schools (S—3503).

Senate File 56, a bill for an act requiring reporting of county aid by societies organized to administer local fairs (S—3502).

Senate File 97, a bill for an act increasing penalties for interfering with a traffic control device (S—3506).

Senate File 101, a bill for an act relating to the loss of pay while on military leave of absence (S—3510).

Senate File 110, a bill for an act relating to the presence of certain persons under the age of twenty-one years on excursion gambling boats, and providing an effective date (S—3508).

Senate File 138, a bill for an act requiring the acceptance of a student's postsecondary options credits as high school academic or vocational-technical credits by a school district or accredited nonpublic school (S—3507).

Senate File 172, a bill for an act establishing a state fair challenge grant foundation (S—3514).

Senate File 314, 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—3505).

Senate File 324, a bill for an act relating to authorized actions of local air pollution programs under the jurisdiction of the department of natural resources and providing penalties (S—3515).

Senate File 329, a bill for an act authorizing the state department of transportation to adopt rules requiring public utilities to comply with the utility accommodation policy for certain Iowa road systems (S—3512).

Senate File 340, a bill for an act relating to retirement benefits of members of the Iowa public employees' retirement system who retire due to disability and providing an effective date and applicability date (S—3511).

Senate File 429, a bill for an act relating to agricultural land held by corporations, limited partnerships, and trusts, and providing penalties (S—3504).

Senate File 356, a bill for an act relating to the administration of the individual income tax, by amending the requirement that each tax return include two voter registration forms; providing uniformity in the priority of the various income tax credits; specifying that the incomes covered in the government pension exclusion are considered for purposes of determining if taxpayers qualify for total exemption from tax; providing that qualification for the tuition and textbook deduction and the tuition and textbook credit is based on taxpayers' net incomes instead of their federal adjusted gross incomes; providing for revision in the computation of the child and dependent care credit and allocation of the credit between married taxpayers and nonresidents and part-year resident taxpayers; relating to the penalty for delinquent payment of fuel taxes resulting from a check given in payment but not honored because of insufficient funds; relating to access to confidential tax information by certain persons and the application of confidentiality laws of the state; relating to penalty provisions on the filing of certain tax returns and failure to submit payment of taxes as required by the rules of the director of revenue and finance; relating to the due date for income tax returns for nonprofit corporations subject to the unrelated business income tax; relating to use tax on vehicles subject to registration or only subject to the issuance of title; relating to the exemption from inheritance tax of the share of the estate passing to the surviving

spouse; relating to payment of interest to taxpayers owed refunds for inheritance tax; relating to payment of refunds of the environmental protection charge; and providing effective dates (S—3509).

ALSO: That the House has on April 18, 1991, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 473, a bill for an act relating to accredited schools and school districts, making changes in the department of education's biennial report on the condition of schools, changing the requirements for certain pilot projects, providing exceptions to certain uses of funds received under an instructional support program, and changing the district in which shared-time pupils are counted under the postsecondary enrollment options Act (S—3513).

INTRODUCTION OF BILL

Senate File 534, by committee on Ways and Means, a bill for an act allowing a deduction from the individual income tax for certain expenses incurred by a person with a developmental disability to enable the person to be gainfully employed and providing a retroactive applicability date.

Read first time and placed on Ways and Means Calendar.

Senate File 535, by committee on Ways and Means, a bill for an act relating to increasing the fees for issuance or replacement or renewal of a permit to carry weapons.

Read first time and placed on Ways and Means Calendar.

Senate File 536, by committee on Ways and Means, a bill for an act relating to the limitation period for filing for an Iowa income tax credit or refund.

Read first time and placed on Ways and Means Calendar.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Pate until he arrives on request of Senator Hester.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 34 present, 16 absent and a quorum present.

The Senate stood at ease until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session, President Welsh presiding.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 460

On motion of Senator Vande Hoef, Senate File 460, a bill for an act relating to the establishment of certain county roads and legalizing the proceedings concerning the establishment of certain county roads, was taken up for consideration.

Senator Vande Hoef asked and received unanimous consent that action on **Senate File 460** be **deferred**.

House File 430

On motion of Senator Husak, House File 430, a bill for an act relating to the crime victim assistance programs, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Husak asked and received unanimous consent that action on **House File 43** be **deferred**.

House File 510

On motion of Senator Husak, House File 510, a bill for an act relating to the election of a county sheriff to serve more than one county, with report of committee recommending passage, was taken up for consideration.

Senator Husak asked and received unanimous consent that action on **House File 510** be **deferred**.

House File 200

On motion of Senator Husak, House File 200, a bill for an act relating to the minutes required to be maintained by governmental bodies, with report of committee recommending passage, was taken up for consideration.

Senator Husak asked and received unanimous consent that action on **House File 200** be deferred.

House File 325

On motion of Senator Husak, House File 325, a bill for an act relating to the establishment of a well contractor certification program, establishing fees, and making penalties applicable, with report of committee recommending passage, was taken up for consideration.

Senator Husak asked and received unanimous consent that action on **House File 325** be deferred.

House File 197

On motion of Senator Husak, House File 197, a bill for an act relating to the operation and dissolution of certain special districts organized to provide a municipal service, with report of committee recommending passage, was taken up for consideration.

Senator Husak asked and received unanimous consent that action on **House File 197** be deferred.

House File 298

On motion of Senator Husak, House File 298, a bill for an act relating to the conduct of games and raffles by qualified organizations, with report of committee recommending passage, was taken up for consideration.

Senator Husak asked and received unanimous consent that action on **House File 298** be deferred.

House File 483

On motion of Senator Husak, House File 483, a bill for an act relating to permit fees for highway advertising devices, with report

of committee recommending passage, was taken up for consideration.

Senator Husak asked and received unanimous consent that action on **House File 483** be deferred.

House File 518

On motion of Senator Husak, House File 518, a bill for an act to establish an advanced placement summer program, with report of committee recommending passage, was taken up for consideration.

Senator Husak asked and received unanimous consent that action on **House File 518** be deferred.

House File 580

On motion of Senator Husak, House File 580, a bill for an act to permit a person who has been issued a coaching authorization to be employed by a school district as head coach, with report of committee recommending passage, was taken up for consideration.

Senator Husak asked and received unanimous consent that action on **House File 580** be deferred.

House File 651

On motion of Senator Husak, House File 651, a bill for an act relating to gambling and the operation of pari-mutuel racetracks and excursion gambling boats, and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Husak asked and received unanimous consent that action on **House File 651** be deferred.

House File 679

On motion of Senator Husak, House File 679, a bill for an act relating to forfeiture of excursion boats and related property and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Husak asked and received unanimous consent that action on **House File 679** be deferred.

Senate Joint Resolution 9

On motion of Senator Husak, Senate Joint Resolution 9, a joint resolution to nullify an administrative rule of the department of human services relating to reimbursement for psychiatric medical institutions for children, and providing an effective date, was taken up for consideration.

Senator Husak asked and received unanimous consent that action on **Senate Joint Resolution 9** be deferred.

House File 214

On motion of Senator Husak, House File 214, a bill for an act relating to the reproductive toxicity of alcoholic beverages, and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Husak asked and received unanimous consent that action on **House File 214** be deferred.

House File 646

On motion of Senator Husak, House File 646, a bill for an act to permit school districts to provide educational programs to persons who are beyond the age prescribed as the school age, with report of committee recommending passage, was taken up for consideration.

Senator Husak asked and received unanimous consent that action on **House File 646** be deferred.

House File 668

On motion of Senator Husak, House File 668, a bill for an act relating to the certificate of need program and providing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Husak asked and received unanimous consent that action on **House File 668** be deferred.

House File 201

On motion of Senator Husak, House File 201, a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and providing effective and retroactive applicability dates, with report of committee recommending passage, was taken up for consideration.

Senator Husak asked and received unanimous consent that action on **House File 201** be deferred.

House File 232

On motion of Senator Husak, House File 232, a bill for an act relating to the sale and furnishing of cigarettes and tobacco products to certain persons and providing penalties and an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Husak asked and received unanimous consent that action on **House File 232** be deferred.

House File 335

On motion of Senator Husak, House File 335, a bill for an act relating to a parent's right of action for the death of a child, with report of committee recommending passage, was taken up for consideration.

Senator Husak asked and received unanimous consent that action on **House File 335** be deferred.

House File 455

On motion of Senator Husak, House File 455, a bill for an act relating to school instruction and attendance of children of compulsory school attendance age and providing for mediation of truancy issues and penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Husak asked and received unanimous consent that action on **House File 455** be deferred.

House File 595

On motion of Senator Husak, House File 595, a bill for an act relating to the taxation of attorney fees in prison disciplinary cases, with report of committee recommending passage, was taken up for consideration.

Senator Husak asked and received unanimous consent that action on **House File 595** be deferred.

House File 634

On motion of Senator Husak, House File 634, a bill for an act relating to the regulation of the business of insurance, amending certain filing requirements, filing fees, and the deposit of those fees by the insurance division, providing for the prior review and approval of certain policy forms and rates prior to issuance or delivery, making modifications to certain meeting and license renewal requirements, providing administrative penalties, and providing for the Act's applicability, with report of committees on Commerce and Ways and Means recommending passage, was taken up for consideration.

Senator Husak asked and received unanimous consent that action on **House File 634** be deferred.

House File 644

On motion of Senator Husak, House File 644, a bill for an act relating to communication by permanent nonprofit organizations with their dues-paying members under the campaign finance disclosure law, with report of committee recommending passage, was taken up for consideration.

Senator Husak asked and received unanimous consent that action on **House File 644** be deferred.

House File 656

On motion of Senator Husak, House File 656, a bill for an act relating to unfair or discriminatory practices in housing and real estate, providing civil remedies, and a criminal penalty, with

report of committee recommending passage, was taken up for consideration.

Senator Husak asked and received unanimous consent that action on **House File 656** be deferred.

House File 662

On motion of Senator Husak, House File 662, a bill for an act relating to facilities used to maintain animals, and providing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Husak asked and received unanimous consent that action on **House File 662** be deferred.

House File 672

On motion of Senator Husak, House File 672, a bill for an act relating to the health practice profession examining boards, the duties of the board of medical examiners, the composition of the board of podiatry examiners and its disciplinary hearing panel, and providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Husak asked and received unanimous consent that action on **House File 672** be deferred.

House File 182

On motion of Senator Husak, House File 182, a bill for an act relating to the annexation of land surrounded by one or more cities, with report of committee recommending passage, was taken up for consideration.

Senator Husak asked and received unanimous consent that action on **House File 182** be deferred.

House File 469

On motion of Senator Husak, House File 469, a bill for an act relating to the appointment of city and county boards, commissions, committees, or other multimember appointive bodies, with report of committee recommending passage, was taken up for consideration.

Senator Husak asked and received unanimous consent that action on **House File 469** be deferred.

House File 569

On motion of Senator Husak, House File 569, a bill for an act establishing the rural small business transfer program, with report of committee recommending passage, was taken up for consideration.

Senator Husak asked and received unanimous consent that action on **House File 569** be deferred.

House File 596

On motion of Senator Husak, House File 596, a bill for an act relating to the liability of certain persons rendering emergency medical care in good faith, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Husak asked and received unanimous consent that action on **House File 596** be deferred.

House File 610

On motion of Senator Kibbie, House File 610, a bill for an act to create a Missouri river preservation and land use authority and fund, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Kibbie asked and received unanimous consent that action on **House File 610** be deferred.

APPENDIX**SUBCOMMITTEE ASSIGNMENTS****Senate Concurrent Resolution 21**

RULES AND ADMINISTRATION: Hutchins, Chair; Lloyd-Jones and Rife

Senate Concurrent Resolution 23

RULES AND ADMINISTRATION: Welsh, Chair; Hutchins and Soorholtz

COMMITTEE REPORTS**RULES AND ADMINISTRATION**

Final Bill Action: SENATE RESOLUTION 10, a senate resolution posthumously honoring Paul Engle, Clark Fisher Ansley Professor of Creative Writing at the University of Iowa, and honoring his wife, novelist Hualing Nieh.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Hutchins, Welsh, Rife, Gettings, Husak, Jensen, Lloyd-Jones and Soorholtz. Nays, none. Absent or not voting, 1: Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 21, a concurrent resolution relating to the establishment of an interim committee to study the development of an incentive motivated management program for state agencies and departments.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Hutchins, Welsh, Rife, Gettings, Husak, Jensen, Lloyd-Jones and Soorholtz. Nays, none. Absent or not voting, 1: Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 23, a concurrent resolution expressing opposition to a proposed graduated annual fee for recreational vessels operated on navigable waters of the United States where the coast guard is present.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Hutchins, Welsh, Rife, Gettings, Husak, Jensen, Lloyd-Jones and Soorholtz. Nays, none. Absent or not voting, 1: Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE CONCURRENT RESOLUTION 15, a concurrent resolution relating to ratification of the United Nations' Convention on the Elimination of All Forms of Discrimination against Women.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Hutchins, Welsh, Rife, Gettings, Husak, Jensen, Lloyd-Jones and Soorholtz. Nays, none. Absent or not voting, 1: Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 534 (SSB 350), a bill for an act allowing a deduction from the individual income tax for certain expenses incurred by a person with a developmental disability to enable the person to be gainfully employed and providing a retroactive applicability date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Dieleman, Husak, Hedge, Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Murphy, Palmer, Rosenberg, Szymoniak and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 535 (SSB 352), a bill for an act relating to increasing the fees for issuance or replacement or renewal of a permit to carry weapons.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Dieleman, Husak, Hedge, Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Murphy, Palmer, Rosenberg, Szymoniak and Taylor. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 536 (SSB 72), a bill for an act relating to the limitation period for filing for an Iowa income tax credit or refund.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Dieleman, Husak, Hedge, Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Murphy, Palmer, Rosenberg, Szymoniak and Taylor. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Sixth grade students from Washington Elementary School, Atlantic, Iowa accompanied by Cathy Larsen, Gail Casey, Paulette Hansen, Suzie Parsons, Mary Paasch, Stuart Dusenberry and Warren Watson. Senator Hester.

Forth-two seventh grade students from Central City Middle School, Central City, Iowa, accompanied by Craig Jensen and Alice Smith. Senator Pate.

Eighteen eighth grade students from St. Patricks School, Cedar Falls, Iowa, accompanied by Sister Bridget Stanky. Senator Slife.

BILL ASSIGNED TO COMMITTEE

President Welsh announced the assignment of the following bill to committee:

H.F. 689 Ways & Means

AMENDMENTS FILED

S—3502	S.F.	56	House amendment
S—3503	S.F.	23	House amendment
S—3504	S.F.	429	House amendment
S—3505	S.F.	314	House amendment

S-3506	S. F.	97	House amendment
S-3507	S. F.	138	House amendment
S-3508	S. F.	110	House amendment
S-3509	S. F.	356	House amendment
S-3510	S. F.	101	House amendment
S-3511	S. F.	340	House amendment
S-3512	S. F.	329	House amendment
S-3513	S. F.	473	House amendment
S-3514	S. F.	172	House amendment
S-3515	S. F.	324	House amendment
S-3516	H. F.	646	John Kibbie

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 10:32 a.m., until 10:00 a.m., Monday, April 22, 1991.

JOURNAL OF THE SENATE

NINETY-NINTH CALENDAR DAY
SIXTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 22, 1991

The Senate met in regular session at 10:08 a.m., President pro tempore Lloyd-Jones presiding.

Prayer was offered by the Reverend Mark Larson, pastor of the Edgewood Baptist Church, Cedar Rapids, Iowa.

The Journal of Friday, April 22, 1991, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Kibbie and Deluhery for the morning on request of Senator Horn; Senators Jensen for the morning and Hester for the day on request of Senator Hagerla and Senator Husak until he arrives on request of Senator Gettings.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 18, 1991, passed the following bills in which the concurrence of the House was asked:

Senate File 112, a bill for an act relating to the membership on community-based correctional program project advisory committees.

Senate File 269, a bill for an act regulating transient food service establishments and providing for licensing fees.

Senate File 331, a bill for an act extending traffic enforcement authority to mobile home parks.

Senate File 336, a bill for an act relating to the historical resource development program.

Senate File 492, a bill for an act relating to the classified civil service status of two second deputy sheriffs in certain counties.

ALSO: That the House has on April 19, 1991, passed the following bills in which the concurrence of the Senate is asked:

House File 690, 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 sales and services tax, by providing for the issuance of revenue bonds, by authorizing the imposition of fines for certain violations, and by providing an effective date.

This bill was read first time and **passed on file**.

House File 691, a bill for an act relating to the county agricultural extension education tax by adjusting the maximum levy and increasing the maximum dollar amount of property tax revenue which may be raised, and providing effective and applicability dates.

This bill was read first time and **passed on file**.

House File 693, a bill for an act relating to alternative forms of local government and creating a new alternative form of local government for cities known as a consolidated metropolitan corporation, with provisions relating to its charter process, legislative body, tax collection, and service delivery, and to a new alternative form of county government.

This bill was read first time and **passed on file**.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent and a quorum present.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 18, 1991, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 221, a bill for an act relating to amending or repealing city ordinances, and adopting by reference portions of the Code of Iowa (S—3518).

Senate File 363, a bill for an act to permit advanced nurse practitioners to prescribe noncontrolled substances or devices under certain circumstances (S—3519).

Senate File 412, a bill for an act relating to the department of inspections and appeals by expanding its investigatory authority, providing that certain information regarding health care facilities be available to the public, relating to health care facilities under receivership, providing additional grounds for suspension and revocation of certain licenses issued by the department, increasing criminal penalties for wanton neglect of a resident of a health care facility, and providing an effective date and a penalty (S—3520).

Senate File 502, 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 (S—3522).

Senate File 503, a bill for an act relating to this state's labor laws administered by the labor commissioner by amending provisions of the Code concerning occupational safety and health penalties, boiler inspections, child labor laws, and out-of-state contractor bonding requirements (S—3521).

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:35 a.m., until 2:30 p.m.

APPENDIX

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following reports:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 19th day of April, 1991:

Senate Files 53, 104, 171, 179, 213, 231 and 308.

ALSO: That the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 22nd day of April, 1991:

Senate Files 326, 337, 389, 419 and 488.

JOHN F. DWYER
Secretary of the Senate

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Joseph A. Lynch, Mallard — For 51 years of dedicated service as a Democratic precinct worker in Ellington Township of Palo Alto County. Senator Kibbie (4-21-91).

Amy Jeltema, Orange City Unity Christian — For receiving the Iowa Girls' Volleyball Class 1-A Player of the Year Award. Senator Rensink (4-19-91).

REPORTS OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in preparing the Senate amendment to House File 618, the following correction was made to Senate amendment S—3453:

1. Page 1, line 6, the word "state" was changed to the word "stale".

ALSO: That in preparing the Senate amendment to House File 479 the following corrections were made:

1. Page 36, line 46, the word and number "subsection 100" were changed to the word and number "subsection 5".

2. Page 38, lines 45 and 46, the word and number "subsection 8" were changed to the word and number "subsection 9".

3. Page 99, line 43, the words and numbers "Sections 425 and 427" were changed to the words and numbers "Sections 421 and 423".

4. Page 99, line 45, the word and number "Section 427" were changed to the word and number "Section 423".

JOHN F. DWYER
Secretary of the Senate

REPORTS OF COMMITTEE MEETINGS

RULES AND ADMINISTRATION

Convened: April 15, 1991, 2:25 p.m.

Members Present: Hutchins, Chair; Welsh, Vice Chair; Rife, Ranking Member; Gettings, Husak, Jensen, Kinley, Lloyd-Jones and Soorholtz.

Members Absent: none.

Committee Business: Approved senate resolutions deferring confirmation of governor's appointees Doug Gross and Larry J. Wilson.

Adjourned: 2:35 p.m.

RULES AND ADMINISTRATION

Convened: April 19, 1991, 10:00 a.m.

Members Present: Hutchins, Chair; Welsh, Vice Chair; Rife, Ranking Member; Gettings, Husak, Jensen, Lloyd-Jones and Soorholtz.

Members Absent: Kinley (excused).

Committee Business: Assigned bills to subcommittees; recommended passage of House Concurrent Resolution 15, Senate Resolution 10 and Senate Concurrent Resolutions 21 and 23.

Adjourned: 10:05 a.m.

WAYS AND MEANS

Convened: April 18, 1991, 2:25 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hedge, Ranking Member; Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Murphy, Palmer, Rosenberg, Szymoniak and Taylor.

Members Absent: none.

Committee Business: Recommended passage of Senate File 352 and House Files 634, 483 and 298; approved Senate Files 487 and 299 as committee bills; recommended passage of House File 325 as amended; amended and approved SSB 355 as a committee bill; approved SSB 350 as a committee bill.

Adjourned: 3:26 p.m.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Seventy-eight sixth grade students from Garner-Hayfield Middle School, Garner, Iowa, accompanied by Miss Carroll, Mr. Krause and Mrs. Nelson. Senator Priebe.

President pro tempore Lloyd-Jones welcomed Joe Lynch of Mallard and Jo Ann Greving, Ann Greving and Kathy Lynch, members of his family, who were present in the Senate chamber.

Thirty-one twelfth grade students from Belmont High School, Belmont, Iowa, accompanied by Claude Post. Senator Taylor.

PETITIONS

The following petitions were presented and placed on file by:

Senator Fraise from fifty-three residents of Wapello County opposing an increase in hunting and fishing fees.

Senator Palmer from three thousand one hundred eighty-one residents of the state of Iowa favoring retaining REAP at promised funding level, and retaining the existing fish and wildlife trust fund and opposing transferring future revenues to the general fund.

Senator Palmer from six hundred forty-five residents of central Iowa opposing further increases in the state tax on cigarettes.

AMENDMENTS FILED

S—3517	S.F.	110	William W. Dieleman
S—3518	S.F.	221	House amendment
S—3519	S.F.	363	House amendment
S—3520	S.F.	412	House amendment
S—3521	S.F.	503	House amendment
S—3522	S.F.	502	House amendment
S—3523	S.F.	356	Jim Lind
			Berl E. Priebe
S—3524	H.F.	325	Alvin Miller
			Allen Borlaug
			Ralph Rosenberg
			Michael E. Gronstal
			John W. Jensen
			Eugene Fraise
			Beverly Hannon
			H. Kay Hedge
			John Soorholtz
			Richard Varn
S—3525	S.F.	182	H. Kay Hedge
			Linn Fuhrman
			Ray Taylor

AFTERNOON SESSION

The Senate reconvened at 2:40 p.m., President pro tempore Lloyd-Jones presiding.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Jensen until he arrives on request of Senator Taylor.

HOUSE AMENDMENT CONSIDERED

Senate File 313

Senator Szymoniak called up for consideration Senate File 313, a bill for an act relating to the accreditation process for schools and school districts, amended by the House, and moved that the Senate concur in House amendment S—3410 filed April 15, 1991.

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. 313) the vote was:

Ayes, 44:

Borlaug
Deluhery
Fraise
Hagerla
Husak
Kinley
McLaren

Boswell
Dieleman
Fuhrman
Hannon
Hutchins
Kramer
Miller

Buhr
Doyle
Gettings
Hedge
Kersten
Lind
Nystrom

Connolly
Drake
Gronstal
Horn
Kibbie
Lloyd-Jones
Palmer

Pate	Peterson	Priebe	Rensink
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Szymoniak
Tinsman	Vande Hoef	Varn	Welsh

Nays, 2:

Taylor	Tieden
--------	--------

Absent or not voting, 4:

Hester	Jensen	Murphy	Rife
--------	--------	--------	------

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MOTION TO RECONSIDER WITHDRAWN

House File 423

Senator Connolly withdrew the motion to reconsider House File 423, a bill for an act relating to student financial aid programs administered by the college student aid commission, filed by him on April 16, 1991, and found on page 1287 of the Senate Journal.

HOUSE AMENDMENTS CONSIDERED

Senate File 115

Senator Buhr called up for consideration Senate File 115, a bill for an act relating to the income eligibility level for the payment of indigent obstetrical and newborn care costs, amended by the House, and moved that the Senate concur in House amendment S—3439 filed April 16, 1991.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Buhr 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. 115) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Hester Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 479

Senator Buhr called up for consideration Senate File 479, a bill for an act relating to the reassignment of duties from the division of children, youth, and families of the department of human rights to the division of child and family services within the department of human services, amended by the House, and moved that the Senate concur in House amendment S—3441 filed April 16, 1991.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Buhr 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. 479) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hedge	Horn	Husak
Hutchins	Jensen	Kersten	Kibbie
Kinley	Kramer	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Hannon Hester

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 114

Senator Szymoniak called up for consideration Senate File 114, a bill for an act relating to the definition of a physician for the purpose of the practice of nursing, amended by the House, and moved that the Senate concur in House amendment S—3467 filed April 18, 1991.

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. 114) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind

Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Hester

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 297

Senator McLaren called up for consideration Senate File 297, a bill for an act relating to the confidentiality of information identifying inert ingredients in pesticides, and providing retroactive applicability and effective dates, amended by the House, and moved that the Senate concur in House amendment S-3465 filed April 18, 1991.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator McLaren 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. 297) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife

Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Hester

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 23

Senator Szymoniak called up for consideration Senate File 23, a bill for an act relating to the teaching of American sign language in accredited schools, amended by the House, and moved that the Senate concur in House amendment S—3503 filed April 19, 1991.

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. 23) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Hester

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 56

Senator Peterson called up for consideration Senate File 56, a bill for an act requiring reporting of county aid by societies organized to administer local fairs, amended by the House, and moved that the Senate concur in House amendment S—3502 filed April 19, 1991.

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. 56) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Hester

Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 138

Senator Szymoniak called up for consideration Senate File 138, a bill for an act requiring the acceptance of a student's postsecondary options credits as high school academic or vocational-technical credits by a school district or accredited nonpublic school, amended by the House and moved that the Senate concur in House amendment S—3507 filed April 19, 1991.

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. 138) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Hester

Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 356

Senator Murphy called up for consideration Senate File 356, a bill for an act relating to the administration of the individual income tax, by amending the requirement that each tax return include two voter registration forms; providing uniformity in the priority of the various income tax credits; specifying that the incomes covered in the government pension exclusion are considered for purposes of determining if taxpayers qualify for total exemption from tax; providing that qualification for the tuition and textbook deduction and the tuition and textbook credit is based on taxpayers' net incomes instead of their federal adjusted gross incomes; providing for revision in the computation of the child and dependent care credit and allocation of the credit between married taxpayers and nonresidents and part-year resident taxpayers; relating to the penalty for delinquent payment of fuel taxes resulting from a check given in payment but not honored because of insufficient funds; relating to access to confidential tax information by certain persons and the application of confidentiality laws of the state; relating to penalty provisions on the filing of certain tax returns and failure to submit payment of taxes as required by the rules of the director of revenue and finance; relating to the due date for income tax returns for nonprofit corporations subject to the unrelated business income tax, amended by the House in House amendment S—3509 filed April 19, 1991.

Senator Lind offered amendment S—3523 filed by Senators Lind and Priebe from the floor to House amendment S—3509 and moved its adoption.

Amendment S—3523 was adopted by a voice vote.

Senator Murphy moved that the Senate concur in the House amendment as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Murphy moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 356) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Riordan	Rittmer
Rosenberg	Slife	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 1:

Running

Absent or not voting, 2:

Hester

Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 23, Senate Resolution 10 and House Concurrent Resolution 15.

Senate Concurrent Resolution 23

On motion of Senator Welsh, Senate Concurrent Resolution 23, a concurrent resolution expressing opposition to a proposed graduated annual fee for recreational vessels operated on navigable waters of the United States where the coast guard is present, with report of committee recommending passage, was taken up for consideration.

Senator Welsh moved the adoption of Senate Concurrent Resolution 23, which motion prevailed by a voice vote.

Senator Tinsman took the chair at 3:35 p.m.

Senate Resolution 10

On motion of Senator Lloyd-Jones, Senate Resolution 10, a senate resolution posthumously honoring Paul Engle, Clark Fisher Ansley Professor of Creative Writing at the University of Iowa, and honoring his wife, novelist Hualing Nieh, with report of committee recommending passage, was taken up for consideration.

Senator Lloyd-Jones moved the adoption of Senate Resolution 10, which motion prevailed by a voice vote.

House Concurrent Resolution 15

On motion of Senator Lloyd-Jones, House Concurrent Resolution 15, a concurrent resolution relating to ratification of the United Nations' Convention on the Elimination of All Forms of Discrimination against Women, with report of committee recommending passage, was taken up for consideration.

Senator Lloyd-Jones moved the adoption of House Concurrent Resolution 15, which motion prevailed by a voice vote.

HOUSE AMENDMENTS CONSIDERED

Senate File 268

Senator Connolly, called up for consideration Senate File 268, a bill for an act establishing and allocating moneys to the arts and cultural enhancement and endowment program, amended by the House, and moved that the Senate concur in House amendment S-3437 filed April 16, 1991.

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. 268) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Hester

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 324

Senator Deluhery called up for consideration Senate File 324, a bill for an act relating to authorized actions of local air pollution programs under the jurisdiction of the department of natural resources and providing penalties, amended by the House, and moved that the Senate concur in House amendment S—3515 filed April 19, 1991.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Deluhery moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 324) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
---------	---------	------	----------

Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Hester Vande Hoef

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS

(Deferred April 9, 1991)

House File 649

On motion of Senator Varn, House File 649, a bill for an act relating to hazardous waste and hazardous substance disposal sites, was taken up for further consideration (substituted for Senate File 448 and deferred on April 9, 1991).

Senator Varn asked and received unanimous consent that action on House File 649 be deferred.

UNFINISHED BUSINESS

(Deferred April 19, 1991)

Senate Joint Resolution 9

The Senate resumed consideration of Senate Joint Resolution 9, a joint resolution to nullify an administrative rule of the department of human services relating to reimbursement for psychiatric medical institutions for children, and providing an effective date, deferred on April 19, 1991.

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.J.R. 9) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Hester Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS

(Deferred April 19, 1991)

House File 518

The Senate resumed consideration of House File 518, a bill for an act to establish an advanced placement summer program, deferred on April 19, 1991.

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. 518) the vote was:

Ayes, 37:

Buhr	Connolly	Deluhery	Doyle
Drake	Fraise	Gettings	Gronstal
Hannon	Horn	Husak	Hutchins
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Tinsman	Varn
Welsh			

Nays, 11:

Borlaug	Boswell	Dieleman	Fuhrman
Hagerla	Hedge	Jensen	Rensink
Taylor	Tieden	Vande Hoef	

Absent or not voting, 2:

Hester	Miller
--------	--------

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 382

Senator Kibbie called up for consideration Senate File 382, a bill for an act relating to rural water districts, amended by the House, and moved that the Senate concur in House amendment S-3403 filed April 12, 1991.

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. 382) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Hester Miller

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS (Ways and Means Calendar)

Senate File 350

On motion of Senator Palmer, Senate File 350, a bill for an act relating to the franchise tax on financial institutions and providing an effective date, 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. 350) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan

Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Hester

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 489

On motion of Senator Taylor, House File 489, a bill for an act relating to providing additional state income tax filing time periods for certain military personnel, exempting from taxation income of persons killed in a combat zone or while serving overseas, and providing a retroactive applicability date and an effective date, with report of committee recommending passage, was taken up for consideration.

President pro tempore Lloyd-Jones took the chair at 4:09 p.m.

Senator Dieleman offered amendment S—3414 filed by him on April 15, 1991, to pages 1 and 2 and the title page of the bill and called for a division: lines 3-12 and lines 28-31 as division S—3414A; lines 13-27 as division S—3414B.

Senator Dieleman moved the adoption of division S—3414A, which motion prevailed by a voice vote.

Senator Dieleman withdrew division S—3414B.

Senator Taylor moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 489) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal

Hagerla	Hedge	Horn	Husak
Hutchins	Jensen	Kersten	Kibbie
Kinley	Kramer	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Hannon

Hester

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

HOUSE AMENDMENTS CONSIDERED

Senate File 445

Senator Varn called up for consideration Senate File 445, a bill for an act relating to the forfeiture of the rights of junior lienholders with respect to real estate contracts and providing an effective date, amended by the House in House amendment S—3374 filed April 10, 1991.

Senator Varn offered amendment S—3375 filed by him on April 10, 1991, to House amendment S—3374 and moved its adoption.

Amendment S—3375 was adopted by a voice vote.

Senator Varn moved that the Senate concur in the House amendment as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Varn moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 445) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Hester Priebe

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 257

Senator Hannon called up for consideration Senate File 257, a bill for an act changing the definition of targeted small business and providing an effective date, amended by the House, and moved that the Senate concur in House amendment S—3404 filed April 12, 1991.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Hannon moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 257) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Horn

Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Hester

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 355

Senator Varn called up for consideration Senate File 355, a bill for an act relating to authorizing a spouse to execute a power of attorney instrument sufficient to relinquish homestead rights and surviving spouse's statutory share in the homestead, amended by the House, and moved that the Senate concur in House amendment S—3440 filed April 16, 1991.

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. 355) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson

Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Hester

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 205

Senator Fraise called up for consideration Senate File 205, a bill for an act relating to residency requirements for commercial mussel fishers and providing an effective date, amended by the House, and moved that the Senate concur in House amendment S-3468 filed April 18, 1991.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Fraise 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. 205) the vote was:

Ayes, 42:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Gronstal	Hagerla
Hannon	Hedge	Horn	Husak
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Tieden	Tinsman
Varn	Welsh		

Nays, 7:

Fuhrman	Hutchins	Jensen	Kersten
Pate	Taylor	Vande Hoef	

Absent or not voting, 1:

Hester

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 338

Senator Dieleman called up for consideration Senate File 338, a bill for an act relating to movement of indivisible loads of excessive size and weight and increasing the fee for escort services, amended by the House, and moved that the Senate concur in House amendment S-3471 filed April 18, 1991.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Dieleman moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 338) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Vande Hoef	Varn	Welsh	

Nays, 1:

Tinsman

Absent or not voting, 2:

Hester

Palmer

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 453

Senator Varn called up for consideration Senate File 453, a bill for an act relating to judicial officers having jurisdiction over civil commitment proceedings and providing an effective date, amended by the House, and moved that the Senate concur in House amendment S—3463 filed April 18, 1991.

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. 453) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Hester

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 42

Senator Riordan called up for consideration Senate File 42, a bill for an act relating to the authority of physician assistants to prescribe and supply prescription drugs and controlled substances, amended by the House, and moved that the Senate concur in House amendment S—3495 filed April 18, 1991.

The motion lost by a voice vote and the Senate **refused to concur** in the House amendment.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 22, 1991, passed the following bill in which the concurrence of the Senate is asked:

House File 688, a bill for an act relating to health insurance reforms by limiting small group premium rating practices, increasing access to affordable basic benefits health insurance, and authorizing certain premium credits and tax exemptions for qualifying health insurance plans and insureds.

This bill was read first time and **passed on file**.

INTRODUCTION OF BILLS

Senate File 537, by committee on Ways and Means, a bill for an act relating to payment of property taxes on lands purchased by the department of natural resources.

Read first time and **placed on Ways and Means Calendar**.

Senate File 538, by committee on Ways and Means, a bill for an act providing for a wildlife nuisance management program, and providing financing for the program.

Read first time and **placed on Ways and Means Calendar**.

APPENDIX**STUDY BILL RECEIVED****SSB 356 Ways & Means**

Relating to residential development within certain urban renewal areas and providing an effective date.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-five home school families from Boone County. Senators Nystrom and Dieleman.

COMMITTEE REPORTS**WAYS AND MEANS**

Final Bill Action: SENATE FILE 537 (formerly Senate File 487), a bill for an act relating to payment of property taxes on lands purchased by the department of natural resources.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Dieleman, Husak, Hedge, Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Murphy, Palmer, Rosenberg, Szymoniak and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 538 (formerly Senate File 299), a bill for an act providing for a wildlife nuisance management program, and providing financing for the program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Dieleman, Husak, Hedge, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Murphy, Palmer, Szymoniak and Taylor. Nays, 2: Connolly and Rosenberg.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 356 passed the Senate on April 22, 1991.

WILLIAM W. DIELEMAN

MR. PRESIDENT: I move to reconsider the vote by which the Senate concurred in House amendment S—3509 as amended to Senate File 356 on April 22, 1991.

WILLIAM W. DIELEMAN

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3523 to House amendment S—3509 to Senate File 356 was adopted by the Senate on April 22, 1991.

WILLIAM W. DIELEMAN

MR. PRESIDENT: I move to reconsider the vote by which Senate File 268 passed the Senate on April 22, 1991.

JIM LIND

BILLS ASSIGNED TO COMMITTEE

President Welsh announced the assignment of the following bills to committee:

H.F.	688	Ways and Means
H.F.	690	Ways and Means
H.F.	691	Ways and Means
H.F.	693	Ways and Means

AMENDMENTS FILED

S—3526	H.F.	335	Harry Slife Richard J. Varn
S—3527	H.F.	430	Ralph Rosenberg Al Sturgeon
S—3528	H.F.	109	Wilmer Rensink Richard Varn William D. Palmer
S—3529	H.F.	214	Richard Running
S—3530	H.F.	325	William W. Dieleman

S-3531	H.F.	109	Jim Kersten Ray Taylor Derryl McLaren Berl Priebe William Palmer Richard Varn
S-3532	S.F.	177	William W. Dieleman
S-3533	S.F.	177	William W. Dieleman
S-3534	S.F.	177	Ray Taylor
S-3535	S.F.	177	Richard Vande Hoef William W. Dieleman

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:55 p.m., until 9:00 a.m., Tuesday, April 23, 1991.

JOURNAL OF THE SENATE

ONE HUNDREDTH CALENDAR DAY
SIXTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 23, 1991

The Senate met in regular session at 9:10 a.m., President Welsh presiding.

Prayer was offered by the Reverend Robert Phelps, pastor of the Church of God of Prophecy, Cedar Rapids, Iowa.

The Journal of Monday, April 22, 1991, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Riordan until he arrives on request of Senator Horn.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 19, 1991, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 346, a bill for an act relating to payments made pursuant to public contracts (S-3536).

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 42 present, 8 absent and a quorum present.

HOUSE AMENDMENTS CONSIDERED

Senate File 276

Senator Gronstal called up for consideration Senate File 276, a bill for an act amending the Iowa Uniform Securities Act, by exempting agricultural cooperative associations from certain requirements provided under the Act, providing for the retroactive application of the Act, and providing an effective date, amended by the House in House amendment S—3360 filed April 9, 1991.

Senator Taylor withdrew amendment S—3425 filed by him on April 15, 1991, to House amendment S—3360.

Senator Taylor offered amendment S—3494 filed by him on April 18, 1991, to House amendment S—3360 and moved its adoption.

Amendment S—3494 was adopted by a voice vote.

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. 276) the vote was:

Ayes, 45:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rittmer	Rosenberg

Running
Taylor
Welsh

Slife
Tieden

Sturgeon
Vande Hoef

Szymoniak
Varn

Nays, none:

Absent or not voting, 5:

Kersten
Tinsman

Rife

Riordan

Soorholtz

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

President pro tempore Lloyd-Jones took the chair at 9:46 a.m.

Senate File 182

Senator Miller called up for consideration Senate File 182, a bill for an act relating to administrative rulemaking, amended by the House in House amendment S—3438 filed April 16, 1991.

Senator Hedge offered amendment S—3525 filed by Senators Hedge, Fuhrman and Taylor on April 22, 1991, to House amendment S—3438 and moved its adoption.

Amendment S—3525 was adopted by a voice vote.

Senator Miller moved that the Senate concur in the House amendment as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Miller 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. 182) the vote was:

Ayes, 47:

Borlaug
Deluhery
Fraise
Hagerla

Boswell
Dieleman
Fuhrman
Hannon

Buhr
Doyle
Gettings
Hedge

Connolly
Drake
Gronstal
Hester

Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rittmer
Rosenberg	Running	Slife	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none:

Absent or not voting, 3:

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 211

Senator Sturgeon called up for consideration Senate File 211, a bill for an act relating to crimes against the elderly and disabled persons by creating a cause of action, creating a special fund, and providing a civil penalty, amended by the House, and moved that the Senate concur in House amendment S—3466 filed April 18, 1991.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Sturgeon moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 211) the vote was:

Ayes, 45:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Drake	Fraise	Fuhrman
Gettings	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Jensen	Kersten	Kibbie	Kinley
Kramer	Lind	Lloyd-Jones	McLaren
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Riordan	Rittmer	Rosenberg	Running

Slife
Tiedem
Welsh

Sturgeon
Tinsman

Szymoniak
Vande Hoef

Taylor
Varn

Nays, 1:

Dieleman

Voting present, 1:

Doyle

Absent or not voting, 3:

Hutchins

Rife

Soorholtz

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 411

Senator Buhr called up for consideration Senate File 411, a bill for an act relating to the availability of certain information concerning nonprofit agencies or corporations receiving public funds, amended by the House, and moved that the Senate concur in House amendment S—3472 filed April 18, 191.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Buhr 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. 411) the vote was:

Ayes, 43:

Borlaug
Deluhery
Fraise
Hannon
Husak
Kinley
McLaren
Palmer

Boswell
Dieleman
Gettings
Hedge
Jensen
Kramer
Miller
Pate

Buhr
Doyle
Gronstal
Hester
Kersten
Lind
Murphy
Peterson

Connolly
Drake
Hagerla
Horn
Kibbie
Lloyd-Jones
Nystrom
Priebe

Rensink
Running
Tinsman

Riordan
Slife
Varn

Rittmer
Sturgeon
Welsh

Rosenberg
Szymoniak

Nays, 4:

Fuhrman

Taylor

Tieden

Vande Hoef

Absent or not voting, 3:

Hutchins

Rife

Soorholtz

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 101

Senator Running called up for consideration Senate File 101, a bill for an act relating to the loss of pay while on military leave of absence, amended by the House, and moved that the Senate concur in House amendment S—3510 filed April 19, 1991.

The motion lost by a voice vote and the Senate **refused to concur** in the House amendment.

Senate File 110

Senator Drake called up for consideration Senate File 110, a bill for an act relating to the presence of certain persons under the age of twenty-one years on excursion gambling boats, and providing an effective date, amended by the House in House amendment S—3508 filed April 19, 1991.

Senator Dieleman offered amendment S—3517 filed by him on April 22, 1991, to House amendment S—3508.

Senator Drake raised the point of order that amendment S—3517 to House amendment S—3508 was not germane.

The Chair ruled the point well taken and amendment S—3517 out of order.

Senator Kinley asked and received unanimous consent that action on House amendment S—3508 and **Senate File 110** be **deferred**.

Senate File 314

Senator Szymoniak called up for consideration Senate File 314, 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—3505 filed April 19, 1991.

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. 314) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none:

Absent or not voting, 3:

Hutchins	Slife	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 363

Senator Szymoniak called up for consideration Senate File 363, a bill for an act to permit advanced nurse practitioners to prescribe noncontrolled substances or devices under certain circumstances, amended by the House, and moved that the Senate concur in House amendment S—3519 filed April 22, 1991.

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. 363) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Riordan
Rittmer	Rosenberg	Running	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none:

Absent or not voting, 3:

Rife	Slife	Soorholtz
------	-------	-----------

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 503

Senator Running called up for consideration Senate File 503, a bill for an act relating to this state's labor laws administered by the labor commissioner by amending provisions of the Code

concerning occupational safety and health penalties, boiler inspections, child labor laws, and out-of-state contractor bonding requirements, amended by the House, and moved that the Senate concur in House amendment S—3521 filed April 22, 1991.

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. 503) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Riordan
Rittmer	Rosenberg	Running	Slife
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Rife Soorholtz

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 412

Senator Riordan called up for consideration Senate File 412, a bill for an act relating to the department of inspections and appeals by expanding its investigatory authority, providing that certain information regarding health care facilities be available to the public, relating to health care facilities under receivership,

providing additional grounds for suspension and revocation of certain licenses issued by the department; increasing criminal penalties for wanton neglect of a resident of a health care facility, and providing an effective date and a penalty, amended by the House, and moved that the Senate concur in House amendment S—3520 filed April 22, 1991.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Riordan moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 412) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Soorholtz

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred March 7, 1991)

House File 109

The Senate resumed consideration House File 109, a bill for an act to prohibit the shooting of a firearm across a public highway and subjecting violators to a penalty, deferred on March 7, 1991.

Senator Rensink offered amendment S—3528 filed by Senators Rensink, Varn and Palmer on April 22, 1991,, to strike everything after the enacting clause of the bill.

Senator Kersten offered amendment S—3531 filed by Senators Kersten, et. al., on April 22, 1991, to amendment S—3528 and moved its adoption.

Amendment S—3531 was adopted by a voice vote.

Senator Rensink moved the adoption of amendment S—3528 as amended, which motion prevailed by voice vote.

With the adoption of amendment S—3528 as amended, the Chair ruled amendment S—3099 filed by Senators Kersten and Taylor on March 11, 1991, to page 1 and the title page of the bill, out of order.

Senator Rensink moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 109) the vote was:

Ayes, 46:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Riordan	Rittmer
Rosenberg	Running	Sturgeon	Szymoniak
Taylor	Tieden	Tjnsman	Vande Hoef
Varn	Welsh		

Nays, none:

Absent or not voting, 4:

Hutchins

Rife

Slife

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 Rensink asked and received unanimous consent that **Senate File 47** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS (Deferred April 8, 1991)

Senate File 513

The Senate resumed consideration of Senate File 513, a bill for an act relating to increasing the impact of state assistance, deferred on April 8, 1991.

Senator Palmer offered amendment S—3426 filed by the committee on Agriculture on April 15, 1991 to strike everything after the enacting clause and to the title page of the bill.

Senator Tieden asked unanimous consent that Senate File 513 be referred to the committee on Appropriations.

Senator Tieden withdrew his request.

Senator Fuhrman raised the point of order that amendment S—3426 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3426 in order.

Senator Palmer moved the adoption of amendment S—3426, which motion prevailed by voice vote.

Senator Horn asked and received unanimous consent that **Senate File 513** be referred to the committee on **Appropriations**.

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **House File 201** be referred from the Unfinished Business Calendar to the committee on **Judiciary**.

BUSINESS PENDING

Senate File 110

The Senate resumed consideration of Senate File 110, a bill for an act relating to the presence of certain persons under the age of twenty-one years on excursion gambling boats, and providing an effective date, and House amendment S—3508, previously deferred.

Senator Kinley offered amendment S—3539 filed by him from the floor to House amendment S—3508.

Senator Dieleman raised the point of order that amendment S—3539 to House amendment S—3508 was not germane.

The Chair ruled the point well taken and amendment S—3539 out of order.

Senator Drake moved that the Senate concur in the House amendment.

A record roll call was requested.

On the question "Shall the motion to concur be adopted?" (S.F. 110) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 26:

Buhr	Connolly	Doyle	Fuhrman
Gronstal	Hagerla	Horn	Hutchins
Kersten	Kibbie	Kinley	Kramer
Lind	Miller	Murphy	Palmer
Pate	Priebe	Rife	Riordan
Rittmer	Slife	Sturgeon	Szymoniak
Varn	Welsh		

Nays, 22:

Borlaug	Boswell	Deluhery	Dieleman
Drake	Fraise	Gettings	Hannon
Hedge	Hester	Husak	Jensen
Lloyd-Jones	McLaren	Nystrom	Peterson
Rensink	Rosenberg	Taylor	Tieden
Tinsman	Vande Hoef		

Absent or not voting, 2:

Running	Soorholtz
---------	-----------

The motion prevailed and the Senate concurred in the House amendment.

Senator Drake moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 110) the vote was:

Ayes, 35:

Buhr	Connolly	Deluhery	Dieleman
Doyle	Drake	Fraise	Fuhrman
Gronstal	Hagerla	Horn	Husak
Hutchins	Kersten	Kibbie	Kinley
Kramer	Lind	McLaren	Miller
Murphy	Palmer	Pate	Priebe
Rife	Riordan	Rittmer	Rosenberg
Slife	Sturgeon	Szymoniak	Tieden
Tinsman	Varn	Welsh	

Nays, 13:

Borlaug	Boswell	Gettings	Hannon
Hedge	Hester	Jensen	Lloyd-Jones
Nystrom	Peterson	Rensink	Taylor
Vande Hoef			

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.

RECESS

On motion of Senator Horn, the Senate recessed at 12:02 p.m., until 2:30 p.m.

APPENDIX**ANNOUNCEMENT BY PRESIDENT**

The President of the Senate announced the following changes in statutory legislator appointments:

Due to rules filed 11-9-90 and put into effect on 1-2-91 by the Department of Public Health, the terms of Senators Sturgeon and Rensink on the Rural Health Advisory Board will end on 1-1-92. A prior announcement dated 2-13-91 stated the appointments ran until 1-14-93.

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 23, 1991, when the vote was taken on Senate File 276.

Had I been present, I would have voted "aye" on the bill.

JIM KERSTEN

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which the Senate concurred in House amendment S—3437 to Senate File 268 on April 22, 1991.

JIM LIND

MR. PRESIDENT: I move to reconsider the vote by which Senate File 110 passed the Senate on April 23, 1991.

WILLIAM W. DIELEMAN

MR. PRESIDENT: I move to reconsider the vote by which Senate File 110 passed the Senate on April 23, 1991.

MIKE CONNOLLY

MR. PRESIDENT: I move to reconsider the vote by which Senate File 363 passed the Senate on April 23, 1991.

JIM RIORDAN

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Forty eighth grade students from Peet Junior High School, Cedar Falls, Iowa, accompanied by Carolyn Haurum. Senator Slife.

Thirty eighth grade students from West Harrison High School, Mondamin, Iowa, accompanied by Tom Milke, Lori Sorenson and Kevin Peterson. Senator Hester.

Forty fifth grade students from Whittier Elementary School, Oskaloosa, Iowa, accompanied by Donna De Groot. Senator Hedge.

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on April 22, 1991, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 53 — Relating to certificates required for moving swine, and creating penalties.

SENATE FILE 104 — Relating to certain administrative functions of the department of personnel.

SENATE FILE 171 — Providing for the identification and eradication of marijuana plants.

SENATE FILE 213 — Relating to probate code provisions with respect to testamentary trusts, investments by fiduciaries, conservatorships, and the distribution of decedents' property by affidavit.

SENATE FILE 308 — Relating to the Iowa uniform controlled substances act.

SENATE FILE 345 — Relating to state programs and institutions serving persons with mental retardation, developmental disabilities, or mental illness.

SENATE FILE 378 — Relating to the weighting plan to be used to provide funds for the excess cost of instruction of children requiring special education.

SENATE FILE 520 — Relating to securities by regulating transactions involving securities and regulating persons engaged in businesses related to the issuance or trading of securities, and providing penalties.

SUBCOMMITTEE ASSIGNMENTS

House File 688

WAYS AND MEANS: Szymoniak, Chair; Palmer and Taylor

House File 689

WAYS AND MEANS: Szymoniak, Chair; Connolly and Fuhrman

House File 690

WAYS AND MEANS: Deluhery, Chair; Drake and Rosenberg

House File 691

WAYS AND MEANS: Husak, Chair; Dieleman and Hester

House File 693

WAYS AND MEANS: Murphy, Chair; McLaren and Szymoniak

SSB 356

WAYS AND MEANS: Rosenberg, Chair; Fuhrman and Szymoniak

AMENDMENTS FILED

S—3536	S. F.	346	House amendment
S—3537	H. F.	646	John Kibbie
S—3538	H. F.	634	Michael E. Gronstal
S—3539	S. F.	110	George R. Kinley
S—3540	S. F.	530	H. Kay Hedge
S—3541	S. F.	210	Al Sturgeon Michael E. Gronstal
S—3542	S. F.	460	Al Sturgeon
S—3543	S. F.	177	Ray Taylor Allen Borlaug James B. Kersten John W. Jensen Richard Vande Hoef

S-3544	S.F.	177	Wilmer Rensink William W. Dieleman H. Kay Hedge Ray Taylor Allen Borlaug Jim Kersten John Jensen Richard Vande Hoef Wilmer Rensink William W. Dieleman H. Kay Hedge
S-3545	S.F.	177	Ray Taylor Allen Borlaug Jim Kersten John W. Jensen Richard Vande Hoef Wilmer Rensink William W. Dieleman H. Kay Hedge

AFTERNOON SESSION

The Senate reconvened at 2:32 p.m., President Welsh presiding.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

Senator Connolly took the chair at 2:46 p.m.

The vote revealed 43 present, 7 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Riordan until he arrives on request of Senator Horn.

HOUSE AMENDMENTS CONSIDERED

Senate File 97

Senator Dieleman called up for consideration Senate File 97, a bill for an act increasing penalties for interfering with a traffic control device, amended by the House, and moved that the Senate concur in House amendment S—3506 filed April 19, 1991.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Dieleman moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 97) the vote was:

Ayes, 47:

Borlaug
Deluhery
Fuhrman
Hannon
Husak
Kibbie

Boswell
Dieleman
Gettings
Hedge
Hutchins
Kinley

Buhr
Drake
Gronstal
Hester
Jensen
Kramer

Connolly
Fraise
Hagerla
Horn
Kersten
Lind

Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	

Nays, none:

Voting present, 1:

Doyle

Absent or not voting, 2:

Riordan

Welsh

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 172

Senator Soorholtz called up for consideration Senate File 172, a bill for an act establishing a state fair challenge grant foundation, amended by the House, and moved that the Senate concur in House amendment S—3514 filed April 19, 1991.

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. 172) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate

Peterson	Priebe	Rensink	Rife
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Riordan Szymoniak

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

UNFINISHED BUSINESS (Deferred April 9, 1991)

House File 237

On motion of Senator Szymoniak, House File 237, a bill for an act relating to the perpetual care of cemeteries and cemetery lots and spaces, was taken up for further consideration (substituted for Senate File 143 and deferred on April 9, 1991).

Senator Szymoniak offered amendment S—3355 filed by her on April 9, 1991, to page 2 of the bill.

President Welsh took the chair at 3:00 p.m.

Senator Szymoniak moved the adoption of amendment S—3355, which motion prevailed by 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. 237) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer

Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Riordan

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Szymoniak asked and received unanimous consent that **Senate File 143** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS (Deferred April 17, 1991)

House File 612

The Senate resumed consideration of House File 612, a bill for an act relating to the publication of notice for a public hearing on a county budget, deferred on April 17, 1991.

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. 612) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller

Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Riordan

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS

(Deferred April 19, 1991)

House File 197

The Senate resumed consideration of House File 197, a bill for an act relating to the operation and dissolution of certain special districts organized to provide a municipal service, deferred on April 19, 1991.

Senator Buhr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 197) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Fuhrman Riordan

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 325

The Senate resumed consideration of House File 325, a bill for an act relating to the establishment of a well contractor certification program, establishing fees, and making penalties applicable, deferred on April 19, 1991.

Senator Dieleman asked and received unanimous consent that action on amendment S—3501 filed by the committee on Ways and Means on April 18, 1991, to page 3 of the bill be deferred.

Senator Miller offered amendment S—3524 filed by Senators Miller, et. al., on April 22, 1991, to page 3 of the bill.

Senator Dieleman offered amendment S—3530 filed by him on April 22, 1991, to amendment S—3524.

Senator Miller called for a division of amendment S—3530 to amendment S—3524: lines 4-6 as division S—3530A and line 7 as division S—3530B.

On motion of Senator Dieleman, divisions S—3530A and S—3530B to amendment S—3524 lost by a voice vote.

Senator Miller moved the adoption of amendment S—3524, which motion prevailed by voice vote.

With the adoption of amendment S—3524, the Chair ruled amendment S—3501 to page 3 of the bill, previously deferred, out of order.

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. 325) the vote was:

Ayes, 35:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fraise
Gettings	Gronstal	Hannon	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Rittmer	Rosenberg	Running
Slife	Soorholtz	Szymoniak	Tieden
Tinsman	Varn	Welsh	

Nays, 12:

Doyle	Fuhrman	Hagerla	Hedge
Lind	McLaren	Pate	Peterson
Priebe	Rensink	Taylor	Vande Hoef

Absent or not voting, 3:

Rife	Riordan	Sturgeon
------	---------	----------

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 510

The Senate resumed consideration of House File 510, a bill for an act relating to the election of a county sheriff to serve more than one county, deferred on April 19, 1991.

Senator Fraise offered amendment S—3347 filed by Senators Fraise, et. al., on April 8, 1991, to page 1 and the title page of the bill.

Senator Hagerla asked and received unanimous consent that action on amendment S—3347 and House File 510 be deferred.

House File 596

The Senate resumed consideration of House File 596, a bill for an act relating to the liability of certain persons rendering emergency medical care in good faith, deferred on April 19, 1991.

Senator Rosenberg offered amendment S—3402 filed by the committee on Judiciary on April 12, 1991, to page 1 and the title page of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 21, nays 1.

Amendment S—3402 was adopted.

Senator Rosenberg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 596) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Vande Hoef	Varn	Welsh	

Nays, 1:

Tinsman

Absent or not voting, 2:

Hutchins

Riordan

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

House File 644

The Senate resumed consideration of House File 644, a bill for an act relating to communication by permanent nonprofit organizations with their dues-paying members under the campaign finance disclosure law, deferred on April 19, 1991.

Senator Gronstal offered amendment S—3405 filed by Senators Gronstal and Kibbie on April 12, 1991, to page 1 of the bill and moved its adoption.

Amendment S—3405 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. 644) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Pate	Peterson	Priebe
Rensink	Rife	Rittmer	Rosenberg
Running	Slife	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none:

Absent or not voting, 3:

Hutchins	Palmer	Riordan
----------	--------	---------

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **House File 610** be referred from the Unfinished Business Calendar to the committee on **State Government** to be returned to the calendar no later than 12:00 noon on April 29, 1991.

CONSIDERATION OF BILLS (Ways and Means Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate Files 534, 536, 535 and 352.

Senate File 534

On motion of Senator Szymoniak, Senate File 534, a bill for an act allowing a deduction from the individual income tax for certain expenses incurred by a person with a developmental disability to enable the person to be gainfully employed and providing a retroactive applicabililty date, was taken up for consideration.

Senator Deluhery took the chair at 3:55 p.m.

Senator Szymoniak offered amendment S—3547 filed by her from the floor to page 1 of the bill and moved its adoption.

Amendment S—3547 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. 534) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Riordan

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 536

On motion of Senator Palmer, Senate File 536, a bill for an act relating to the limitation period for filing for an Iowa income tax credit or refund, 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. 536) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Riordan

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 535

On motion of Senator Dieleman, Senate File 535, a bill for an act relating to increasing the fees for issuance or replacement or renewal of a permit to carry weapons, 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. 535) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Rittmer	Rosenberg	Running	Sliife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Riordan

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 352

On motion of Senator Husak, Senate File 352, a bill for an act relating to the interest penalty applied to delinquent property taxes, with report of committee recommending passage, was taken up for consideration.

Senator Husak asked and received unanimous consent that action on **Senate File 352** be deferred.

HOUSE AMENDMENTS CONSIDERED

Senate File 210

Senator Gronstal called up for consideration Senate File 210, a bill for an act relating to agreements by the physicians restricting

professional practices, providing that such agreements violate public policy, and providing effective date and retroactive applicability provisions, amended by the House in House amendment S—3473 filed April 18, 1991.

Senator Sturgeon offered amendment S—3541 filed by Senators Sturgeon and Gronstal from the floor to House amendment S—3473 and moved its adoption.

Amendment S—3541 was adopted by a voice vote.

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. 210) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Vande Hoef	Varn	Welsh	

Nays, 2:

Rittmer Tinsman

Absent or not voting, 1:

Riordan

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 471

Senator Kramer called up for consideration Senate File 471, a bill for an act relating to state policies and procedures affecting children, amended by the House in House amendment S—3470 filed April 18, 1991.

Senator Kramer offered amendment S—3550 filed by Senators Kramer, Rosenberg and Hannon from the floor to House amendment S—3470 and moved its adoption.

Amendment S—3550 was adopted by a voice vote.

Senator Kramer 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 Kramer 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. 471) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rankink	Rife
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Riordan

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate File 536** be immediately messaged to the House.

INTRODUCTION OF BILL

Senate File 539, by committee on Ways and Means, a bill for an act relating to the Iowa pharmacy practice Act and assessing fees.

Read first time and placed on Ways and Means Calendar.

APPENDIX

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on April 23, 1991, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 179 — Relating to the protection of trade secrets and providing an effective date.

SENATE FILE 231 — Allowing the issuance of personalized collegiate registration plates for motor vehicles and providing an effective date.

SENATE FILE 389 — Relating to the department of human rights commission of latino affairs and commission on the status of blacks.

EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on April 23, 1991, when the vote was taken on House File 237.

Had I been present, I would have voted "aye" on the bill.

LINN FUHRMAN

COMMITTEE REPORTS

WAYS AND MEANS

Final Bill Action: HOUSE FILE 689, a bill for an act relating to the establishment of joint water utilities and their tax status.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Dieleman, Husak, Hedge, Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Murphy, Palmer, Rosenberg, Szymoniak and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 691, a bill for an act relating to the county agricultural extension education tax by adjusting the maximum levy and increasing the maximum dollar amount of property tax revenue which may be raised, and providing effective and applicability dates.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Dieleman, Husak, Hedge, Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Murphy, Palmer, Rosenberg, Szymoniak and Taylor.
Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 539 (SSB 355), a bill for an act relating to the Iowa pharmacy practice Act and assessing a fee.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Dieleman, Husak, Hedge, Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Murphy, Palmer, Rosenberg, Szymoniak and Taylor.
Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 110 passed the Senate on April 23, 1991.

RICHARD F. DRAKE

AMENDMENTS FILED

S—3546	H.F.	430	Ralph Rosenberg
S—3547	S.F.	534	Elaine Szymoniak
S—3548	H.F.	651	H. Kay Hedge
S—3549	H.F.	302	Don Gettings
			John Peterson
			John Kibbie
			Leonard Boswell
			Michael Connolly
			Donald Doyle
			Eugene Fraise
			Emil Husak
			Wally Horn
			H. Kay Hedge
			Wilmer Rensink
			Jack Hester

S-3550

S.F.

471

Berl Priebe
Michael Gronstal
Ralph Rosenberg
Mary Kramer
Ralph Rosenberg
Beverly Hannon

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:27 p.m., until 9:00 a.m., Wednesday, April 24, 1991.

JOURNAL OF THE SENATE

ONE HUNDRED FIRST CALENDAR DAY
SIXTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 24, 1991

The Senate met in regular session at 9:15 a.m., President pro tempore Lloyd-Jones presiding.

Prayer was offered by the Reverend John A. Vakulskas, Jr., pastor of the Sacred Heart Catholic Church, Early, Iowa.

The Journal of Tuesday, April 23, 1991, was approved.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 22, 1991, passed the following bill in which the concurrence of the House was asked:

Senate File 134, a bill for an act relating to the use of fireworks in state parks and preserves and providing a penalty.

ALSO: That the House has on April 22, 1991, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 343, a bill for an act relating to the medical assistance program (S—3551).

ALSO: That the House has on April 22, 1991, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 152, a bill for an act relating to boxing and wrestling laws administered by the athletic commissioner.

House File 296, a bill for an act relating to record checks and evaluations concerning facilities providing care to children and state institutions controlled by the department of human services, and containing applicability provisions.

House File 385, a bill for an act requiring the state department of transportation to publish an official Iowa map.

House File 502, a bill for an act relating to eliminating the requirement that a financial institution disclose certain information related to financial services offered by the financial institution.

House File 566, a bill for an act relating to defective motor vehicles and providing statutory procedures under which a consumer may receive a replacement motor vehicle, or a full refund, for a motor vehicle which cannot be brought into conformity with the warranty, providing certain remedies, providing an administrative fine, making a penalty applicable, and providing an effective date.

House File 577, a bill for an act relating to required reporting on state parks and preserves.

House File 589, a bill for an act relating to the administration of a voluntary shared work unemployment compensation program administered by the department of employment services, and providing an effective date.

QUORUM CALL

Senator Horn 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 Welsh until he arrives on request of Senator Hutchins.

HOUSE AMENDMENT CONSIDERED

Senate File 329

Senator Drake called up for consideration Senate File 329, a bill for an act authorizing the state department of transportation to adopt rules requiring public utilities to comply with the utility

accommodation policy for certain Iowa road systems, amended by the House, and moved that the Senate concur in House amendment S—3512 filed April 19, 1991.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Drake moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 329) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Djeleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn			

Nays, none:

Absent or not voting, 1:

Welsh

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Kramer for the remainder of the day and April 25, on request of Senator Rife.

HOUSE AMENDMENTS CONSIDERED

Senate File 340

Senator Nystrom called up for consideration Senate File 340, a bill for an act relating to retirement benefits of members of the Iowa public employees' retirement system who retire due to disability and providing an effective date and applicability date, amended by the House, and moved that the Senate concur in House amendment S—3511 filed April 19, 1991.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Nystrom moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 340) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn

Nays, none:

Absent or not voting, 2:

Kramer Welsh

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 221

Senator Buhr called up for consideration Senate File 221, a bill for an act relating to amending or repealing city ordinances, and adopting by reference portions of the Code of Iowa, amended by the House, and moved that the Senate concur in House amendment S—3518 filed April 22, 1991.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Buhr 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. 221) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	

Nays, none:

Absent or not voting, 3:

Kramer	Peterson	Welsh
--------	----------	-------

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 473

Senator Murphy called up for consideration Senate File 473, a bill for an act relating to accredited schools and school districts,

making changes in the department of education's biennial report on the condition of schools, changing the requirements for certain pilot projects, providing exceptions to certain uses of funds received under an instructional support program, and changing the district in which shared-time pupils are counted under the postsecondary enrollment options Act, amended by the House, and moved that the Senate concur in House amendment S—3513 filed April 19, 1991.

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. 473) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Kramer

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 502

Senator Sturgeon called up for consideration Senate File 502, 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, amended by the House in House amendment S—3522 filed April 22, 1991.

Senator Sturgeon offered amendment S—3553 filed by Senators Sturgeon and Fuhrman from the floor to House amendment S—3522 and moved its adoption.

Amendment S—3553 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. 502) the vote was:

Ayes, 46:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 3:

Hester	Taylor	Tieden
--------	--------	--------

Absent or not voting, 1:

Kramer

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 346

Senator Varn called up for consideration Senate File 346, a bill for an act relating to payments made pursuant to public contracts, amended by the House, and moved that the Senate concur in House amendment S—3536 filed April 23, 1991.

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. 346) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Kramer

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Priebe asked and received unanimous consent that Senate File 192 be withdrawn from further consideration of the Senate.

HOUSE AMENDMENT CONSIDERED

Senate File 323

Senator Priebe called up for consideration Senate File 323, a bill for an act relating to delegates to the Iowa congress on resource enhancement and protection, amended by the House, and moved that the Senate concur in House amendment S—3469 filed April 18, 1991.

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. 323) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Kramer

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

UNFINISHED BUSINESS
(Deferred April 22, 1991)

House File 649

The Senate resumed consideration of House File 649, a bill for an act relating to hazardous waste and hazardous substance disposal sites, deferred on April 22, 1991.

Senator Welsh asked and received unanimous consent that action on **House File 649** be deferred.

UNFINISHED BUSINESS
(Deferred April 16, 1991)

House File 571

The Senate resumed consideration of House File 571, a bill for an act relating to the advertisement and sale of wood products and making certain consumer fraud penalties applicable, deferred on April 16, 1991.

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. 571) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 36:

Borlaug	Boswell	Connolly	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Hannon	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Lloyd-Jones	McLaren
Miller	Murphy	Nystrom	Priebe
Rensink	Riordan	Rittmer	Rosenberg

Running
Tinsman

Sturgeon
Vande Hoef

Szymoniak
Varn

Taylor
Welsh

Nays, 13:

Buhr
Hedge
Peterson
Tieden

Fuhrman
Lind
Rife

Gronstal
Palmer
Slife

Hagerla
Pate
Soorholtz

Absent or not voting, 1:

Kramer

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred April 17, 1991)

House File 380

The Senate resumed consideration of House File 380, a bill for an act requiring the state registrar to provide a certified copy of a birth certificate when the certificate is registered, deferred on April 17, 1991.

Senator Murphy withdrew amendment S—3370 filed by him on April 9, 1991, to page 1 and the title page of the bill.

Senator Murphy offered amendment S—3552 filed by Senators Murphy and Jensen from the floor to page 1 and the title page of the bill and moved its adoption.

Amendment S—3552 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. 380) the vote was:

Ayes, 49:

Borlaug
Deluhery
Fraise

Boswell
Dieleman
Fuhrman

Buhr
Doyle
Gettings

Connolly
Drake
Gronstal

Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Kramer

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

UNFINISHED BUSINESS (Deferred April 17, 1991)

House File 575

The Senate resumed consideration of House File 575, a bill for an act relating to the collection and use of patient information by the health data commission, and providing penalties, deferred on April 17, 1991.

Senator Vande Hoef withdrew amendment S—3554 filed by him from the floor to amendment S—3386 (adopted April 17, 1991).

Senator Buhr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 575) the vote was:

Ayes, 42:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hagerla	Hannon
Hester	Horn	Husak	Hutchins
Jensen	Kersten	Kibbie	Kinley

Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Pate	Peterson
Priebe	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tinsman
Varn	Welsh		

Nays, 6:

Drake	Fuhrman	Hedge	Rensink
Tieden	Vande Hoef		

Absent or not voting, 2:

Kramer	Palmer
--------	--------

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

PRESENTATION OF PELLA TULIP QUEEN

Senator Dieleman presented Jennifer Vander Werf, Queen of the Fifty-sixth Annual Tulip Time Festival, who in turn introduced the members of her court: Desha Craver, Ronda Goemaat, Mary Ver Ploeg and Alicia Dieleman.

Queen Jennifer invited the members of the Senate to attend the Tulip Time Festival in Pella, May 9, 10 and 11, 1991.

The Queen, her attendants and their parents distributed the famous Dutch cookies to the senators and staff.

UNFINISHED BUSINESS (Deferred April 19, 1991)

House File 214

The Senate resumed consideration of House File 214, a bill for an act relating to the reproductive toxicity of alcoholic beverages, and providing a penalty, deferred on April 19, 1991.

Senator Running offered amendment S—3529 filed by him on April 22, 1991, to page 1 and the title page of the bill.

Senator Riordan raised the point of order that amendment S—3529 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3529 out of order.

Senator Lind offered amendment S—3560 filed by him from the floor to page 1 and the title page of the bill.

Senator Riordan raised the point of order that amendment S—3560 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3560 in order.

Senator Lind moved the adoption of amendment S—3560.

A record roll call was requested.

On the question “Shall amendment S—3560 be adopted?” (H.F. 214) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 12:

Borlaug	Fuhrman	Hagerla	Hedge
Jensen	Lind	McLaren	Rensink
Rife	Soorholtz	Taylor	Tieden

Nays, 37:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Gronstal	Hannon	Hester
Horn	Husak	Hutchins	Kersten
Kibbie	Kinley	Lloyd-Jones	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Riordan	Rittner
Rosenberg	Running	Slife	Sturgeon
Szymoniak	Tinsman	Vande Hoef	Varn
Welsh			

Absent or not voting, 1:

Kramer

Amendment S—3560 lost.

Senator Running asked and received unanimous consent that action on **House File 214** be deferred.

UNFINISHED BUSINESS
(Deferred April 17, 1991)

House File 583

The Senate resumed consideration of House File 583, a bill for an act relating to eligibility of school districts for the reorganization incentives and providing an effective date, deferred on April 17, 1991.

Senator Taylor called up the motion to reconsider the vote by which amendment S—3412 to House File 583 failed to be adopted by the Senate on April 17, 1991, filed by Senator Kramer on April 18, 1991, and found on page 1353 of the Senate Journal.

President Welsh took the chair at 11:20 a.m.

Senator Taylor moved the adoption of the motion to reconsider.

A non record roll call was requested.

The ayes were 29, nays 9.

The motion prevailed and amendment S—3412 by Senators Taylor, et. al., to page 5 of the bill, was taken up for reconsideration.

Senator Taylor moved the adoption of amendment S—3412.

A record roll call was requested.

On the question "Shall amendment S—3412 be adopted?" (H.F. 583) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 24:

Borlaug	Dieleman	Fuhrman	Gettings
Hagerla	Hedge	Hester	Husak
Jensen	Kersten	Kibbie	McLaren
Nystrom	Pate	Priebe	Rensink
Rife	Riordan	Slife	Soorholtz
Taylor	Tieden	Tinsman	Vande Hoef

Nays, 24:

Boswell	Buhr	Connolly	Deluhery
Doyle	Drake	Fraise	Gronstal
Hannon	Horn	Hutchins	Lind
Lloyd-Jones	Miller	Murphy	Palmer
Peterson	Rittmer	Rosenberg	Running
Sturgeon	Szymoniak	Varn	Welsh

Absent or not voting, 2:

Kinley Kramer

Amendment S—3412 lost.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 583) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 1:

Taylor

Absent or not voting, 2:

Kinley Kramer

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred April 19, 1991)

House File 298

The Senate resumed consideration of House File 298, a bill for an act relating to the conduct of games and raffles by qualified organizations, deferred on April 19, 1991.

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. 298) the vote was:

Ayes, 44:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Horn	Husak
Hutchins	Jensen	Kersten	Kibbie
Kinley	Lind	Lloyd-Jones	McLaren
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Szymoniak
Tieden	Tinsman	Varn	Welsh

Nays, 5:

Dieleman	Hester	Rensink	Taylor
Vande Hoef			

Absent or not voting, 1:

Kramer

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred April 23, 1991)

House File 510

The Senate resumed consideration of House File 510, a bill for

an act relating to the election of a county sheriff to serve more than one county, and amendment S—3347 by Senators Fraise, et. al., to page 1 and the title page of the bill, deferred on April 23, 1991.

Senator Hagerla asked and received unanimous consent to withdraw amendment S—3557 filed by Senators Hagerla and Priebe from the floor to amendment S—3347.

Senator Hagerla offered amendment S—3559 filed by Senators Hagerla and Priebe from the floor to amendment S—3347 and moved its adoption.

A non record roll call was requested.

The ayes were 27, nays 12.

Amendment S—3559 was adopted.

Senator Priebe raised the point of order that amendment S—3347 as amended was not germane to the bill.

The Chair ruled the point well taken and amendment S—3347 as amended, out of order.

Senator Jensen offered amendment S—3357 filed by him on April 9, 1991, to page 1 of the bill.

(Action on amendment S—3357 and House File 510 was deferred).

INTRODUCTION OF BILL

Senate File 540, by committee on Ways and Means, a bill for an act 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 and providing an effective date.

Read first time and placed on Ways and Means Calendar.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 23, 1991, concurred in the Senate amendment and passed the following bill in which the concurrence of the House was asked:

House File 297, a bill for an act relating to driver's license reciprocity for minors.

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:00 noon, until 1:30 p.m.

APPENDIX

COMMITTEE REPORT

WAYS AND MEANS

Final Bill Action: SENATE FILE 540 (SSB 228.1), a bill for an act 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 and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Dieleman, Husak, Hedge, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Szymoniak and Taylor. Nays, 4: Connolly, Murphy, Palmer and Rosenberg.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on April 24, 1991, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 326 — Exempting members, employees, and the secretary of the board of trustees for the statewide fire and police retirement system from certain liabilities, providing per diem compensation for board members, appropriating funds to the board, changing the date for completion of an actuarial study, providing that certain cities that did not participate in a chapter 411 retirement system as of May 3, 1990, are not required to participate in the statewide system, and providing retroactive applicability and effective date provisions.

SENATE FILE 337 — Relating to contracts for road, bridge, and culvert construction.

SENATE FILE 419 — Relating to voting hours for drainage or levee district trustee elections.

SENATE FILE 488 — Relating to the appointment of the clerk or secretary to a city civil service commission.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Eighteen eighth grade students from Brody Middle School, Des Moines, Iowa, accompanied by Kevin Klimowski. Senator Kramer.

Forty-five third grade students from St. Pius Catholic School, Des Moines, Iowa, accompanied by Denise Zimmerman. Senator Szymoniak.

Sixty eighth grade students from Dow City-Arion Jr. High School, Dow City, Iowa, accompanied by Kevin Patterson. Senator Hutchins.

SUBCOMMITTEE ASSIGNMENT

House File 610

STATE GOVERNMENT: Gronstal, Chair; Kibbie and Lind

REPORT OF COMMITTEE MEETING

WAYS AND MEANS

Convened: April 23, 1991, 1:38 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hedge, Ranking Member; Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Murphy, Palmer, Rosenberg, Szymoniak and Taylor.

Members Absent: none.

Committee Business: Amended and approved SSBs 355 and 228.1 as committee bills; recommended passage of House Files 689 and 691; assigned bills to subcommittees.

Adjourned: 2:27 p.m.

AMENDMENTS FILED

S-3551	S.F.	343	House amendment
S-3552	H.F.	380	Larry Murphy. John Jensen
S-3553	S.F.	502	Al Sturgeon Linn Fuhrman
S-3554	H.F.	575	Richard Vande Hoef
S-3555	H.F.	672	Larry Murphy Jim Riordan

			John Jensen
			Leonard Boswell
			Dale Tieden
S-3556	H.F.	672	Jim Riordan
			John Jensen
			Leonard Boswell
S-3557	H.F.	510	Mark Hagerla
			Berl Priebe
S-3558	H.F.	668	Emil Husak
S-3559	H.F.	510	Mark Hagerla
			Berl Priebe
S-3560	H.F.	214	Jim Lind
S-3561	S.F.	280	Maggie Tinsman
			Sheldon Rittmer
S-3562	H.F.	672	Florence Buhr
S-3563	S.F.	317	Patrick Deluhery
			William D. Palmer
S-3564	H.F.	672	Jim Riordan
			John Jensen
			Leonard Boswell
S-3565	H.F.	455	Larry Murphy
			Mike Connolly
			William Dieleman
			Ray Taylor
			Mary Kramer
			Dale Tieden
			John Jensen
			Jack Hester
			Jim Riordan
			Richard Vande Hoef
			Mark Hagerla
			Wilmer Rensink
			Elaine Szymoniak
			Jim Kersten
S-3566	S.F.	540	Mike Connolly
S-3567	H.F.	214	Jim Lind
S-3568	S.F.	501	House amendment
S-3569	H.F.	672	Larry Murphy

AFTERNOON SESSION

The Senate reconvened at 1:43 p.m., President Welsh 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.

UNFINISHED BUSINESS
(Deferred April 19, 1991)

House File 672

The Senate resumed consideration of House File 672, a bill for an act relating to the health practice profession examining boards, the duties of the board of medical examiners, the composition of the board of podiatry examiners and its disciplinary hearing panel, and providing penalties, deferred on April 19, 1991.

Senator Riordan offered amendment S—3555 filed by Senators Murphy, et. al., from the floor to page 1 of the bill.

Senator Riordan offered amendment S—3569 filed by Senator Murphy from the floor to amendment S—3555 and moved its adoption.

Amendment S—3569 was adopted by a voice vote.

Senator Murphy moved the adoption of amendment S—3555 as amended, which motion prevailed by voice vote.

Senator Riordan offered amendment S—3564 filed by Senators Riordan, Jensen and Boswell from the floor to pages 2 and 4 of the bill.

Senator Riordan asked and received unanimous consent that action on amendment S—3564 be deferred.

Senator Riordan asked and received unanimous consent to withdraw amendment S—3556 filed by Senators Riordan, Jensen and Boswell from the floor to page 4 of the bill.

Senator Buhr offered amendment S—3562 filed by her from the floor to pages 7, 9 and 10 of the bill and moved its adoption.

Amendment S—3562 was adopted by a voice vote.

Senator Riordan asked and received unanimous consent that action on amendment S—3564 and **House File 672** be **deferred**.

HOUSE AMENDMENT CONSIDERED

Senate File 317

Senator Palmer called up for consideration Senate File 317, a bill for an act relating to the regulation of pay-per-call service and advertisements and providing for the applicability of established penalties, amended by the House in House amendment S—3464 filed April 18, 1991.

Senator Palmer asked and received unanimous consent that action on House amendment S—3464 and **Senate File 317** be **deferred**.

CONSIDERATION OF BILLS (Ways and Means Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate File 539 and House Files 689 and 691.

Senate File 539

On motion of Senator Szymoniak, Senate File 539, a bill for an act relating to the Iowa pharmacy practice act and assessing fees, 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. 539) the vote was:

Ayes, 48:

Borlaug
Deluhery

Boswell
Dieleman

Buhr
Doyle

Connolly
Drake

Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Kersten Kramer

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 689

On motion of Senator Szymoniak, House File 689, a bill for an act relating to the establishment of joint water utilities and their tax status, 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. 689) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Kersten

Kramer

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 691

On motion of Senator Husak, House File 691, a bill for an act relating to the county agricultural extension education tax by adjusting the maximum levy and increasing the maximum dollar amount of property tax revenue which may be raised, and providing effective and applicability dates, with report of committee recommending passage, was taken up for consideration.

Senator Doyle offered amendment S—3574 filed by him from the floor to pages 2 and 3 of the bill and moved its adoption.

Amendment S—3574 was adopted by a voice vote.

Senator Husak moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 691) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 1:

Peterson

Absent or not voting, 1:

Kramer

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 356

Senator Dieleman withdrew the motion to reconsider Senate File 356, a bill for an act relating to the administration of the individual income tax, by amending the requirement that each tax return include two voter registration forms; providing uniformity in the priority of the various income tax credits; specifying that the incomes covered in the government pension exclusion are considered for purposes of determining if taxpayers qualify for total exemption from tax; providing that qualification for the tuition and textbook deduction and the tuition and textbook credit is based on taxpayers' net incomes instead of their federal adjusted gross incomes; providing for revision in the computation of the child and dependent care credit and allocation of the credit between married taxpayers and nonresidents and part-year resident taxpayers; relating to the penalty for delinquent payment of fuel taxes resulting from a check given in payment but not honored because of insufficient funds; relating to access to confidential tax information by certain persons and the application of confidentiality laws of the state; relating to penalty provisions on the filing of certain tax returns and failure to submit payment of taxes as required by the rules of the director of revenue and finance; relating to the due date for income tax returns for nonprofit corporations subject to the unrelated business income tax; relating to use tax on vehicles subject to registration or only subject to the issuance of title; relating to the exemption from inheritance tax of the share of the estate passing to the surviving spouse; relating to payment of interest to taxpayers owed refunds for inheritance tax; relating to payment of refunds of the environmental protection charge; and providing effective dates, filed by him on April 22, 1991, and found on page 1404 of the Senate Journal.

UNFINISHED BUSINESS
(Deferred April 17, 1991)

House File 615

The Senate resumed consideration of House File 615, a bill for an act relating to the confidentiality of victim-identifying information in cases of sexual abuse, and providing for an automatic repeal, deferred on April 17, 1991.

Senator Sturgeon offered amendment S—3576 filed by him from the floor to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3576 was adopted by a voice vote.

Senator Rosenberg offered amendment S—3579 filed by him from the floor to pages 1 and 2 of the bill.

Senator Husak took the chair at 3:19 p.m.

Senator Rosenberg moved the adoption of amendment S—3579, which motion prevailed by voice vote.

Senator Running withdrew amendment S—3580 filed by him from the floor to page 3 of the bill.

President Welsh took the chair at 4:17 p.m.

Senator Sturgeon moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 615) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 24:

Boswell	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Hagerla
Hannon	Horn	Hutchins	Jensen
Kersten	Kibbie	Kinley	Lind
Miller	Pate	Priebe	Riordan
Soorholtz	Taylor	Tieden	Tinsman

Nays, 25:

Borlaug	Buhr	Connolly	Deluhery
Gronstal	Hedge	Hester	Husak
Lloyd-Jones	McLaren	Murphy	Nystrom
Palmer	Peterson	Rensink	Rife
Rittmer	Rosenberg	Running	Slife
Sturgeon	Szymoniak	Vande Hoef	Varn
Welsh			

Absent or not voting, 1:

Kramer

The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

UNFINISHED BUSINESS

(Deferred April 19, 1991)

House File 651

The Senate resumed consideration of House File 651, a bill for an act relating to gambling and the operation of pari-mutuel racetracks and excursion gambling boats, and providing an effective date, deferred on April 19, 1991.

Senator Kibbie offered amendment S—3351 filed by the committee on State Government on April 9, 1991, to pages 2-4 of the bill.

Senator Kibbie offered amendment S—3450 filed by Senators Kibbie, et. al., on April 17, 1991, to amendment S—3351 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3450 to amendment S—3351 be adopted?" (H.F. 651) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 33:

Borlaug	Buhr	Connolly	Deluhery
Doyle	Fraise	Gettings	Gronstal

Hester	Horn	Husak	Hutchins
Kersten	Kibbie	Kinley	Lind
McLaren	Miller	Murphy	Palmer
Pate	Priebe	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Szymoniak	Tieden	Tinsman
Welsh			

Nays, 16:

Boswell	Dieleman	Drake	Fuhrman
Hagerla	Hannon	Hedge	Jensen
Lloyd-Jones	Nystrom	Peterson	Rensink
Sturgeon	Taylor	Vande Hoef	Varn

Absent or not voting, 1:

Kramer

Amendment S—3450 was adopted.

With the adoption of amendment S—3450 to amendment S—3351, the Chair ruled amendment S—3593 filed by Senator Dieleman from the floor to amendment S—3351, out of order.

Senator Kibbie moved the adoption of amendment S—3351 as amended, which motion prevailed by voice vote.

Senator Dieleman raised the point of order that House File 651 should be referred to the committee on Ways and Means.

The Chair ruled the point not well taken.

Senator Dieleman offered amendment S—3592 filed by him from the floor to page 1 of the bill.

Senator Kibbie raised the point of order that amendment S—3592 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3592 out of order.

Senator Dieleman offered amendment S—3585 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3585 lost by a voice vote.

Senator Dieleman offered amendment S—3587 filed by him from the floor to page 2 of the bill.

Senator Dieleman asked and received unanimous consent that action on amendment S—3587 be deferred.

(Action of House File 651 was deferred.)

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 17, 1991, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 491, a bill for an act relating to the rental of motor vehicles for a period of sixty days or less from a location in this state, and providing civil and criminal penalties (S—3581).

ALSO: That the House has on April 22, 1991, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 501, a bill for an act relating to collective bargaining by delineating certain duties and powers of the public employment relations board and modifying certain collective bargaining procedures for teachers (S—3568).

ALSO: That the House has on April 22, 1991, concurred in the Senate amendment and passed the following bill in which the concurrence of the House was asked:

House File 420, a bill for an act relating to corrective changes to Iowa's election laws, providing emergency powers to the state commissioner of elections, relating to election nomination papers and affidavits, the affidavit filing requirements for a single public office by primary election candidates and certain general election candidates, and relating to absentee voting.

ALSO: That the House has on April 24, 1991, passed the following bill in which the concurrence of the Senate is asked:

House File 683, a bill for an act relating to the establishment of a toxics pollution prevention program and establishing fees.

This bill was read first time and passed on file.

APPENDIX

EXPLANATION OF VOTE

MR. PRESIDENT: I inadvertently pushed the "aye" button when I meant to push the "nay" button on final passage of House File 615.

JIM KERSTEN

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 615 failed to pass the Senate on April 24, 1991.

AL STURGEON

AMENDMENTS FILED

S-3570	H.F.	214	Richard Running
S-3571	H.F.	214	Richard Running
S-3572	H.F.	214	Richard Running
S-3573	H.F.	569	Paul Pate
S-3574	H.F.	691	Donald Doyle
S-3575	H.F.	214	Jim Riordan
S-3576	H.F.	615	Al Sturgeon
S-3577	S.F.	91	Eugene Fraise
			Michael E. Gronstal
			Emil J. Husak
			Donald Gettings
			Leonard Boswell
			Alvin V. Miller
			Donald V. Doyle
S-3578	S.F.	317	William Palmer
S-3579	H.F.	615	Ralph Rosenberg
S-3580	H.F.	615	Richard Running
S-3581	S.F.	491	House amendment
S-3582	S.F.	317	Patrick Deluhery
			William Palmer
S-3583	S.F.	317	Mike Connolly
S-3584	H.F.	651	William W. Dieleman
S-3585	H.F.	651	William W. Dieleman
S-3586	H.F.	651	William W. Dieleman

S-3587	H.F.	651	William W. Dieleman
S-3588	H.F.	651	William W. Dieleman
S-3589	H.F.	672	Jim Riordan Richard Drake Leonard Boswell John W. Jensen William W. Dieleman
S-3590	H.F.	651	Richard Drake
S-3591	H.F.	651	William W. Dieleman
S-3592	H.F.	651	William W. Dieleman
S-3593	H.F.	651	William W. Dieleman
S-3594	H.F.	651	William W. Dieleman

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:32 p.m., until 9:00 a.m., Thursday, April 25, 1991.

JOURNAL OF THE SENATE

ONE HUNDRED SECOND CALENDAR DAY
SIXTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 25, 1991

The Senate met in regular session at 9:08 a.m., Senator Kibbie presiding.

Prayer was offered by the Reverend James Mark Oschwald, pastor of the Faith Lutheran Church, Griswold, Iowa.

The Journal of Wednesday, April 24, 1991, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Priebe and Riordan until they arrive on request of Senator Horn and Senator Jensen until he arrives on request of Senator Rensink.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 23, 1991, passed the following bills in which the concurrence of the House was asked:

Senate File 2, a bill for an act relating to sexual exploitation by a counselor or therapist and providing penalties.

Senate File 504, a bill for an act relating to the method of deregulation of communication services and facilities.

ALSO: That the House has on April 23, 1991, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 25, a concurrent resolution relating to honoring members of the Iowa national guard and reserve units called to active duty for Operation Desert Shield and Desert Storm.

This resolution was read first time and **passed on file**.

ALSO: That the House has on April 23, 1991, 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 exempting certain cargo tank motor vehicles from hazardous materials transportation regulations, and providing for the repeal of the Act.

House File 343, a bill for an act relating to the enforcement authority of the Iowa utilities board regarding intrastate pipelines and electric transmission lines and providing civil penalties.

House File 375, a bill for an act relating to the prohibiting of the disposal of baled solid waste at a sanitary landfill.

House File 501, a bill for an act relating to establishing a durable power of attorney authorized to make health care decisions and providing an effective date.

House File 601, a bill for an act relating to open end credit accounts by eliminating the requirement that the banking division compile and report a summary of the volume of consumer installment credit to the administrator of the Iowa consumer credit code and providing for a change in terms in the agreement.

House File 625, a bill for an act relating to issuance of junking certificates and certificates of title.

House File 639, a bill for an act relating to the Iowa community cultural grants program.

House File 661, a bill for an act relating to certain general permits for activities affecting the environment and providing an effective date.

ALSO: That the House has on April 24, 1991, passed the following bill in which the concurrence of the Senate is asked:

House File 687, a bill for an act relating to the collection and administration of ad valorem property taxes, special assessments, mobile home taxes, and various rates and charges, and providing an effective date.

This bill was read first time and **passed on file**.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

President Welsh took the chair at 9:17 a.m.

The vote revealed 41 present, 9 absent and a quorum present.

UNFINISHED BUSINESS (Deferred April 24, 1991)

House File 651

The Senate resumed consideration of House File 651, a bill for an act relating to gambling and the operation of pari-mutuel racetracks and excursion gambling boats, and providing an effective date, and amendment S—3587 by Senator Dieleman to page 2 of the bill, deferred on April 24, 1991.

Senator Dieleman offered amendment S—3584 filed by him on April 24, 1991, to page 2 of the bill and moved its adoption.

Amendment S—3584 lost by a voice vote.

Senator Dieleman offered amendment S—3586 filed by him on April 24, 1991, to page 2 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3586 be adopted?" (H.F. 651) the vote was:

Ayes, 11:

Boswell
Hedge
Taylor

Dieleman
Hester
Tieden

Hagerla
Lloyd-Jones
Vande Hoef

Hannon
Rensink

Nays, 35:

Borlaug	Buhr	Connolly	Deluhery
Doyle	Drake	Fraise	Fuhrman
Gettings	Gronstal	Horn	Husak
Hutchins	Kersten	Kibbie	Kinley
Lind	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Rife	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Szymoniak
Tinsman	Varn	Welsh	

Absent or not voting, 4:

Jensen	Kramer	Priebe	Riordan
--------	--------	--------	---------

Amendment S—3586 lost.

Senator Hedge withdrew amendment S—3548 filed by him on April 23, 1991, to page 2 of the bill.

Senator Dieleman offered amendment S—3591 filed by him on April 24, 1991, to page 2 of the bill and moved its adoption.

Amendment S—3591 lost by a voice vote.

Senator Hedge offered amendment S—3597 filed by him from the floor to page 2 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3597 be adopted?" (H.F. 651) the vote was:

Ayes, 16:

Borlaug	Boswell	Dieleman	Fuhrman
Hagerla	Hannon	Hedge	Hester
Kersten	Rensink	Rittmer	Sturgeon
Taylor	Tieden	Vande Hoef	Varn

Nays, 29:

Buhr	Connolly	Deluhery	Doyle
Drake	Fraise	Gettings	Gronstal
Horn	Husak	Hutchins	Kibbie
Kinley	Lind	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Rife	Rosenberg	Running
Slife	Soorholtz	Szymoniak	Tinsman
Welsh			

Absent or not voting, 5:

Jensen Riordan	Kramer	Lloyd-Jones	Priebe
-------------------	--------	-------------	--------

Amendment S—3597 lost.

Senator Dieleman offered amendment S—3588 filed by him on April 24, 1991, to page 3 of the bill and moved its adoption.

Amendment S—3588 lost by a voice vote.

Senator Drake asked and received unanimous consent that action on amendment 3590 filed by him on April 24, 1991, to page 3 of the bill be deferred.

Senator Tinsman asked and received unanimous consent that action on amendment S—3401 filed by Senators Tinsman and Deluhery on April 11, 1991, to page 3 of the bill be deferred.

Senator Dieleman offered amendment S—3594 filed by him on April 24, 1991, to page 3 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3594 be adopted?" (H.F. 651) the vote was:

Ayes, 17:

Boswell	Buhr	Dieleman	Drake
Hannon	Hedge	Hester	Lloyd-Jones
Peterson	Rensink	Riordan	Rosenberg
Taylor	Tieden	Tinsman	Vande Hoef
Varn			

Nays, 26:

Borlaug	Connolly	Deluhery	Doyle
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Horn	Husak	Hutchins
Kersten	Kibbie	Kinley	Lind
McLaren	Murphy	Palmer	Pate
Rittmer	Running	Slife	Soorholtz
Szymoniak	Welsh		

Absent or not voting, 7:

Jensen
Priebe

Kramer
Rife

Miller
Sturgeon

Nystrom

Amendment S—3594 lost.

Senator Connolly offered amendment S—3598 filed by him from the floor to pages 1 and 3 of the bill.

President pro tempore Lloyd-Jones took the chair at 10:50 a.m.

Senator Connolly moved the adoption of amendment S—3598.

A non record roll call was requested.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 19, nays 27.

Amendment S—3598 lost.

Senator Dieleman moved the adoption of amendment S—3587 to page 2 the bill, previously deferred, which motion lost by a voice vote.

Senator Welsh offered amendment S—3600 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—3600 be adopted?" (H.F. 651) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 20:

Borlaug
Gronstal
Kibbie
Miller
Slife

Buhr
Horn
Kinley
Pate
Soorholtz

Connolly
Husak
Lind
Riordan
Szymoniak

Deluhery
Hutchins
McLaren
Rosenberg
Welsh

Nays, 24:

Boswell	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Hagerla
Hannon	Hedge	Kersten	Lloyd-Jones
Murphy	Nystrom	Palmer	Peterson
Rensink	Rittmer	Sturgeon	Taylor
Tieden	Tinsman	Vande Hoef	Varn

Absent or not voting, 6:

Hester	Jensen	Kramer	Priebe
Rife	Running		

Amendment S—3600 lost.

Senator Drake withdrew amendment S—3590 to page 3 of the bill, previously deferred.

Senator Tinsman asked and received unanimous consent to withdraw amendment S—3401 to page 3 of the bill, previously deferred.

Senator Drake offered amendment S—3601 filed by Senators Drake, Tinsman and Deluhery from the floor to page 3 of the bill.

President Welsh took the chair at 11:43 a.m.

Senator Drake moved the adoption of amendment S—3601, which motion lost by a voice vote.

President pro tempore Lloyd-Jones took the chair at 12:06 p.m.

Senator Drake offered amendment S—3608 filed by him from the floor to page 3 of the bill and moved its adoption.

Amendment S—3608 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?" (H.F. 651) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 28:

Borlaug	Buhr	Connolly	Deluhery
Doyle	Drake	Fraise	Gronstal
Hagerla	Horn	Husak	Kersten
Kibbie	Kinley	Lind	McLaren
Miller	Murphy	Palmer	Pate
Priebe	Rife	Riordan	Rosenberg
Running	Slife	Soorholtz	Szymoniak

Nays, 20:

Boswell	Dieleman	Fuhrman	Gettings
Hannon	Hedge	Hutchins	Jensen
Lloyd-Jones	Nystrom	Peterson	Rensink
Rittmer	Sturgeon	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Absent or not voting, 2:

Hester Kramer

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 25, 1991, passed the following bill in which the concurrence of the Senate is asked:

House File 694, a bill for an act including veterans of the Persian Gulf Conflict as veterans eligible to serve on county commissions of veteran affairs, to receive certain veterans benefits, and to be eligible for a property tax exemption, and providing an effective date.

This bill was read first time and passed on file.

INTRODUCTION OF RESOLUTION

Senate Resolution 13, by committee on Education, a senate resolution relating to the development of two classes of five-on-

five women's basketball for the state women's basketball tournament.

Read first time and placed on calendar.

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:29 p.m., until 1:30 p.m.

APPENDIX

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in preparing the Senate amendment to House File 325, the following corrections were made:

Amendment S--3524:

1. Page 1, line 28, the letter "c." was changed to the letter "b."
2. Page 1, line 34, the letter "d." was changed to the letter "c."

JOHN F. DWYER
Secretary of the Senate

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 24, 1991, when the final vote was taken on Senate File 539 and House File 689.

Had I been present, I would have voted "aye" on these bills.

JIM KERSTEN

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 25th day of April, 1991:

Senate Files 78, 291, 310, 383, 435 and 454.

JOHN F. DWYER
Secretary of the Senate

REPORT OF COMMITTEE MEETING

EDUCATION

Convened: April 25, 1991, 8:39 a.m.

Members Present: Connolly, Chair; Horn, Vice Chair; Taylor, Ranking Member; Deluhery, Dieleman, Kibbie, Lind, Rensink, Tieden, Tinsman and Varn.

Members Absent: Kramer, Murphy, Running and Szymoniak (all excused).

Committee Business: Assigned bill to subcommittee; approved SSB 326 as a committee resolution; amended and approved SSB 357 as a committee resolution.

Adjourned: 9:02 a.m.

BILLS ASSIGNED TO COMMITTEE

President Welsh announced the assignment of the following bills to committee:

H.F.	683	Environment & Energy Utilities
H.F.	687	Ways and Means
H.C.R.	25	Rules & Administration

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty third grade students from United Community School, Boone, Iowa, accompanied by Andi Duffy. Senator Nystrom.

One hundred ten government students from Johnston High School, Johnston, Iowa, accompanied by David Pitz and Pat Wescott. Senator Palmer.

Thirty members of the seventh grade swing choir from Bettendorf Middle School, Bettendorf, Iowa, accompanied by Pat Kaiser, Terry Camarena, Camilla Ferguson, et al. Senator Tinsman.

Forty eighth grade students from West Central Jr. High School, Maynard, Iowa, accompanied by Ron Reusche. Senator Murphy.

Twenty-five fifth grade students from Audubon Middle School, Audubon, Iowa, accompanied by Bob Clark. Senator Hutchins.

COMMITTEE REPORT

EDUCATION

Final Bill Action: SENATE RESOLUTION 13 (SSB 326), a senate resolution relating to the development of two classes of five-on-five women's basketball for the state women's basketball tournament.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 11: Connolly, Horn, Taylor, Deluhery, Dieleman, Kibbie, Lind, Rensink, Tieden, Tinsman and Varn. Nays, none. Absent or not voting, 4: Kramer, Murphy, Running and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 651 passed the Senate on April 25, 1991.

MIKE CONNOLLY

MR. PRESIDENT: I move to reconsider the vote by which House File 651 passed the Senate on April 25, 1991.

JOHN KIBBIE

AMENDMENTS FILED

S—3595	S.F.	515	Florence Buhr
S—3596	S.F.	91	Mark Hagerla
S—3597	H.F.	651	H. Kay Hedge
S—3598	H.F.	651	Mike Connolly
S—3599	S.F.	540	William W. Dieleman
S—3600	H.F.	651	Joe Welsh
S—3601	H.F.	651	Richard F. Drake
			Maggie Tinsman
			Patrick Deluhery
S—3602	H.F.	569	Richard Running
S—3603	H.F.	569	Richard Running
S—3604	H.F.	569	Wally Horn
S—3605	H.F.	569	Paul Pate
			Allen Borlaug

S-3606	H.F.	569	Jim Kersten Allen Borlaug Jim Kersten Paul Pate
S-3607	H.F.	569	Jim Kersten Allen Borlaug Paul Pate
S-3608	H.F.	651	Richard Drake
S-3609	H.F.	569	Jim Riordan Richard Running
S-3610	H.F.	569	Jim Riordan Richard Running

AFTERNOON SESSION

The Senate reconvened at 1:42 p.m., President pro tempore Lloyd-Jones presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 35 present, 15 absent and a quorum present.

UNFINISHED BUSINESS

(Deferred April 19, 1991)

Senate File 460

The Senate resumed consideration of Senate File 460, a bill for an act relating to the establishment of certain county roads and legalizing the proceedings concerning the establishment of certain county roads, deferred on April 19, 1991.

Senator Sturgeon offered amendment S—3542 filed by him on April 23, 1991, to page 1 of the bill and moved its adoption.

Amendment S—3542 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. 460) the vote was:

Ayes, 43:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kersten	Kibbie
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Palmer	Pate	Peterson
Priebe	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Vande Hoef	Varn	Welsh	

Nays, 1:

Fuhrman

Absent or not voting, 6:

Gronstal
Rensink

Kinley
Tinsman

Kramer

Nystrom

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Tinsman for the remainder of the day on request of Senator Tieden.

UNFINISHED BUSINESS (Deferred April 19, 1991)

House File 455

The Senate resumed consideration of House File 455, a bill for an act relating to school instruction and attendance of children of compulsory school attendance age and providing for mediation of truancy issues and penalties, deferred on April 19, 1991.

Senator Connolly offered amendment S—3392 filed by the committee on Education on April 11, 1991, to pages 3, 7 and 8 of the bill.

Senator Husak took the chair at 2:11 p.m.

Senator Connolly moved the adoption of amendment S—3392, which motion prevailed by a voice vote.

Senator Murphy offered amendment S—3565 filed by Senators Murphy, et. al., on April 24, 1991, to pages 2-4, 6-14, 16 and 17 of the bill and moved its adoption.

Amendment S—3565 was adopted by a voice vote.

Senator Jensen withdrew amendment S—3417 filed by him on April 15, 1991, to page 16 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. 455) the vote was:

Ayes, 43:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Hagerla
Hannon	Hester	Horn	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Vande Hoef	Varn	

Nays, 4:

Gronstal	Hedge	Kersten	Nystrom
----------	-------	---------	---------

Absent or not voting, 3:

Kramer	Tinsman	Welsh
--------	---------	-------

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENT CONSIDERED (Deferred April 24, 1991)

Senate File 317

The Senate resumed consideration of Senate File 317, a bill for an act relating to the regulation of pay-per-call service and advertisements and providing for the applicability of established penalties, and House amendment S—3464, deferred on April 24, 1991.

Senator Palmer offered amendment S—3578 filed by him on April 24, 1991, to House amendment S—3464.

President pro tempore Lloyd-Jones took the chair at 3:00 p.m.

Senator Palmer moved the adoption of amendment S—3578 to House amendment S—3464, which motion prevailed by voice a vote.

With the adoption of amendment S—3578 to House amendment S—3464, the Chair ruled amendment S—3583 filed by Senator Connolly on April 24, 1991, to House amendment S—3464, out of order.

Senator Deluhery offered amendment S—3582 filed by Senators Deluhery and Palmer on April 24, 1991, to House amendment S—3464 and moved its adoption.

Amendment S—3582 was adopted by a voice vote.

With the adoption of amendment S—3582 to House amendment S—3464, the Chair ruled amendment S—3563 filed by Senators Deluhery and Palmer on April 24, 1991, to House amendment S—3464, out of order.

Senator Connolly asked and received unanimous consent that action on House amendment S—3464 as amended and **Senate File 317** be **deferred**.

HOUSE AMENDMENT CONSIDERED

Senate File 429

Senator Doyle called up for consideration Senate File 429, a bill for an act relating to agricultural land held by corporations, limited partnerships, and trusts, and providing penalties, amended by the House in House amendment S—3504 filed April 19, 1991.

Senator Soorholtz offered amendment S—3612 filed by Senators Soorholtz and Husak from the floor to House amendment S—3504 and moved its adoption.

Amendment S—3612 was adopted by a voice vote.

Senator Doyle moved that the Senate concur in the House amendment as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Doyle moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 429) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Kramer Tinsman

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

President Welsh took the chair at 3:17 p.m.

UNFINISHED BUSINESS (Deferred February 7, 1991)

Senate File 91

The Senate resumed consideration of Senate File 91, a bill for an act relating to minimum qualifications for the office of county sheriff and providing filing deadlines, and amendment S-3012 filed by Senator Fraise to strike everything after the enacting clause and to the title page of the bill, deferred on February 7, 1991.

Senator Fraise withdrew amendment S-3012.

Senator Fraise offered amendment S—3577 filed by Senators Fraise, et. al., on April 24, 1991, to strike everything after the enacting clause of the bill.

Senator Hagerla offered amendment S—3596 filed by him from the floor to amendment S—3577 and called for a division: lines 3-9 as division S—3596A and lines 10-17 as division S—3596B.

Senator Hagerla withdrew division S—3596A to amendment S—3577.

Senator Hagerla moved the adoption of division S—3596B to amendment S—3577.

A record roll call was requested.

On the question "Shall division S—3596B to amendment S—3577 be adopted?" (S.F. 91) the vote was:

Ayes, 18:

Borlaug	Drake	Fuhrman	Hagerla
Hannon	Hedge	Hester	Kersten
Kinley	Lind	McLaren	Nystrom
Pate	Rife	Slife	Taylor
Tieden	Vande Hoef		

Nays, 30:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Doyle	Fraise	Gettings
Gronstal	Horn	Husak	Hutchins
Jensen	Kibbie	Lloyd-Jones	Miller
Murphy	Palmer	Peterson	Priebe
Rensink	Riordan	Rittmer	Rosenberg
Running	Soorholtz	Sturgeon	Szymoniak
Varn	Welsh		

Absent or not voting, 2:

Kramer	Tinsman
--------	---------

Division S—3596B lost.

Senator Fraise moved the adoption of amendment S—3577, which motion prevailed by a voice vote.

With the adoption of amendment S—3577, the Chair ruled amendment S—3051 filed by Senator Priebe on February 18, 1991, to strike everything after the enacting clause and to the title page 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?" (S.F. 91) the vote was:

Ayes, 34:

Borlaug	Boswell	Buhr	Connolly
Dieleman	Doyle	Drake	Fraise
Gettings	Gronstal	Hannon	Hedge
Horn	Husak	Hutchins	Jensen
Kinley	Miller	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Taylor
Vande Hoef	Welsh		

Nays, 14:

Deluhery	Fuhrman	Hagerla	Hester
Kersten	Kibbie	Lind	Lloyd-Jones
McLaren	Murphy	Rife	Szymoniak
Tieden	Varn		

Absent or not voting, 2:

Kramer	Tinsman
--------	---------

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 317

The Senate resumed consideration of Senate File 317, a bill for an act relating to the regulation of pay-per-call service and advertisements and providing for the applicability of established penalties, and House amendment S—3464 as amended, previously deferred.

Senator Connolly offered amendment S—3613 filed by him from the floor to House amendment S—3464.

Senator Gronstal raised the point of order that amendment S—3613 to House amendment S—3464 was not germane.

The Chair ruled the point well taken and amendment S—3613 out of order.

Senator Palmer 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 Palmer 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. 317) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
Deluherly	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Vande Hoef	Varn	Welsh	

Nays, none:

Absent or not voting, 3:

Hagerla	Kramer	Tinsman
---------	--------	---------

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred April 24, 1991)

House File 649

The Senate resumed consideration of House File 649, a bill for an act relating to hazardous waste and hazardous substance, deferred on April 24, 1991.

Senator Welsh asked and received unanimous consent to withdraw amendment S—3358 filed by Senators Welsh and Connolly on April 9, 1991, to page 1 of the bill.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 649) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Kramer Tinsman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Varn asked and received unanimous consent that

Senate File 448 be withdrawn from further consideration of the Senate.

UNFINISHED BUSINESS
(Deferred April 24, 1991)

House File 214

The Senate resumed consideration of House File 214, a bill for an act relating to the reproductive toxicity of alcoholic beverages, and providing a penalty, deferred on April 24, 1991.

Pursuant to Section 401 of Mason's Manual of Legislative Procedure, the Chair ruled amendment S—3567 filed by Senator Lind on April 24, 1991, to page 1 of the bill, out of order.

Senator Running offered amendment S—3570 filed by him on April 24, 1991, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 28, nays 8.

Amendment S—3570 was adopted.

Senator Running offered amendment S—3572 filed by him on April 24, 1991, to page 1 of the bill.

Senator Riordan offered amendment S—3575 filed by him on April 24, 1991, to amendment S—3572 and moved its adoption.

Amendment S—3575 was adopted by a voice vote.

Senator Running moved the adoption of amendment S—3572 as amended, which motion prevailed by voice vote.

Senator Running offered amendment S—3571 filed by him on April 24, 1991, to page 1 of the bill.

Senator Riordan raised the point of order that amendment S—3571 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3571 out of order.

Senator Riordan moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 214) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 20:

Boswell	Connolly	Deluhery	Dieleman
Drake	Gronstal	Hannon	Hedge
Hutchins	Kinley	Lloyd-Jones	Murphy
Peterson	Priebe	Rosenberg	Sturgeon
Szymoniak	Taylor	Varn	Welsh

Nays, 27:

Borlaug	Buhr	Doyle	Fraise
Fuhrman	Gettings	Hester	Horn
Husak	Jensen	Kersten	Kibbie
Lind	McLaren	Miller	Nystrom
Palmer	Pate	Rensink	Rife
Riordan	Rittmer	Running	Slife
Soorholtz	Tieden	Vande Hoef	

Absent or not voting, 3:

Hagerla	Kramer	Tinsman
---------	--------	---------

The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

UNFINISHED BUSINESS (Deferred April 17, 1991)

House File 517

The Senate resumed consideration of House File 517, a bill for an act relating to workers' compensation medical benefits and weekly benefit claims, burial expenses, and minimum benefit payments, deferred on April 17, 1991.

Senator Fuhrman withdrew amendment S—3385 filed by him on April 10, 1991, to pages 1 and 4 of the bill.

Senator Sturgeon withdrew amendment S—3616 filed by him from the floor to page 1 of the bill.

Senator Fuhrman offered amendment S—3496 filed by him on April 18, 1991, to page 4 of the bill and moved its adoption.

Amendment S—3496 was adopted by a voice vote.

Senator Sturgeon offered amendment S—3617 filed by Senators Sturgeon and Fuhrman from the floor to page 1 of the bill and moved its adoption.

Amendment S—3617 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. 517) the vote was:

Ayes, 45:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Lloyd-Jones	McLaren
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 5:

Hagerla	Kramer	Lind	Rife
Tinsman			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Sturgeon asked and received unanimous consent that

Senate File 443 be withdrawn from further consideration of the Senate.

UNFINISHED BUSINESS
(Deferred April 12, 1991)

Senate File 515

The Senate resumed consideration of Senate File 515, a bill for an act relating to the confidential reporting of terminations of pregnancy and establishing a penalty, deferred on April 12, 1991.

Senator Hannon offered amendment S—3615 filed by Senators Hannon, Szymoniak and Lloyd-Jones from the floor to page 1 of the bill and called for a division: lines 2, 3 and 6-17 as division S—3615A; lines 4 and 5 as division S—3615B.

Senator Running raised the point of order that division S—3615A was not germane to the bill.

The Chair ruled the point not well taken and division S—3615A in order.

Senator Hannon moved the adoption of division S—3615A, which motion prevailed by a voice vote.

Senator Hannon asked and received unanimous consent that action on division S—3615B be deferred.

Senator Buhr offered amendment S—3595 filed by her from the floor to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 23, nays 16.

Amendment S—3595 was adopted.

With the adoption of amendment S—3595, the Chair ruled division S—3615B, previously deferred, out of order.

Senator Murphy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 515) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 35:

Borlaug	Connolly	Deluhery	Dieleman
Doyle	Drake	Fraise	Gettings
Hagerla	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Lind	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Running	Slife	Taylor	Tieden
Vande Hoef	Varn	Welsh	

Nays, 12:

Boswell	Buhr	Fuhrman	Gronstal
Hannon	Lloyd-Jones	McLaren	Riordan
Rosenberg	Soorholtz	Sturgeon	Szymoniak

Absent or not voting, 3:

Kramer	Rittmer	Tinsman
--------	---------	---------

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred April 19, 1991)

House File 430

The Senate resumed consideration of House File 430, a bill for an act relating to the crime victim assistance programs, deferred on April 19, 1991.

Senator Rosenberg offered amendment S—3302 filed by committee on Judiciary on April 3, 1991, to pages 1-3 and the title page of the bill.

Senator Rosenberg offered amendment S—3546 filed by him on April 23, 1991, to amendment S—3302 and moved its adoption.

Amendment S—3546 was adopted by a voice vote.

Senator Rosenberg moved the adoption of amendment S—3302 as amended, which motion prevailed by a voice vote.

Senator Rosenberg offered amendment S—3527 filed by Senators Rosenberg and Sturgeon on April 22, 1991, to page 2 and the title page of the bill and moved its adoption.

Amendment S—3527 was adopted by a voice vote.

Senator Rosenberg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 430) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Vande Hoef	Varn	Welsh	

Nays, none:

Absent or not voting, 3:

Kramer	McLaren	Tinsman
--------	---------	---------

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

UNFINISHED BUSINESS

(Deferred April 24, 1991)

House File 510

The Senate resumed consideration of House File 510, a bill for an act relating to the election of a county, and amendment S—

3357 by Senator Jensen to page 1 of the bill, deferred on April 24, 1991.

Senator Jensen moved the adoption of amendment S—3357, which motion prevailed 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. 510) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Szymoniak	Taylor	Tieden
Vande Hoef	Varn	Welsh	

Nays, none:

Absent or not voting, 3:

Kramer	Sturgeon	Tinsman
--------	----------	---------

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS

(Deferred April 19, 1991)

House File 569

The Senate resumed consideration of House File 569, a bill for an act establishing the rural small business transfer program, deferred on April 19, 1991.

President pro tempore Lloyd-Jones took the chair at 4:58 p.m.

Senator Kersten offered amendment S—3607 filed by Senators Kersten, Borlaug and Pate from the floor to pages 1-4 of the bill and moved its adoption.

Amendment S—3607 was adopted by a voice vote.

Senator Riordan offered amendment S—3619 filed by Senators Riordan and Hannon from the floor to page 2 of the bill and moved its adoption.

Amendment S—3619 was adopted by a voice vote.

Senator Pate offered amendment S—3605 filed by Senators Pate, Borlaug and Kersten from the floor to page 2 of the bill and moved its adoption.

Amendment S—3605 was adopted by a voice vote.

Senator Horn offered amendment S—3604 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—3604 was adopted by a voice vote.

Senator Pate offered amendment S—3573 filed by him on April 24, 1991, to page 2 of the bill and moved its adoption.

Amendment S—3573 was adopted by a voice vote.

Senator Borlaug offered amendment S—3606 filed by Senators Borlaug, Kersten and Pate from the floor to page 3 of the bill and moved its adoption.

Amendment S—3606 was adopted by a voice vote.

Senator Running offered amendment S—3603 filed by him from the floor to page 3 of the bill and called for a division: lines 3-9 and 14-22 as division S—3603A; lines 10-13 as division S—3603B.

Senator Running offered amendment S—3620 filed by him from the floor to division S—3603A and moved its adoption.

Amendment S—3620 was adopted by a voice vote.

Senator Running moved the adoption of division S—3603A as amended, which motion prevailed by a voice vote.

Senator Running withdrew division S—3603B.

Senator Running offered amendment S—3602 filed by him from the floor to page 3 of the bill and moved its adoption.

Amendment S—3602 was adopted by a voice vote.

Senator Riordan offered amendment S—3609 filed by Senators Riordan and Running from the floor to page 4 of the bill and called for a division: lines 3-9 as division S—3609A and lines 10-12 as division S—3609B.

Senator Riordan moved the adoption of division S—3609A, which motion prevailed by a voice vote.

Senator Riordan withdrew division S—3609B.

Senator Riordan offered amendment S—3610 filed by Senators Riordan and Running from the floor to page 4 of the bill.

Senator Riordan offered amendment S—3614 filed by him from the floor to amendment S—3610 and moved its adoption.

Amendment S—3614 was adopted by a voice vote.

Senator Riordan moved the adoption of amendment S—3610 as amended, which motion prevailed by a voice vote.

Senator Hutchins asked and received unanimous consent that action on **House File 569** be deferred.

MOTIONS TO RECONSIDER WITHDRAWN

House File 651

Senator Connolly withdrew the motion to reconsider House File 651, a bill for an act relating to gambling and the operation of pari-mutuel racetracks and excursion gambling boats, and providing an effective date, filed by him on April 25, 1991, and found on page 1486 of the Senate Journal.

Senator Kibbie withdrew the motion to reconsider House File 651 filed by him on April 25, 1991, and found on page 1486 of the Senate Journal.

Senator Hutchins asked and received unanimous consent that **House File 651** be immediately messaged to the House.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 24, by committee on Education, a concurrent resolution requesting the Legislative Council to establish a task force to study Iowa's early childhood, primary, and secondary education system and requiring reporting by certain dates.

Read first time and placed on calendar.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 413** be referred from the Unfinished Business Calendar to the committee on **Human Resources**.

APPENDIX**STUDY BILL RECEIVED****SSB 357 Education**

A concurrent resolution requesting the Legislative Council to establish a task force to study Iowa's early childhood, primary, and secondary education system and requiring reporting by certain dates.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 455 passed the Senate on April 25, 1991.

MIKE CONNOLLY

MR. PRESIDENT: I move to reconsider the vote by which House File 214 failed to pass the Senate on April 25, 1991.

JAMES RIORDAN

MR. PRESIDENT: I move to reconsider the vote by which Senate File 460 passed the Senate on April 25, 1991.

BILL HUTCHINS

SUBCOMMITTEE ASSIGNMENTS**Senate File 513**

APPROPRIATIONS: Boswell, Chair; Tieden and Welsh

House File 201

JUDICIARY: Sturgeon, Chair; Rosenberg and Slife

House File 683

ENVIRONMENT AND ENERGY UTILITIES: Varn, Chair; Gronstal, Jensen, Rosenberg and Soorholtz

SSB 357

EDUCATION: Connolly, Chair; Murphy and Tinsman

COMMITTEE REPORT

EDUCATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 24 (SSB 357), a concurrent resolution requesting the Legislative Council to establish a task force to study Iowa's early childhood, primary, and secondary education system and requiring reporting by certain dates.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 10: Connolly, Horn, Taylor, Deluhery, Kibbie, Lind, Rensink, Tieden, Tinsman and Varn. Nays, 1: Dieleman. Absent or not voting, 4: Kramer, Murphy, Running and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty-five sixth grade students from Floyd Valley Community School, Hospers Center, Iowa, accompanied by Mrs. Bohr. Senator Rensink.

President pro tempore Lloyd-Jones presented the following guests:

Ebenezer Ayirebi-Acquah from Ghana, head of the Research Department of the National Commission for Democracy; Angeline Marion Laryea of Ghana, president of the Ghana Federation of Women Lawyers; Mariya Abdullahi, Nigeria, administrator and executive chairperson of Bakori Local Government Area, Katsina State; Charles Adigwu, Nigeria, member of Bendal State House of Assembly; and Ransford Jarrett-Coker of Sierra Leone, member of the Parliament.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued a certificate of recognition as follows:

Detachment 1, 724th Transportation Company, U.S. Army Reserves — For serving your country with personal sacrifice, honor and pride for the preservation of freedom and dignity of the people in the Persian Gulf. Senator Tinsman (4-25-91).

AMENDMENTS FILED

S—3611	H.F.	672	Florence Buhr
S—3612	S.F.	429	John Soorholtz Emil Husak
S—3613	S.F.	317	Mike Connolly
S—3614	H.F.	569	James Riordan
S—3615	S.F.	515	Beverly A. Hannon Elaine Szymoniak Jean Lloyd-Jones
S—3616	H.F.	517	Al Sturgeon
S—3617	H.F.	517	Al Sturgeon Linn Fuhrman
S—3618	H.F.	672	Richard Varn
S—3619	H.F.	569	James Riordan Beverly A. Hannon
S—3620	H.F.	569	Richard Running
S—3621	H.F.	668	Mark Hagerla

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:38 p.m., until 10:00 a.m., Monday, April 29, 1991.

JOURNAL OF THE SENATE

ONE HUNDRED SIXTH CALENDAR DAY
SIXTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 29, 1991

The Senate met in regular session at 10:17 a.m., President pro tempore Lloyd-Jones presiding.

Prayer was offered by the Reverend Dale Batcheler, pastor of St. Marks United Methodist Church, Iowa City, Iowa.

The Journal of Thursday, April 25, 1991, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Pate until he arrives on request of Senator Jensen.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 24, 1991, concurred in the Senate amendment and passed the following bill in which the concurrence of the House was asked:

House File 500, a bill for an act relating to requirements for child day care family homes, and facilities and programs including but not limited to those operated in a school building in which child day care is an adjunct to the primary purpose of the building and providing an effective date.

ALSO: That the House has on April 25, 1991, passed the following bill in which the concurrence of the House was asked:

Senate File 403, a bill for an act relating to the state income tax refund checkoff for Olympics.

ALSO: That the House has on April 26, 1991, 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 479, a bill for an act relating to appropriations for state departments, agencies, programs, funds, and INTERNET, and adjusting the school foundation aid program, delaying the effective date of certain tax rate reductions, credits, or rent reimbursements, redirecting net lottery revenues, relating to the amount of federal income taxes deductible for the state individual income tax, and providing for effective and applicability dates (S—3623 to H—3734).

ALSO: That the House has on April 26, 1991, concurred in the Senate amendment and passed the following bill in which the concurrence of the House was asked:

House File 612, a bill for an act relating to the publication of notice for a public hearing on a county budget.

INTRODUCTION OF RESOLUTION

Senate Resolution 14, by Vande Hoef, a resolution requesting the establishment of an interim study committee concerning the criminal sentencing structure and prison release mechanisms.

Read first time and passed on file.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

Senator Kramer took the chair at 10:24 a.m.

President pro tempore Lloyd-Jones took the chair at 10:35 a.m.

The vote revealed 42 present, 8 absent and a quorum present.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 25, 1991, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 529, a bill for an act relating to and making appropriations to state departments, agencies, programs, funds, and the interstate agricultural grain marketing commission, and providing effective dates (S—3625).

ALSO: That the House has on April 26, 1991, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 532, a bill for an act relating to reductions and increases in appropriations made for the fiscal year ending June 30, 1991, to departments and agencies of state government and to other public purposes, transferring moneys to the general fund of the state, and providing an effective date (S—3624).

The Senate stood at ease until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session, President Welsh presiding.

HOUSE AMENDMENT CONSIDERED

Senate File 529

Senator Boswell called up for consideration Senate File 529, a bill for an act relating to and making appropriations to state departments, agencies, programs, funds, and the interstate agricultural grain marketing commission, and providing effective dates, amended by the House, and moved that the Senate concur in House amendment S—3625 filed April 29, 1991.

The motion lost by a voice vote and the Senate refused to concur in the House amendment.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 479

Senator Boswell called up for consideration House File 479, a bill for an act relating to appropriations for state departments, agencies, programs, funds, and INTERNET, and adjusting the

school foundation aid program, delaying the effective date of certain tax rate reductions, credits, or rent reimbursements, redirecting net lottery revenues, relating to the amount of federal income taxes deductible for the state individual income tax, and providing for effective and applicability dates, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—3623 to Senate amendment H-3734 filed April 29, 1991.

The motion lost by a voice vote and the Senate **refused to concur** in the House amendment to the Senate amendment.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate File 529** and **House File 479** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 18, 1991, failed to pass the following bill in which the concurrence of the House was asked:

Senate File 166, a bill for an act restricting the burning of vegetation or debris within rights-of-way of public roads and providing a penalty.

ALSO: That the House has on April 23, 1991, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 476, a bill for an act relating to campaign finance disclosure by changing the definition of a candidate's committee, requiring the reporting to the treasurer of a committee of all contributions received by a person for the committee, requiring disclosure reports of out-of-state political action committees, changing the number of disclosure reports required in nonelection years, providing that the treasurer of a committee is not responsible for filing disclosure reports or liable for civil penalties, directing the use of leftover campaign funds, and providing for

a civil penalty for violations regarding placement of political signs (S—3631).

ALSO: That the House has on April 24, 1991, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 311, a bill for an act requiring registration of persons located outside of this state who issue credit cards, providing for an examination fee, and providing a penalty (S—3626).

Senate File 452, a bill for an act relating to the administration of fairs (S—3630).

ALSO: That the House has on April 25, 1991, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 342, a bill for an act relating to the prevention of disabling conditions by establishing a prevention of disabilities policy board and a technical assistance committee of the board and by making an appropriation (S—3629).

Senate File 441, a bill for an act relating to workers' compensation self-insurance, imposing civil and criminal penalties, and providing an appropriation (S—3628).

Senate File 507, a bill for an act relating to the authority of the superintendent of banking to remove officers and directors of state banks and to prohibit an institution-affiliated party from participating in the conduct of the affairs of a state bank, and providing civil penalties (S—3633).

Senate File 508, a bill for an act relating to energy efficiency by expanding the entities entitled to financial assistance for implementing energy conservation measures, requiring implementation of life cycle cost analyses and providing exemptions from the implementation requirements, requiring the appropriation of abandoned utility refunds and deposits, establishing energy efficiency standards for certain products, establishing various energy efficiency-related programs and projects, and providing for a sales and use tax credit for the purchase of fuel-efficient motor vehicles (S—3632).

ALSO: That the House has on April 26, 1991, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 318, a bill for an act creating a statewide dual party relay service system, establishing telephone utility assessments, and authorizing distribution of telecommunications devices to the deaf (S—3627).

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:58 a.m., until 2:30 p.m.

APPENDIX**BILL ASSIGNED TO COMMITTEE**

President Welsh announced the assignment of the following bill to committee:

H.F. 694 Ways and Means

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 460 passed the Senate on April 25, 1991.

RICHARD VANDE HOEF

MR. PRESIDENT: I move to reconsider the vote by which amendment S-3607 to House File 569 was adopted by the Senate on April 25, 1991.

RICHARD V. RUNNING

MR. PRESIDENT: I move to reconsider the vote by which division S-3603A to House File 569 was adopted by the Senate on April 25, 1991.

RICHARD V. RUNNING

MR. PRESIDENT: I move to reconsider the vote by which amendment S-3620 to division S-3603A to House File 569 was adopted by the Senate on April 25, 1991.

RICHARD V. RUNNING

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-four sixth grade students from New Hampton Middle School, New Hampton, Iowa, accompanied by Mr. Carlin and Mr. Larson. Senator Borlaug.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 29th day of April, 1991:

Senate Files 10, 494, 495, 525, 33, 269, 327, 331, 336 and 457.

JOHN F. DWYER
Secretary of the Senate

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 495, the following correction was made:

1. Title page, line 2, the word "annullment" was changed to the word "annulment".

JOHN F. DWYER
Secretary of the Senate

REPORT OF COMMITTEE MEETING

STATE GOVERNMENT

Convened: April 25, 1991, 5:35 p.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Lind, McLaren, Rife, Running, Soorholtz, Vande Hoef and Welsh.

Members Absent: Kramer, Murphy and Priebe (all excused).

Committee Business: Announced subcommittee assignment for House File 610 and recommended passage of House File 610 as amended.

Adjourned: 5:46 p.m.

SUBCOMMITTEE ASSIGNMENTS

House File 687

WAYS AND MEANS: Szymoniak, Chair; Dieleman and Hedge

House File 694

WAYS AND MEANS: Husak, Chair; Dieleman and Drake

COMMITTEE REPORT

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 610, a bill for an act to create a Missouri river preservation and land use authority and fund.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3622.

Final Vote: Ayes, 16: Kibbie, Lloyd-Jones, Nystrom, Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Lind, McLaren, Rife, Running, Soorholtz, Vande Hoef and Welsh. Nays, none. Absent or not voting, 3: Kramer, Murphy and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3622	H.F.	610	State Government
S—3623	H.F.	479	House amendment
S—3624	S.F.	532	House amendment
S—3625	S.F.	529	House amendment
S—3626	S.F.	311	House amendment
S—3627	S.F.	318	House amendment
S—3628	S.F.	441	House amendment
S—3629	S.F.	342	House amendment
S—3630	S.F.	452	House amendment
S—3631	S.F.	476	House amendment
S—3632	S.F.	508	House amendment
S—3633	S.F.	507	House amendment
S—3634	S.F.	538	Berl Priebe

AFTERNOON SESSION

The Senate reconvened at 2:30 p.m., President pro tempore Lloyd-Jones presiding.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 15, by committee on Rules and Administration, a resolution protesting the lack of progress and results of investigations of Americans missing in action in Southeast Asia.

Read first time and placed on calendar.

Senate Resolution 16, by committee on Rules and Administration, a resolution honoring former Senator C. Joseph Coleman.

Read first time and placed on calendar.

Senate Resolution 17, by Jensen, a resolution relating to the establishment of an interim committee to study the needs of the state's emergency medical services system.

Read first time and passed on file.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 35 present, 15 absent and a quorum present.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President pro tempore Lloyd-Jones presiding.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 46 present, 4 absent and a quorum present.

HOUSE AMENDMENT CONSIDERED**Senate File 131**

Senator Varn called up for consideration Senate File 131, 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, amended by the House, and moved that the Senate concur in House amendment S—3359 filed April 9, 1991.

The motion lost by a voice vote and the Senate refused to concur in the House amendment.

**CONSIDERATION OF BILLS
(Ways and Means Calendar)****Senate File 530**

On motion of Senator Dieleman, Senate File 530, a bill for an act relating to the deduction for individual income tax purposes of part of a governmental pension, annuity or retirement allowance received and providing retroactive and applicability dates, was taken up for consideration.

Senator Hedge offered amendment S—3540 filed by him on April 23, 1991, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 24, nays 26.

Amendment S—3540 lost.

Senator Dieleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 530) the vote was:

Ayes, 42:

Boswell	Buhr	Deluhery	Dieleman
Doyle	Drake	Fraise	Gettings
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Husak	Hutchins
Jensen	Kibbie	Kinley	Kramer
Lind	Miller	Nystrom	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 8:

Borlaug	Connolly	Fuhrman	Kersten
Lloyd-Jones	McLaren	Murphy	Palmer

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 538

On motion of Senator Hedge, Senate File 538, a bill for an act providing for a wildlife nuisance management program, and providing financing for the program, was taken up for consideration.

Senator Priebe offered amendment S—3634 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3634 was adopted by a voice vote.

Senator Hedge moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 538) the vote was:

Ayes, 43:

Borlaug	Boswell	Buhr	Deluhery
Dieleman	Doyle	Drake	Fuhrman
Gettings	Hagerla	Hannon	Hedge
Hester	Horn	Husak	Hutchins
Jensen	Kersten	Kibbie	Kinley
Kramer	Lind	Lloyd-Jones	McLaren

Miller	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Slife	Soorholtz
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 7:

Connolly	Fraise	Gronstal	Murphy
Rittmer	Rosenberg	Sturgeon	

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 268

Senator Lind withdrew the motion to reconsider Senate File 268, a bill for an act establishing and allocating moneys to the arts and cultural enhancement and endowment program, filed by him on April 22, 1991, and found on page 1404 of the Senate Journal.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 24.

Senate Concurrent Resolution 24

On motion of Senator Connolly, Senate Concurrent Resolution 24, a concurrent resolution requesting the Legislative Council to establish a task force to study Iowa's early childhood, primary, and secondary education system and requiring reporting by certain dates, was taken up for consideration.

Senator Connolly offered amendment S—3637 filed by him from the floor to pages 1, 2 and 4 of the resolution and moved its adoption.

Amendment S—3637 was adopted by a voice vote.

Senator Connolly moved the adoption of Senate Concurrent Resolution 24 as amended, which motion prevailed by a voice vote.

HOUSE AMENDMENT CONSIDERED

Senate File 343

Senator Szymoniak called up for consideration Senate 343, a bill for an act relating to the medical assistance program, amended by the House, and moved that the Senate concur in House amendment S—3551 filed April 24, 1991.

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. 343) the vote was:

Ayes, 50:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	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 April 19, 1991)

House File 679

The Senate resumed consideration of House File 679, a bill for

an act relating to forfeiture of excursion boats and related property and providing an effective date, deferred on April 19, 1991.

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. 679) the vote was:

Ayes, 50:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	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 April 24, 1991)

House File 672

The Senate resumed consideration of House File 672, a bill for an act relating to the health practice profession examining boards, the duties of the board of medical examiners, the composition of the board of podiatry examiners and its disciplinary hearing panel, and providing penalties, and amendment S—3564 by Senators Riordan, Jensen and Boswell to pages 2 and 4 of the bill, deferred on April 24, 1991.

Senator Riordan asked and received unanimous consent to withdraw amendment S—3564.

Senator Riordan offered amendment S—3589 filed by Senators Riordan, et. al., on April 24, 1991, to pages 2, 4 and 10 of the bill.

Senator Varn offered amendment S—3618 filed by him on April 25, 1991, to amendment S—3589 and moved its adoption.

Amendment S—3618 was adopted by a voice vote.

Senator Riordan moved the adoption of amendment S—3589 as amended, which motion lost by a voice vote.

Senator Buhr withdrew amendment S—3611 filed by her on April 25, 1991, to pages 1 and 2 of the bill.

Senator Buhr withdrew amendment S—3635 filed by her from the floor to pages 1 and 2 of the bill.

Senator Buhr offered amendment S—3640 filed by her from the floor to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3640 was adopted by a voice vote.

Senator Buhr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 672) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 1:

Riordan

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred April 19, 1991)

House File 483

The Senate resumed consideration of House File 483, a bill for an act relating to permit fees for highway advertising devices, deferred on April 19, 1991.

Senator Horn asked and received unanimous consent that action on **House File 483** be deferred.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 29, 1991, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 444, a bill for an act relating to law enforcement, victim services, and domestic abuse, establishing certain training and certification requirements, establishing and increasing certain criminal penalties, imposing mandatory minimum sentences, establishing a domestic abuse services fund, establishing an income tax checkoff for domestic abuse, increasing certain court costs and fees, eliminating certain court costs, requiring batterers treatment by offenders, establishing a pilot program, and containing effective date and applicability provisions (S—3638).

INTRODUCTION OF RESOLUTION

Senate Resolution 18, by Pate, Riordan, Rife, Kramer, Borlaug and Hannon, a senate resolution relating to Small Business Week.

Read first time and passed on file.

INTRODUCTION OF BILL

Senate File 541, by committee on Appropriations, a bill for an act appropriating federal funds made available from federal block grants and other federal 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 providing effective dates.

Read first time and placed on Appropriations Calendar.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President pro tempore Lloyd-Jones presiding.

INTRODUCTION OF BILL

Senate File 542, by committee on Appropriations, a bill for an act relating to and making appropriations from the energy conservation trust for weatherization purposes.

Read first time and placed on Appropriations Calendar.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued certificates of recognition as follows:

Homer and Amelia Jones, Danville — For celebrating their 60th wedding anniversary. Senator Hagerla (6-6-91).

The City of Marion — For their support of environmental issues; supporting the newspaper collection program/white paper recycling effort and tree planting program. Senator Pate (5-10-91).

Hy-Vee Store of Marion — For demonstrating community spirit and environmental concern by supporting an onsite newspaper recycling drop-off point. Senator Pate (5-10-91).

Mark A. Ross, Doon — For attaining the coveted rank of Eagle Scout. Senator Vande Hoef (5-2-91).

Patrick J. Ross, Doon — For attaining the coveted rank of Eagle Scout. Senator Vande Hoef (5-2-91).

COMMUNICATIONS RECEIVED

The following communications have been received and placed on file in the office of the Secretary of the Senate from:

BOARD OF REGENTS

Fiscal Year 1992 and 1993 Budget Requests and Report for the Biennium, pursuant to Chapter 262.26, Code of Iowa.

“1992-2001 Ten Year Building Program”, pursuant to Chapter 262.26, Code of Iowa.

DEPARTMENT OF COMMERCE

On behalf of the Professional Licensing and Regulation Division, a report, pursuant to Chapter 258A.4(2), Code of Iowa.

DEPARTMENT OF CORRECTIONS

A report of the Task Force on a Youthful Offenders Program, pursuant to Chapter 1239.23(2), 1990 Acts of the 73rd General Assembly.

DEPARTMENT OF ECONOMIC DEVELOPMENT

A report pertaining to the agricultural product related marketing programs of the DED International Bureau, pursuant to Chapter 308, Section 1(7), 1989 Acts of the 73rd General Assembly.

The interim progress report of the Entrepreneurship Task Force, pursuant to Chapter 1231, Section 1, 1990 Acts of the 73rd General Assembly.

DEPARTMENT OF EDUCATION

A Report on the Evaluation of the Phase III Programs, FY '90, pursuant to Chapter 319, 1989 Acts of the 73rd General Assembly.

DEPARTMENT OF ELDER AFFAIRS

FY 1990 Annual Report, pursuant to Chapter 7E.3(4), Code of Iowa.

DEPARTMENT OF HUMAN SERVICES

"Final Report for the Federal Demonstration Project, Iowa Health Care Access Program", pursuant to Chapter 1270.29(6), 1990 Acts of the 73rd General Assembly.

DEPARTMENT OF JUSTICE

The Annual Report of the Crime Victim Assistance Program, pursuant to Chapter 13.31, Code of Iowa.

DEPARTMENT OF MANAGEMENT

A report on the Statement of Standing Appropriations for FY90, pursuant to Chapter 8.6(2), Code of Iowa.

A report on financial resources availability for the State Communications Network, pursuant to Chapter 18.136(5), Code of Iowa.

DEPARTMENT OF PERSONNEL

A report on the Pilot Study of Four Ten-Hour Day Workweeks in State Government, pursuant to Chapter 298, Sec. 15, 1989 Acts.

A report summarizing the South Africa related investments in the IPERS portfolio, pursuant to Chapter 12A.4(2)(a), Code of Iowa.

DEPARTMENT OF PUBLIC HEALTH

Final Report and Recommendations of the AIDS Services Task Force, pursuant to Chapter 1259.3(3)"iv", 1990 Acts of the 73rd General Assembly.

The Annual Reports of the fourteen professional licensing boards in the Bureau of Professional Licensure, pursuant to Chapter 258A.4(2), Code of Iowa.

DEPARTMENT OF PUBLIC SAFETY

The Financial Plan for the Peace Officers' Retirement, Accident and Disability System, pursuant to Chapter 1240.11(c), 1990 Acts of the 73rd General Assembly.

DEPARTMENT OF TRANSPORTATION

The annual report of Highway Research and Development, pursuant to Chapter 310.36 and 312.3A, Code of Iowa.

INTERNATIONAL NETWORK ON TRADE, INC.

The Annual Report for 1990 on INTERNET, pursuant to Chapter 18B.10, Code of Iowa.

IOWA HEALTH DATA COMMISSION

The Annual Report of the commission, pursuant to Chapter 145.6, Code of Iowa.

IOWA UTILITIES BOARD

Annual Report Summary of customer contribution funds, pursuant to Chapter 476.66(6), Code of Iowa.

PSEUDORABIES (PRV) ADVISORY COMMITTEE

The Annual Report, pursuant to Chapter 166D.5, Code of Iowa.

OFFICE OF TREASURER

A report on "Linked Investments for Tomorrow Annual Report on Horticulture & Alternative Crops".

COLLEGE AID COMMISSION

Annual Reports required by Section 261, Code of Iowa:

Award Methodology Report, pursuant to Chapter 261.20(4), Code of Iowa.

Access to Education Grant Program Report, pursuant to Chapter 261.89, Code of Iowa.

Affirmative Action Report, pursuant to Section 261.25, Code of Iowa.

DEPARTMENT OF CULTURAL AFFAIRS

A report on "The Promotion of Iowa Historic Sites As A Part of the Tourism Promotion Plan", pursuant to Chapter 1262.1(3), 1990 Acts of the 73rd General Assembly.

DEPARTMENT OF ECONOMIC DEVELOPMENT

The FY'90 Annual Report for the Conservation Corps/Iowa Corps, pursuant to Chapter 15.226, Code of Iowa.

The Annual Report for Iowa Industrial New Jobs Training Program (280B), pursuant to Chapter 280B.7, Code of Iowa.

The final report of the Entrepreneurship Task Force, pursuant to Chapter 1231.1(15), 1990 Acts of the 73rd General Assembly.

DEPARTMENT OF EDUCATION

A report on the Ten-Year Building Program and the Two-Year Bonding Estimate for community colleges, pursuant to Chapter 280A.70, of Iowa.

DEPARTMENT OF ELDER AFFAIRS

The Annual Report of the Long Term Care Coordinating Unit, pursuant to Chapter 249D.58, Code of Iowa.

A report on the Long Term Care Resident's Advocate/ Ombudsman Program, pursuant to Chapter 249D, Code of Iowa.

DEPARTMENT OF GENERAL SERVICES

A report on the 1990 Recycling Program, pursuant to Chapter 18.18, Code of Iowa.

DEPARTMENT OF HUMAN RIGHTS

The Annual Report of the Division of Children, Youth and Families, pursuant to Chapters 601K.32 and 601K.35, Code of Iowa.

DEPARTMENT OF HUMAN SERVICES

Governor's Planning Council for Developmental Disabilities.

The final report on Iowa's Family Support Subsidy Program, pursuant to Chapter 225C.42, Code of Iowa.

DEPARTMENT OF PUBLIC HEALTH

A report on the 1988 Matched Birth/Medical Files Study Results, pursuant to Chapter 304, Section 204.13, 1989 Acts of the 73rd General Assembly.

DEPARTMENT OF TRANSPORTATION

An interim report on the study relating to transportation planning, systems development and management to urban and rural development, land use planning and energy demand, pursuant to Chapter 1252.49(1), 1990 Acts of the 73rd General Assembly.

The State Aircraft Pool FY 1990 Summary Report, pursuant to Chapter 328.56(5), Code of Iowa.

A report on "Public Employee Ride-Share Incentives", pursuant to Chapter 1252.51(4), 1990 Acts of the 73rd General Assembly.

IOWA RAILWAY FINANCE AUTHORITY

The 1990 Annual Report, pursuant to Chapter 307B.8(6), Code of Iowa.

STATE BOARD OF REGENTS

The Annual Report of the "Statewide Family Practice Training Program" from the College of Medicine, The University of Iowa, pursuant to Chapter 7E.3(4), Code of Iowa.

STATE LIBRARY OF IOWA

A report on Iowa Public Library Statistics, pursuant to Chapter 303.92(3)(d), Code of Iowa.

STATE UNIVERSITY OF IOWA

The Annual Report of the Iowa Center for Agricultural Safety and Health, pursuant to 1207.3(6), 1990 Acts of the 73rd General Assembly.

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on April 29, 1991, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 78 — Relating to the membership of the college student aid commission, to substitute a representative from the community colleges for the member of the state council on vocational education.

SENATE FILE 291 — Relating to the date of completion of the transfer of responsibilities for certain child support orders from the department of human services to the judicial department.

SENATE FILE 310 — Relating to the repeal of chapter 536B, and the restrictions on investments made by, and debt instruments offered for sale by, an industrial loan company.

SENATE FILE 383 — Relating to the installation of smoke detectors in multiple-unit residential buildings and single family dwellings and making penalties applicable.

SENATE FILE 435 — Relating to the transfer of regulatory authority over mortgage bankers and brokers from the superintendent of savings and loans to the superintendent of banking.

SENATE FILE 454 — Authorizing the state department of transportation to contract for a light rail study.

RESOLUTIONS ASSIGNED TO COMMITTEE

President Welsh announced the assignment of the following resolutions to committee:

S. R.	14	Rules and Administration
S. R.	17	Rules and Administration
S. R.	18	Rules and Administration

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 530 passed the Senate on April 29, 1991.

WILLIAM W. DIELEMAN

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 541 (LSB 2292), a bill for an act appropriating federal funds made available from federal block grants and other federal 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 providing effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 20: Boswell, Welsh, Tieden, Buhr, Connolly, Gettings, Gronstal, Hagerla, Husak, Kersten, Lind, Lloyd-Jones, McLaren, Peterson, Rensink, Riordan, Running, Szymoniak, Tinsman and Varn. Nays, none. Absent or not voting, 1: Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 542 (LSB 2795), a bill for an act relating to and making appropriations from the energy conservation trust for weatherization purposes.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Boswell, Welsh, Tieden, Buhr, Connolly, Gronstal, Hagerla, Husak, Kersten, Lloyd-Jones, McLaren, Pate, Peterson, Rensink, Szymoniak and Tinsman. Nays, none. Absent or not voting, 5: Gettings, Lind, Riordan, Running and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 15, a resolution protesting the lack of progress and results of investigations of Americans missing in action in Southeast Asia.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 8: Hutchins, Welsh, Rife, Gettings, Husak, Jensen, Kinley and Lloyd-Jones. Nays, none. Absent or not voting, 1: Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE RESOLUTION 16, a resolution honoring former Senator C. Joseph Coleman.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 8: Hutchins, Welsh, Rife, Gettings, Husak, Jensen, Kinley and Lloyd-Jones. Nays, none. Absent or not voting, 1: Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: HOUSE FILE 417, a bill for an act relating to private club expense deductions for individual and corporate state income tax purposes.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3639.

Final Vote: Ayes, 15: Dieleman, Husak, Hedge, Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Murphy, Palmer, Rosenberg, Szymoniak and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 688, a bill for an act relating to health insurance reforms by limiting small group premium rating practices, increasing access to affordable basic benefits health insurance, and authorizing certain premium credits and tax exemptions for qualifying health insurance plans and insureds.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3641.

Final Vote: Ayes, 14: Dieleman, Husak, Hedge, Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Murphy, Palmer, Rosenberg and Szymoniak. Nays, none. Absent or not voting, 1: Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 690, 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 sales and services tax, 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—3642.

Final Vote: Ayes, 15: Dieleman, Husak, Hedge, Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Murphy, Palmer, Rosenberg, Szymoniak and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 693, a bill for an act relating to alternative forms of local government and creating a new alternative form of local government for cities known as a consolidated metropolitan corporation, with provisions relating to its charter process, legislative body, tax collection, and service delivery, and to a new alternative form of county government.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Dieleman, Husak, Hedge, Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Murphy, Palmer, Rosenberg, Szymoniak and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3635	H.F.	672	Florence Buhr
S—3636	H.F.	634	Jim Kersten Harry G. Slife Berl E. Priebe
S—3637	S. C.R.	24	Mike Connolly
S—3638	S.F.	444	House amendment
S—3639	H.F.	417	Ways and Means
S—3640	H.F.	672	Florence Buhr
S—3641	H.F.	688	Ways and Means
S—3642	H.F.	690	Ways and Means
S—3643	S.F.	507	Patrick Deluhery H. Kay Hedge

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:20 p.m., until 9:00 a.m., Tuesday, April 29, 1991.

JOURNAL OF THE SENATE

ONE HUNDRED SEVENTH CALENDAR DAY
SIXTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 30, 1991

The Senate met in regular session at 9:08 a.m., President Welsh presiding.

Prayer was offered by the Reverend Wayne Richards, pastor of the Hillside Wesleyan Church, Cedar Rapids, Iowa.

The Journal of Monday, April 29, 1991, was approved.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 26, 1991, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 325, a bill for an act relating to the establishment of a well contractor certification program, establishing fees, and making penalties applicable.

House File 575, a bill for an act relating to the collection and use of patient information by the health data commission, and providing penalties.

House File 644, a bill for an act relating to communication by permanent nonprofit organizations with their dues-paying members under the campaign finance disclosure law.

House File 691, a bill for an act relating to the county agricultural extension education tax by adjusting the maximum levy and increasing the maximum dollar amount of property tax revenue which may be raised, and providing effective and applicability dates.

ALSO: That the House, on April 29, 1991 insisted on its amendment to House File 479, a bill for an act relating to appropriations for state departments, agencies, programs, funds, and INTERNET, and adjusting the school foundation aid program, delaying the effective date of certain tax rate reductions, credits, or rent reimbursements, redirecting net lottery revenues, relating to the amount of federal income taxes deductible for the state individual income tax, and providing for effective and applicability dates, and that the members of the Conference Committee on part of the House are: The Representative from Dubuque, Mr. Jochum, Chair; the Representative from Polk, Mr. Bisignano; the Representative from Cerro Gordo, Mr. Groninga; the Representative from Clayton, Mr. Halvorson; the Representative from Mahaska, Mr. Van Maanen.

ALSO: That the House, on April 29, 1991 insisted on its amendment to Senate File 529, a bill for an act relating to and making appropriations to state departments, agencies, programs, funds, and the interstate agricultural grain marketing commission, and providing effective dates, and that the members of the Conference Committee on part of the House are: The Representative from Dubuque, Mr. Jochum, Chair; the Representative from Hamilton, Mrs. Adams; the Representative from Clayton, Mr. Halvorson; the Representative from Mahaska, Mr. Van Maanen; the Representative from Lee, Mr. Wise.

INTRODUCTION OF BILL

Senate File 543, by Hutchins and Rife, a bill for an act relating to the names of certain geographical places in Iowa.

Read first time and passed on file.

APPOINTMENT OF CONFERENCE COMMITTEES

The Chair announced the following conference committee on Senate File 529 on the part of the Senate: Senators Boswell, Chair; Welsh, Hutchins, Rife and Tieden.

The Chair announced the following conference committee on House File 479 on the part of the Senate: Senators Boswell, Chair; Welsh, Hutchins, Rife and Tieden.

BILL ASSIGNED TO COMMITTEE

President Welsh announced that Senate File 543 was assigned to the committee on Transportation.

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 512** be referred from the Unfinished Business Calendar to the committee on **Environment and Energy Utilities**.

Senator Hutchins asked and received unanimous consent that **House Files 421 and 595** be referred from the Unfinished Business Calendar to the committee on **Judiciary**.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Welsh 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.

HOUSE AMENDMENT CONSIDERED

Senate File 532

Senator Boswell called up for consideration Senate File 532, a bill for an act relating to reductions and increases in appropriations made for the fiscal year ending June 30, 1991, to departments and agencies of state government and to other public purposes, transferring moneys to the general fund of the state, and providing an effective date, amended by the House, and moved that the Senate concur in House amendment S—3624 filed April 29, 1991.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Boswell moved that the bill as amended by the 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. 532) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Slife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred April 29, 1991)

House File 483

The Senate resumed consideration of House File 483, a bill for an act relating to permit fees for highway advertising devices, deferred on April 29, 1991.

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. 483) the vote was:

Ayes, 35:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Gronstal	Hannon	Hedge
Horn	Husak	Hutchins	Jensen
Kibbie	Kinley	Lloyd-Jones	Miller
Murphy	Nystrom	Peterson	Priebe

Rensink	Riordan	Rittmer	Rosenberg
Running	Soorholtz	Sturgeon	Szymoniak
Tieden	Varn	Welsh	

Nays, 14:

Borlaug	Fuhrman	Hagerla	Hester
Kersten	Kramer	Lind	McLaren
Pate	Rife	Slife	Taylor
Tinsman	Vande Hoef		

Absent or not voting, 1:

Palmer

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS

(Deferred April 25, 1991)

House File 569

The Senate resumed consideration of House File 569, a bill for an act establishing the rural small business transfer program, deferred on April 25, 1991.

Senator Running called up the motion to reconsider the vote by which amendment S—3607 to House File 569 was adopted by the Senate on April 25, 1991, filed by him on April 29, 1991, found on page 1516 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and amendment S—3607 by Senators Kersten, Borlaug and Pate to pages 1-4 of the bill, was taken up for reconsideration.

Senator Running called for a division of amendment S—3607: lines 3-25 and lines 29-42 as division S—3607A; lines 26-28 as division S—3607B.

Senator Running moved the adoption of division S—3607A, which motion prevailed by voice vote.

Senator Running asked and received unanimous consent that action on division S—3607B be deferred.

Senator Running called up the motion to reconsider the vote by which division S—3603A to House File 569 was adopted by the Senate on April 25, 1991, filed by him on April 29, 1991, found on page 1516 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and division S—3603A by Senator Running to page 3 of the bill, was taken up for reconsideration.

Senator Running called up the motion to reconsider the vote by which amendment S—3620 to division S—3603A to House File 569 was adopted by the Senate on April 25, 1991, filed by him on April 29, 1991, found on page 1516 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and amendment S—3620 by Senator Running to division S—3603A, was taken up for reconsideration.

Senator Running called for a division of amendment S—3620 to division S—3603A: lines 4-6 as division S—3620A and lines 7-9 as division S—3620B.

Senator Running moved the adoption of division S—3620A to division S—3603A, which motion prevailed by voice vote.

Senator Running withdrew division S—3620B to division S—3603A.

Senator Running moved the adoption of division S—3603A as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—3603A as amended, the Chair ruled division S—3607B, previously deferred, out of order.

Senator Riordan moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 569) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 24:

Boswell	Connolly	Deluhery	Dieleman
Doyle	Drake	Fraise	Gettings
Hannon	Husak	Hutchins	Jensen
Kibbie	Lloyd-Jones	Miller	Murphy
Nystrom	Peterson	Priebe	Sturgeon
Szymoniak	Vande Hoef	Varn	Welsh

Nays, 25:

Borlaug	Buhr	Fuhrman	Gronstal
Hagerla	Hedge	Hester	Horn
Kersten	Kinley	Kramer	Lind
McLaren	Pate	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Taylor	Tieden
Tinsman			

Absent or not voting, 1:

Palmer

The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

UNFINISHED BUSINESS

(Deferred April 19, 1991)

House File 610

The Senate resumed consideration of House File 610, a bill for an act to create a Missouri river preservation and land use authority and fund, deferred on April 19, 1991, referred to the committee on State Government on April 23, 1991, reported out with recommendation for amendment and passage on April 29, 1991, and returned to the Unfinished Business Calendar on April 29, 1991.

Senator Kibbie offered amendment S—3408 filed by the committee on Natural Resources on April 12, 1991, to pages 1 and 3 of the bill.

Senator Doyle asked and received unanimous consent that action on amendment S—3408 be deferred.

Senator Doyle offered amendment S—3622 filed by the committee on State Government on April 29, 1991, to pages 1-4 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 12, nays 25.

Amendment S—3622 lost.

Senator Kibbie moved the adoption of amendment S—3408, previously deferred, which motion prevailed by a voice vote.

Senator Kibbie offered amendment S—3442 filed by Senators Kibbie and Sturgeon on April 16, 1991, to pages 1, 2 and 4 of the bill.

President pro tempore Lloyd-Jones took the chair at 10:40 a.m.

Senator Kibbie moved the adoption of amendment S—3442, which motion prevailed by a voice vote.

With the adoption of amendment S—3442, the Chair ruled amendment S—3646 filed by Senator Sturgeon from the floor to pages 1, 2 and 4 of the bill, out of order.

Senator Hester offered amendment S—3459 filed by Senators Hester and Priebe on April 17, 1991, to page 4 of the bill and moved its adoption.

Amendment S—3459 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?" (H.F. 610) the vote was:

Ayes, 46:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Kinley	Kramer	Lind	Lloyd-Jones
McLaren	Murphy	Nystrom	Palmer

Pate	Peterson	Priebe	Rensink
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none:

Absent or not voting, 4:

Doyle	Kersten	Miller	Rife
-------	---------	--------	------

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **House File 610** be immediately messaged to the House.

MOTION TO RECONSIDER LOST

House File 569

Senator Riordan filed the following motion to reconsider from the floor and moved its adoption.

MR. PRESIDENT, I move to reconsider the vote by which House File 569 failed to pass the Senate on April 30, 1991.

On the question "Shall the motion to reconsider be adopted?" (H.F. 569) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 25:

Boswell	Connolly	Deluhery	Dieleman
Doyle	Fraise	Gettings	Gronstal
Hannon	Husak	Hutchins	Kibbie
Lloyd-Jones	Miller	Murphy	Peterson
Priebe	Riordan	Rosenberg	Sturgeon
Szymoniak	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 25:

Borlaug	Buhr	Drake	Fuhrman
Hagerla	Hedge	Hester	Horn

Jensen	Kersten	Kinley	Kramer
Lind	McLaren	Nystrom	Palmer
Pate	Rensink	Rife	Rittmer
Running	Slife	Soorholtz	Taylor
Tieden			

The motion lost.

HOUSE AMENDMENTS CONSIDERED

Senate File 318

Senator Deluhery called up for consideration Senate File 318, a bill for an act creating a statewide dual part relay service system, establishing telephone utility assessments, and authorizing distribution of telecommunications devices to the deaf, amended by the House, and moved that the Senate concur in House amendment S—3627 filed April 29, 1991.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Deluhery moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 318) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Sturgeon

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 452

Senator Soorholtz called up for consideration Senate File 452, a bill for an act relating to the administration of fairs, amended by House in House amendment S—3630 filed April 29, 1991.

Senator Soorholtz offered amendment S—3645 filed by Senators Soorholtz, Kinley and Priebe from the floor to House amendment S—3630 and moved its adoption.

Amendment S—3645 was adopted by a voice vote.

Senator Soorholtz 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 Soorholtz 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. 452) the vote was:

Ayes, 50:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	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.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 499** be referred from the Unfinished Business Calendar to the committee on **Judiciary**.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 29, 1991, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 478, a bill for an act to establish a parent education program and making teachers participating in the program eligible for performance-based pay (S-3648).

ALSO: That the House has on April 30, 1991, passed the following bill in which the concurrence of the Senate is asked:

House File 697, a bill for an act relating to the collection of delinquent criminal fines by counties.

This bill was read first time and **passed on file**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:00 a.m., until 1:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 29, 1991, 1:50 p.m.

Members Present: Boswell, Chair; Welsh, Vice Chair; Tieden, Ranking Member; Buhr, Connolly, Gettings, Gronstal, Hagerla, Husak, Kersten, Lind, Lloyd-Jones, McLaren, Peterson, Rensink, Riordan, Running, Szymoniak, Tinsman and Varn.

Members Absent: Pate (excused).

Committee Business: Approved LSB 2292 as a committee bill.

Recessed: 2:11 p.m.

Reconvened: April 29, 1991, 5:45 p.m.

Members Present: Boswell, Chair; Welsh, Vice Chair; Tieden, Ranking Member; Buhr, Connolly, Gronstal, Hagerla, Husak, Kersten, Lloyd-Jones, McLaren, Pate, Peterson, Rensink, Szymoniak and Tinsman.

Members Absent: Gettings, Lind, Riordan, Running and Varn (all excused).

Committee Business: Approved LSB 2795 as a committee bill.

Adjourned: 5:46 p.m.

JUDICIARY

Convened: April 29, 1991, 5:48 p.m.

Members Present: Sturgeon, Chair; Rosenberg, Vice Chair; Fuhrman, Ranking Member; Connolly, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson, Slife and Varn.

Members Absent: none.

Committee Business: Recommended passage of House File 201 as amended.

Adjourned: 6:47 p.m.

RULES AND ADMINISTRATION

Convened: April 29, 1991, 10:30 a.m.

Members Present: Hutchins, Chair; Welsh, Vice Chair; Rife, Ranking Member; Gettings, Husak, Jensen, Kinley and Lloyd-Jones.

Members Absent: Soorholtz.

Committee Business: Approved proposed committee resolutions honoring former Senator C. Joseph Coleman and protesting lack of progress and results of investigations of Americans missing in action in Southeast Asia.

Adjourned: 10:35 a.m.

WAYS AND MEANS

Convened: April 29, 1991, 2:45 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hedge, Ranking Member; Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Murphy, Palmer, Rosenberg, Szymoniak and Taylor.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 688, 690 and 417 as amended; recommended passage of House File 693.

Adjourned: 3:25 p.m.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Members of the First United Methodist Church from Cedar Falls, including Diane Nagle, wife of Congressman Dave Nagle. Senator Slife.

COMMITTEE REPORT

TRANSPORTATION

Final Bill Action: SENATE FILE 543, a bill for an act relating to the names of certain geographical places in Iowa.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Fraise, Connolly, Drake, Dieleman, Gettings, Jensen, Kersten, Kinley, Lloyd-Jones, Nystrom, Pate and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 452 passed the Senate on April 30, 1991.

MIKE CONNOLLY

AMENDMENTS FILED

S—3644	S.F.	542	Leonard L. Boswell
S—3645	S.F.	452	John Soorholtz
			George Kinley
			Berl Pricbe
S—3646	H.F.	610	Al Sturgeon
S—3647	S.F.	541	Leonard L. Boswell
S—3648	S.F.	478	House amendment
S—3649	H.F.	693	Larry Murphy
S—3650	H.F.	693	Elaine Szymoniak
S—3651	H.F.	688	Elaine Szymoniak
S—3652	S.F.	311	Patrick Deluhery
			H. Kay Hedge
			Done Gettings
			Dale Tieden
S—3653	S.F.	311	Jim Kersten
S—3654	S.F.	541	Florence D. Buhr
			Leonard L. Boswell
S—3655	H.F.	634	Michael Gronstal

AFTERNOON SESSION

The Senate reconvened at 1:40 p.m., President pro tempore Lloyd-Jones presiding.

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.

CONSIDERATION OF BILLS (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Files 541 and 542.

Senate File 541

On motion of Senator Boswell, Senate File 541, a bill for an act appropriating federal funds made available from federal block grants and other federal 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 providing effective dates, was taken up for consideration.

Senator Buhr offered amendment S—3654 filed by Senators Buhr and Boswell from the floor to page 1 of the bill and moved its adoption.

Amendment S—3654 was adopted by a voice vote.

Senator Boswell offered amendment S—3647 filed by him from the floor to pages 26, 34 and 35 of the bill and moved its adoption.

Amendment S—3647 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. 541) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Kinley

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 542

On motion of Senator Boswell, Senate File 542, a bill for an act relating to and making appropriations from the energy conservation trust for weatherization purposes, was taken up for consideration.

Senator Boswell offered amendment S—3644 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—3644 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. 542) the vote was:

Ayes, 50:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal

Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	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.

President Welsh took the chair at 2:00 p.m.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 541 and 542** be immediately messaged to the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Szymoniak for the remainder of the day and May 1, 1991, on request of Senator Hutchins.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 543.

Senate File 543

On motion of Senator Drake, Senate File 543, a bill for an act relating to the names of certain geographical places in Iowa, with report of committee recommending passage, was taken up for consideration.

Senator Drake moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 543) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Szymoniak

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

ADOPTION OF RESOLUTION (Honoring C. Joseph Coleman)

Senator Husak asked and received unanimous consent to take up for consideration the following resolution:

- 1 SENATE RESOLUTION 16
- 2 BY: COMMITTEE ON RULES AND ADMINISTRATION
- 3 A Resolution honoring former Senator C. Joseph Coleman.
- 4 WHEREAS, former Senator C. Joseph Coleman served
- 5 thirty-four consecutive years in office as a state
- 6 Senator, retiring as the Dean of the Senate; and
- 7 WHEREAS, former Senator Coleman's distinguished
- 8 career as a state legislator has included service as
- 9 President Pro Tempore, Assistant Majority Leader, and
- 10 Assistant Minority Leader of the Iowa Senate; and
- 11 WHEREAS, former Senator Coleman's service as

12 Chairperson of the Transportation and Appropriations
13 Committees, Vice Chairperson of the State Government
14 Committee, and Vice Chairperson of the Transportation
15 and Law Enforcement, Human Resources, and
16 Transportation and Safety Appropriations Subcommittees
17 is well recognized; and
18 WHEREAS, former Senator Coleman has been a devoted
19 legislator and is distinguished by his many years of
20 work in the areas of transportation, appropriations,
21 human services, judiciary, and state government, and
22 by his many years of service as a member of the
23 Legislative Council; NOW THEREFORE,
24 BE IT RESOLVED BY THE SENATE, That the Senate pay
25 tribute to former Senator C. Joseph Coleman for his
26 devoted service to the Iowa General Assembly, the
27 Legislative Council, and the citizens of this state
28 and wish him the very best in the years ahead.
29 BE IT FURTHER RESOLVED, That an official copy of
30 this Resolution be prepared and presented to former

Page 2

1 Senator C. Joseph Coleman.

Senator Hutchins moved the adoption of Senate Resolution 16, which motion prevailed by a voice vote.

Senators Hutchins and Rife escorted Senator Coleman to the well of the Senate and he was presented with an enrolled copy of Senate Resolution 16, an engraved plaque, two squares of carpet installed in the Senate chamber from 1971-1990, brass desk plate and his Senate desk.

Senator Coleman addressed the Senate with brief remarks.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 30, 1991, passed the following bills in which the concurrence of the Senate is asked:

House File 696, a bill for an act relating to research, review, and evaluation with respect to certain health-related legislative proposals, providing for contracting arrangements and a structure

for organization and coordination, imposing fees, providing for the appropriation of funds, and providing other properly related matters and providing for the repeal of this Act.

This bill was read first time and **passed on file**.

House File 698, a bill for an act relating to school bus driver education and qualifications, establishing a fund for school bus driver and passenger safety programs, and providing for a fee.

This bill was read first time and **passed on file**.

HOUSE AMENDMENTS CONSIDERED

Senate File 342

Senator Hannon called up for consideration Senate File 342, a bill for an act relating to the prevention of disabling conditions by establishing a prevention of disabilities policy board and a technical assistance committee of the board and by making an appropriation, amended by the House, and moved that the Senate concur in House amendment S—3629 filed April 29, 1991.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Hannon moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 342) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Taylor

Tieden
Welsh

Tinsman

Vande Hoef

Varn

Nays, none:

Absent or not voting, 1:

Szymoniak

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 441

Senator Peterson called up for consideration Senate File 441, a bill for an act relating to workers' compensation self-insurance, imposing civil and criminal penalties, and providing an appropriation, amended by the House, and moved that the Senate concur in House amendment S—3628 filed April 29, 1991.

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. 441) the vote was:

Ayes, 49:

Borlaug
Deluhery
Fraise
Hagerla
Horn
Kersten
Lind
Murphy
Peterson
Riordan
Slife
Tieden
Welsh

Boswell
Dieleman
Fuhrman
Hannon
Husak
Kibbie
Lloyd-Jones
Nystrom
Priebe
Rittmer
Soorholtz
Tinsman

Buhr
Doyle
Gettings
Hedge
Hutchins
Kinley
McLaren
Palmer
Rensink
Rosenberg
Sturgeon
Vande Hoef

Connolly
Drake
Gronstal
Hester
Jensen
Kramer
Miller
Pate
Rife
Running
Taylor
Varn

Nays, none:

Absent or not voting, 1:

Szymoniak

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

President pro tempore Lloyd-Jones took the chair at 3:00 p.m.

Senate File 311

Senator Deluhery called up for consideration Senate File 311, a bill for an act requiring registration of persons located outside of this state who issue credit cards, providing a penalty, amended by the House in House amendment S—3626 filed April 29, 1991.

Senator Kersten withdrew amendment S—3653 filed by him from the floor to pages 1 and 6 of House amendment S—3626.

Senator Deluhery offered amendment S—3652 filed by Senators Deluhery, et. al., from the floor to page 7 of House amendment S—3626 and moved its adoption.

Amendment S—3652 was adopted by a voice vote.

Senator Deluhery moved that the Senate concur in the House amendment as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Deluhery moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 311) the vote was:

Ayes, 47:

Borlaug
Deluhery
Fraise
Hagerla
Horn

Boswell
Dieleman
Fuhrman
Hannon
Husak

Buhr
Doyle
Gettings
Hedge
Hutchins

Connolly
Drake
Gronstal
Hester
Jensen

Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Rensink	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none:

Absent or not voting, 3:

Priebe Rife Szymoniak

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

CONSIDERATION OF BILLS (Ways and Means Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration House File 690.

House File 690

On motion of Senator Deluhery, House File 690, 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 sales and services tax, 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 committee recommending amendment and passage, was taken up for consideration.

Senator Deluhery offered amendment S—3642 filed by the committee on Ways and Means on April 29, 1991, to pages 4, 9, 11, 13, 15, 21 and 22 of the bill and moved its adoption.

Amendment S—3642 was adopted by a voice vote.

Senator McLaren asked and received unanimous consent that action on House File 690 be deferred.

Senate File 83

On motion of Senator Dieleman, Senate File 83, a bill for an act relating to the updating of the references to the federal Internal Revenue Code, adopting revisions in the research activities credit and the earned income credit, and providing applicability and effective dates, was taken up for consideration.

Senator Horn asked and received unanimous consent that action on **Senate File 83** be deferred.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President pro tempore Lloyd-Jones presiding.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 32 present, 18 absent and a quorum present.

BUSINESS PENDING**Senate File 83**

The Senate resumed consideration of Senate File 83, a bill for an act relating to the updating of the references to the federal Internal Revenue Code, adopting revisions in the research activities credit and the earned income credit, and providing applicability and effective dates, previously deferred.

Senator Hutchins offered amendment S—3661 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—3661 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. 83) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none:

Absent or not voting, 2:

Deluhery Szymoniak

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred April 19, 1991)

House File 634

The Senate resumed consideration of House File 634, a bill for an act relating to the regulation of the business of insurance, amending certain filing requirements, filing fees, and the deposit of those fees by the insurance division, providing for the prior review and approval of certain policy forms and rates prior to issuance or delivery, making modifications to certain meeting and license renewal requirements, providing administrative penalties, and providing for the Act's applicability, deferred on April 19, 1991.

Senator Kersten offered amendment S—3636 filed by Senators Kersten, Slife and Priebe on April 29, 1991, to pages 1 and 12 of the bill and moved its adoption.

Amendment S—3636 was adopted by a voice vote.

Senator Gronstal offered amendment S—3409 filed by him on April 12, 1991, to pages 6 and 8 of the bill.

Senator Gronstal withdrew amendment S—3476 filed by him on April 18, 1991, to amendment S—3409.

Senator Gronstal offered amendment S—3500 filed by him on April 18, 1991, to amendment S—3409 and moved its adoption.

Amendment S—3500 was adopted by a voice vote.

Senator Gronstal withdrew amendment S—3538 filed by him on April 23, 1991, to amendment S—3409.

Senator Gronstal withdrew amendment S—3655 filed by him from the floor to amendment S—3409.

Senator Gronstal offered amendment S—3658 filed by him from the floor to amendment S—3409 and moved its adoption.

Amendment S—3658 was adopted by a voice vote.

Senator Gronstal moved the adoption of amendment S—3409 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. 634) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Taylor
Tieden	Tinsman	Vande Hoef	Welsh

Nays, none:

Absent or not voting, 2:

Szymoniak

Varn

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 634** be immediately messaged to the House.

CONSIDERATION OF BILLS (Ways and Means Calendar)

Senate File 533

On motion of Senator Hester, Senate File 533, a bill for an act relating to the rate of the Shelby Tennant community school district income surtax and the refund of any excess income surtax paid and providing effective and applicability dates, 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. 533) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Taylor
Tieden	Tinsman	Vande Hoef	Welsh

Nays, none:

Absent or not voting, 2:

Szymoniak Varn

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 417.

House File 417

On motion of Senate Rosenberg, House File 417, a bill for an act relating to private club expense deductions for individual and corporate state income tax purposes, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Rosenberg offered amendment S—3639 filed by the committee on Ways and Means on April 29, 1991, to page 1 of the bill and moved its adoption.

Amendment S—3639 was adopted by a voice vote.

Senator Fuhrman offered amendment S—3657 filed by him from the floor to page 1 of the bill and moved adoption.

A non record roll call was requested.

The ayes were 24, nays 20.

Amendment S—3657 was adopted.

Senator Rosenberg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 417) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluherly	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Taylor
Tieden	Tinsman	Vande Hoef	Welsh

Nays, none:

Absent or not voting, 2:

Szymoniak

Varn

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

House File 690

The Senate resumed consideration of House File 690, 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 sales and services tax, by providing for the issuance of revenue bonds, by authorizing the imposition of fines for certain violations, and by providing an effective date, previously deferred.

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. 690) the vote was:

Ayes, 49:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 1:

Szymoniak

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate File 543** and **House File 690** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House, on April 30, 1991, insisted on its amendment to **Senate File 42**, a bill for an act relating to the authority of physician assistants to prescribe and supply prescription drugs and controlled substances, 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, Mrs. Carpenter; the Representative from Mitchell, Mr. Krebsbach; the Representative from Lind, Mr. Osterberg; the Representative from Black Hawk, Mrs. Teaford.

ALSO: That the House has on April 30, 1991, passed the following bill in which the concurrence of the Senate is asked:

House File 700, a bill for an act raising the city transit property tax levy limit.

This bill was read first time and **passed on file**.

APPENDIX

STUDY BILL RECEIVED

SSB 358 State Government

Providing for congressional and legislative redistricting effective for the 1992 general election and providing an effective date.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty-five third and fourth grade students from Central Dallas Elementary School, Minburn, Iowa, accompanied by Deb Findlay and Neila Henson. Senator Riordan.

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: HOUSE FILE 201, a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and providing effective and retroactive applicability dates.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3659.

Final Vote: Ayes, 14: Sturgeon, Rosenberg, Fuhrman, Connolly, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Slife and Varn. Nays, 1: Peterson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: HOUSE FILE 687, a bill for an act relating to the collection and administration of ad valorem property taxes, special assessments, mobile home taxes, and various rates and charges, and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3656.

Final Vote: Ayes, 14: Dieleman, Husak, Hedge, Connolly, Drake, Fraise, Fuhrman, Hester, McLaren, Murphy, Palmer, Rosenberg, Szymoniak and Taylor. Nays, none. Absent or not voting, 1: Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 694, a bill for an act including veterans of the Persian Gulf Conflict as veterans eligible to serve on county commissions of veteran affairs, to receive certain veterans benefits, and to be eligible for a property tax exemption, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Dieleman, Husak, Hedge, Connolly, Drake, Fraise, Fuhrman, Hester, McLaren, Murphy, Palmer, Rosenberg, Szymoniak and Taylor. Nays, none. Absent or not voting, 1: Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS

Senate File 543

TRANSPORATION: Drake, Chair; Fraise and Gettings

SSB 358

STATE GOVERNMENT: Kibbie, Chair; Drake, Rife, Gronstal, Lloyd-Jones, Running and Nystrom

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 83 passed the Senate on April 30, 1991.

EMIL J. HUSAK

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 30, 1991, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 336 — Relating to the historical resource development program.

SENATE FILE 525 — Relating to the regulation of dairy products, providing for the repeal of certain sections, and providing effective dates.

BILLS ASSIGNED TO COMMITTEE

President Welsh announced the assignment of the following bills to committee:

H.F.	696	Ways and Means
H.F.	697	Ways and Means
H.F.	698	Ways and Means
H.F.	700	Ways and Means

COMMUNICATIONS RECEIVED

A report of the Temporary Redistricting Advisory Commission and a minority report dated April 30, 1991, was received in the office of the Secretary of the Senate in accordance with Section 42.6, 1991 Code of Iowa.

AMENDMENTS FILED

S—3656	H.F.	687	Ways and Means
S—3657	H.F.	417	Linn Fuhrman
S—3658	H.F.	634	Michael Gronstal
S—3659	H.F.	201	Judiciary
S—3660	H.F.	693	Mary Kramer
S—3661	S.F.	83	Bill Hutchins

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:58 p.m., until 9:00 a.m., Wednesday, May 1, 1991.

JOURNAL OF THE SENATE

ONE HUNDRED EIGHTH CALENDAR DAY
SIXTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, May 1, 1991

The Senate met in regular session at 9:09 a.m., President Welsh presiding.

Prayer was offered by the Honorable Maggie Tinsman, member of the Senate from Scott County, Bettendorf, Iowa.

The Journal of Tuesday, April 30, 1991, was approved.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 29, 1991, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 237, a bill for an act relating to the perpetual care of cemeteries and cemetery lots and spaces.

House File 489, a bill for an act relating to providing additional state income tax filing time periods for certain military personnel, exempting from taxation income of persons killed in a combat zone or while serving overseas, exempting from taxation active duty military pay of certain national guard personnel and armed forces reserve personnel, and providing a retroactive applicability date and an effective date.

ALSO: That the House has on April 29, 1991, 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 445, a bill for an act relating to the forfeiture of the rights of junior lienholders with respect to real estate contracts and providing an effective date.

Senate File 502, 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.

ALSO: That the House has on April 29, 1991, 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 471, a bill for an act relating to state policies and procedures affecting children.

ALSO: That the House has on April 29, 1991, 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 618, a bill for an act relating to the marketable title of real estate and the lapse of stale mineral interests (S—3662 to H—3753).

ALSO: That the House has on April 30, 1991, concurred in the Senate amendment and passed the following bill in which the concurrence of the House was asked:

House File 651, a bill for an act relating to gambling and the operation of pari-mutuel racetracks and excursion gambling boats, and providing an effective date.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **Senate File 42** on the part of the Senate: Senators Riordan, Chair; Murphy, Hannon, Jensen and Kramer.

MOTIONS TO RECONSIDER WITHDRAWN

Senate File 187

Senator Kibbie withdrew the motion to reconsider **Senate File 187**, a bill for an act relating to participation in athletics under open enrollment by students whose district of residence enters into a whole grade sharing agreement, filed by him on March 18, 1991, and found on page 671 of the Senate Journal.

Senate File 460

Senator Hutchins withdrew the motion to reconsider Senate File 460, a bill for an act relating to the establishment of certain county roads and legalizing the proceedings concerning the establishment of certain county roads, filed by him on April 25, 1991, and found on page 1507 of the Senate Journal.

Senator Vande Hoef withdrew the motion to reconsider Senate File 460 filed by him on April 29, 1991, found on page 1516 of the Senate Journal.

Senator Hutchins asked and received unanimous consent that **Senate File 460 be immediately messaged to the House.**

MOTION TO RECONSIDER LOST**Senate File 110**

Senator Drake called up the motion to reconsider Senate File 110, a bill for an act relating to the presence of certain persons under the age of twenty-one years on excursion gambling boats, and providing an effective date, filed by him on April 23, 1991, found on page 1440 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 110) the vote was:

Ayes, none.

Nays, 44:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hutchins	Jensen	Kersten
Kibbie	Kinley	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Taylor
Tieden	Tinsman	Vande Hoef	Welsh

Absent or not voting, 6:

Husak	Kramer	Nystrom	Palmer
Szymoniak	Varn		

The motion lost.

The motions to reconsider the vote by which Senate File 110 passed the Senate on April 23, 1991, filed by Senators Dieleman and Connolly on April 23, 1991, and found on page 1420 of the Senate Journal, were out of order.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Nystrom until he arrives on request of Senator Rife.

MOTIONS TO RECONSIDER WITHDRAWN

Senate File 363

Senator Riordan withdrew the motion to reconsider Senate File 363, a bill for an act to permit advanced nurse practitioners to prescribe noncontrolled substances or devices under certain circumstances, filed by him on April 23, 1991, and found on page 1421 of the Senate Journal.

Senate File 281

Senator Murphy withdrew the motion to reconsider Senate File 281, a bill for an act relating to the posting of annual surveys of health care facilities, filed by him on March 25, 1991, and found on page 848 of the Senate Journal.

Senator Dieleman withdrew the motion to reconsider Senate File 281, filed by him on March 25, 1991, and found on page 847 of the Senate Journal.

Senate File 178

Senator Fuhrman withdrew the motion to reconsider Senate File 178, a bill for an act relating to certain religious exemptions to the required provision of medical treatment, and requiring screening for metabolic diseases in newborn infants, filed by him on March 18, 1991, and found on page 671 of the Senate Journal.

House File 455

Senator Connolly withdrew the motion to reconsider House File 455, a bill for an act relating to school instruction and attendance of children of compulsory school attendance age and providing for mediation of truancy issues and penalties, filed by him on April 25, 1991, and found on page 1507 of the Senate Journal.

Senator Hutchins asked and received unanimous consent that House File 455 be immediately messaged to the House.

UNFINISHED BUSINESS (Deferred April 19, 1991)

House File 232

The Senate resumed consideration of House File 232, a bill for an act relating to the sale and furnishing of cigarettes and tobacco products to certain persons and providing penalties and an effective date, deferred on April 19, 1991.

Senator Sturgeon offered amendment S—3413 filed by Senators Sturgeon, Buhr and Kramer on April 15, 1991, to page 4 of the bill and moved its adoption.

Amendment S—3413 was adopted by a voice vote.

Senator Kramer offered amendment S—3411 filed by Senator Szymoniak on April 15, 1991, to page 5 of the bill.

Senator Jensen raised the point of order that amendment S—3411 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3411 out of order.

Senator Lloyd-Jones asked and received unanimous consent that action on House File 232 be deferred.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Horn asked and received unanimous consent to take up for consideration House File 694.

House File 694

On motion of Senator Husak, House File 694, a bill for an act including veterans of the Persian Gulf Conflict as veterans eligible to serve on county commissions of veteran affairs, to receive certain veterans benefits, and to be eligible for a property tax exemption, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Husak moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 694) the vote was:

Ayes, 46:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Taylor	Tieden	Tinsman
Vande Hoef	Welsh		

Nays, none.

Absent or not voting, 4:

Hester	Nystrom	Szymoniak	Varn
--------	---------	-----------	------

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 452

Senator Connolly withdrew the motion to reconsider Senate File 452, a bill for an act relating to the administration of fairs, filed by him on April 30, 1991, and found on page 1551 of the Senate Journal.

BUSINESS PENDING

House File 232

The Senate resumed consideration of House File 232, a bill for an act relating to the sale and furnishing of cigarettes and tobacco products to certain persons and providing penalties and an effective date, previously deferred.

Senator Lloyd-Jones offered amendment S—3663 filed by her 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—3663 be adopted?" (H.F. 232) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 23:

Boswell	Connolly	Deluhery	Dieleman
Fuhrman	Gettings	Gronstal	Hannon
Hedge	Hester	Kibbie	Kramer
Lloyd-Jones	Palmer	Riordan	Rittmer
Rosenberg	Running	Slife	Sturgeon
Taylor	Tinsman	Welsh	

Nays, 24:

Borlaug	Buhr	Doyle	Drake
Fraise	Hagerla	Horn	Husak
Hutchins	Jensen	Kersten	Kinley
Lind	McLaren	Miller	Murphy
Pate	Peterson	Priebe	Rensink
Rife	Soorholtz	Tieden	Vande Hoef

Absent or not voting, 3:

Nystrom	Szymoniak	Varn
---------	-----------	------

Amendment S—3663 lost.

Senator Sturgeon moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 232) the vote was:

Ayes, 45:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Palmer	Pate	Peterson	Priebe
Rensink	Riordan	Rittmer	Rosenberg
Running	Slife	Soorholtz	Sturgeon
Taylor	Tieden	Tinsman	Vande Hoef
Welsh			

Nays, 2:

Fuhrman Rife

Absent or not voting, 3:

Nystrom Szymoniak Varn

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

President pro tempore Lloyd-Jones took the chair at 10:09 a.m.

UNFINISHED BUSINESS (Deferred April 19, 1991)

House File 182

The Senate resumed consideration of House File 182, a bill for an act relating to the annexation of land surrounded by one or more cities, deferred on April 19, 1991.

Senator Buhr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 182) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
---------	---------	------	----------

Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Taylor	Tieden
Tinsman	Vande Hoef	Welsh	

Nays, none:

Absent or not voting, 3:

Nystrom Szymoniak Varn

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred April 19, 1991)

House File 668

The Senate resumed consideration of House File 668, a bill for an act relating to the certificate of need program and providing penalties, deferred on April 19, 1991.

Senator Sturgeon offered amendment S—3387 filed by the committee on Human Resources on April 10, 1991, to page 5 of the bill and moved its adoption.

Amendment S—3387 was adopted by a voice vote.

Senator Hagerla withdrew amendment S—3499 filed by him on April 18, 1991, to pages 8 and 11 of the bill.

Senator Hagerla offered amendment S—3621 filed by him on April 25, 1991, to page 8 of the bill and moved its adoption.

Amendment S—3621 was adopted by a voice vote.

Senator Husak offered amendment S—3558 filed by him on April 24, 1991, to page 11 of the bill and moved its adoption.

Amendment S—3558 was adopted by a voice vote.

Senator Sturgeon offered amendment S—3485 filed by him on April 18, 1991, to pages 14 and 15 of the bill and moved its adoption.

Amendment S—3485 was adopted by a voice vote.

Senator Tinsman asked and received unanimous consent that action on **House File 668** be deferred.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senate File 537

On motion of Senator Kibbie, Senate File 537, a bill for an act relating to payment of property taxes on lands purchased by the department of natural resources, 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. 537) the vote was:

Ayes, 44:

Borlaug	Boswell	Connolly	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kramer	Lind	McLaren
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Rittmer	Running
Slife	Soorholtz	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 4:

Buhr	Lloyd-Jones	Rosenberg	Sturgeon
------	-------------	-----------	----------

Absent or not voting, 2:

Kinley	Szymoniak
--------	-----------

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 491

Senator Varn called up for consideration Senate File 491, a bill for an act relating to the rental of motor vehicles for a period of sixty days or less from a location in this state, and providing civil and criminal penalties, amended by the House, and moved that the Senate concur in House amendment S—3581 filed April 24, 1991.

A record roll call was requested.

On the question "Shall the motion to concur be adopted?" (S.F. 491) the vote was:

Ayes, 11:

Buhr	Gettings	Gronstal	Horn
Kibbie	Lloyd-Jones	Miller	Palmer
Peterson	Running	Sturgeon	

Nays, 34:

Borlaug	Boswell	Deluhery	Dieleman
Doyle	Drake	Fraise	Fuhrman
Hagerla	Hannon	Hedge	Hester
Husak	Hutchins	Jensen	Kersten
Kramer	Lind	McLaren	Nystrom
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Soorholtz	Taylor	Tieden	Tinsman
Vande Hoef	Varn		

Absent or not voting, 5:

Connolly	Kinley	Murphy	Szymoniak
Welsh			

The motion lost and the Senate **refused to concur** in the House amendment.

BUSINESS PENDING

House File 668

The Senate resumed consideration of House File 668, a bill for an act relating to the certificate of need program and providing penalties, previously deferred.

Senator Tinsman asked and received unanimous consent to withdraw amendment S—3665 filed by Senators Tinsman, Kramer and Buhr from the floor to page 18 of the bill.

Senator Tinsman offered amendment S—3666 filed by Senators Tinsman, Kramer and Buhr from the floor to page 18 of the bill and moved its adoption.

Amendment S—3666 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. 668) the vote was:

Ayes, 46:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Tiedn	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 1:

Taylor

Absent or not voting, 3:

Kinley

Riordan

Szymoniak

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate File 311** be immediately messaged to the House.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate Concurrent Resolution 21** be referred from the Regular Calendar to the committee on **Rules and Administration**.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate File 537** and **House File 668** be immediately messaged to the House.

MOTION TO RECONSIDER LOST

Senate File 83

Senator Husak called up the motion to reconsider Senate File 83, a bill for an act relating to the updating of the references to the federal Internal Revenue Code, adopting revisions in the research activities credit and the earned income credit, and providing applicability and effective dates, filed by him on April 30, 1991, found on page 1569 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 83) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 20:

Borlaug
Drake
Hutchins

Connolly
Fraise
Kersten

Deluhery
Fuhrman
Kramer

Dieleman
Husak
McLaren

Miller
Running

Nystrom
Slife

Palmer
Taylor

Rensink
Tinsman

Nays, 28:

Boswell
Gronstal
Hester
Lind
Peterson
Rittmer
Tieden

Buhr
Hagerla
Horn
Lloyd-Jones
Priebe
Rosenberg
Vande Hoef

Doyle
Hannon
Jensen
Murphy
Rife
Soorholtz
Varn

Gettings
Hedge
Kibbie
Pate
Riordan
Sturgeon
Welsh

Absent or not voting, 2:

Kinley

Szymoniak

The motion lost.

The following motion to reconsider filed by Senator Hutchins from the floor was out of order:

MR. PRESIDENT, I move to reconsider the vote by which amendment S-3661 to Senate File 83 was adopted by the Senate on April 30, 1991.

Senator Hutchins asked and received unanimous consent that Senate File 83 be immediately messaged to the House.

INTRODUCTION OF BILL

Senate File 544, by Hutchins and Rife, a bill for an act to legalize the proceedings of the board of directors of the Pleasant Valley Community School District concerning voter approval of the levy of a physical plant and equipment tax and the inclusion of funds raised through the levy in the district's budget, and providing an effective date.

Read first time and passed on file.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:58 a.m., until 1:30 p.m.

APPENDIX**REPORT OF THE SECRETARY OF THE SENATE**

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in preparing the Senate amendment to House File 672, the following corrections were made:

Amendment S—3555 as amended by S—3569:

1. Page 1, line 4, the word "practice" was changed to the word "practices".
2. Page 1, line 7, the word "practice" was changed to the word "practices".

JOHN F. DWYER
Secretary of the Senate

SUBCOMMITTEE ASSIGNMENTS**Senate Resolution 14**

RULES AND ADMINISTRATION: Hutchins, Chair; Lloyd-Jones and Rife

Senate Resolution 17

RULES AND ADMINISTRATION: Hutchins, Chair; Lloyd-Jones and Rife

House File 421

JUDICIARY: Murphy, Chair; Fuhrman and Varn

House File 595

JUDICIARY: Rosenberg, Chair; Pate and Peterson

House File 696

WAYS AND MEANS: Palmer, Chair; Husak and Taylor

House File 697

WAYS AND MEANS: Hedge, Chair; Connolly and Drake

House File 698

WAYS AND MEANS: Murphy, Chair; Connolly and McLaren

House File 700

WAYS AND MEANS: Deluhery, Chair; Fraise and Fuhrman

REPORTS OF COMMITTEE MEETINGS**ENVIRONMENT AND ENERGY UTILITIES**

Convened: April 29, 1991, 3:35 p.m.

Members Present: Rosenberg, Chair; Gronstal, Vice Chair; Jensen, Ranking Member; Borlaug, Deluhery, Fraise, Hannon, Hedge, Kersten, Miller, Soorholtz and Varn.

Members Absent: none.

Committee Business: Recommended passage of Senate Concurrent Resolution 10.

Adjourned: 3:45 p.m.

TRANSPORTATION

Convened: April 30, 1991, 9:20 a.m.

Members Present: Fraise, Chair; Connolly, Vice Chair; Drake, Ranking Member; Dieleman, Gettings, Jensen, Kersten, Kinley, Lloyd-Jones, Nystrom, Pate and Welsh.

Members Absent: none.

Committee Business: Recommended passage of Senate File 543.

Adjourned: 9:23 a.m.

WAYS AND MEANS

Convened: April 30, 1991, 11:10 a.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hedge, Ranking Member; Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Murphy, Palmer, Rosenberg, Szymoniak and Taylor.

Members Absent: none.

Committee Business: Recommended passage of House File 687 as amended; recommended passage of House File 694; approved SSB 356 as a committee bill.

Adjourned: 12:10 p.m.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Forty sixth grade students from Orient-Macksburg Elementary School, Orient, Iowa, accompanied by John Dunlevy. Senators Boswell and Riordan.

Fifty-five fifth grade students from Grant Elementary School, Oskaloosa, Iowa, accompanied by Margaret Mattix and Margaret Stoltzfus. Senator Hedge.

The Chair welcomed the Honorable Delbert Floy, former member of the Senate from Thornton, Iowa, who was present in the Senate chamber.

Twenty fourth grade students from John Paul Academy-St. Alphonsus Campus, Davenport, Iowa, accompanied by John Ripslinger. Senators Rife and Deluhery.

Students from Moorhead, Iowa. Senator Doyle.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which the Senate refused to concur in House amendment S—3581 to Senate File 491 on May 1, 1991.

RICHARD J. VARN

MR. PRESIDENT: I move to reconsider the vote by which House File 232 passed the Senate on May 1, 1991.

JEAN LLOYD-JONES

MR. PRESIDENT: I move to reconsider the vote by which House File 182 passed the Senate on May 1, 1991.

H. KAY HEDGE

COMMITTEE REPORT

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: SENATE CONCURRENT RESOLUTION 10, a concurrent resolution relating to the establishment of a solid waste and recycling consortium.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Rosenberg, Gronstal, Jensen, Borlaug, Deluhery, Fraise, Hannon, Hedge, Kersten, Miller, Soorholtz, and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3662	H.F.	618	House amendment
S—3663	H.F.	232	Jean Lloyd-Jones
S—3664	H.F.	693	Mary Kramer
S—3665	H.F.	668	Maggie Tinsman Mary Kramer Florence Buhr
S—3666	H.F.	668	Maggie Tinsman Mary Kramer Florence Buhr
S—3667	H.F.	302	Michael Gronstal Ralph Rosenberg
S—3668	S.F.	83	Bill Hutchins

AFTERNOON SESSION

The Senate reconvened at 1:45 p.m., President pro tempore Lloyd-Jones presiding.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 33 present, 17 absent and a quorum present.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Kersten presiding.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 33 present, 17 absent and a quorum present.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator McLaren presiding.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

President pro tempore Lloyd-Jones took the chair at 3:58 p.m.

The vote revealed 33 present, 17 absent and a quorum present.

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate File 500** be referred from the Unfinished Business Calendar to the committee on **Business and Labor Relations**.

UNFINISHED BUSINESS
(Deferred April 17, 1991)

House File 302

The Senate resumed consideration of House File 302, a bill for an act relating to infectious and radioactive waste treatment and disposal facilities by extending the moratorium on construction and operation, requiring operating permits for treatment and disposal facilities and collection and transportation operations, providing for emission limitations and standards, and providing an effective date, deferred on April 17, 1991.

Senator Gronstal offered amendment S—3314 filed by the committee on Environment and Energy Utilities on April 4, 1991, to pages 2, 4 and 5 of the bill and moved its adoption.

Amendment S—3314 was adopted by a voice vote.

Senator Gronstal offered amendment S—3451 filed by Senators Gronstal and Connolly on April 17, 1991, to page 1 of the bill and moved its adoption.

Amendment S—3451 was adopted by a voice vote.

Senator Gronstal asked and received unanimous consent that action on amendment S—3667 filed by Senators Gronstal and Rosenberg from the floor to pages 3-5 and the title page of the bill be deferred.

Senator Gettings offered amendment S—3549 filed by Senators Gettings, et. al., on April 23, 1991, to page 4 of the bill and moved its adoption.

Amendment S—3549 was adopted by a voice vote.

The Senate resumed consideration of amendment S—3667, previously deferred.

Senator Gettings called for a division of amendment S—3667: Page 1, lines 3-9 and 15-50 and page 2 as division S—3667A; page 1, lines 10-14 as division S—3667B.

Senator Gronstal moved the adoption of division S—3667A, which motion prevailed by voice vote.

Senator Gronstal moved the adoption of division S—3667B.

A non record roll call was requested.

The ayes were 31, nays 11.

Division S—3667B 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. 302) the vote was:

Ayes, 46:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fuhrman	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kersten	Kibbie
Kinley	Kramer	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Taylor	Tieden	Tinsman
Vande Hoef	Welsh		

Nays, 2:

Fraise Gettings

Absent or not voting, 2:

Szymoniak Varn

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Horn asked and received unanimous consent that House File 302 be immediately messaged to the House.

HOUSE AMENDMENTS CONSIDERED

Senate File 478

Senator Connolly called up for consideration Senate File 478, a bill for an act to establish a parent education program and making teachers participating in the program eligible for performance-based pay, amended by the House in House amendment S—3648 filed April 30, 1991.

Senator Connolly offered amendment S—3671 filed by him from the floor to House amendment S—3648 and moved its adoption.

Amendment S—3671 was adopted by a voice vote.

Senator Connolly 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 Connolly 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. 478) the vote was:

Ayes, 36:

Buhr	Connolly	Deluhery	Doyle
Drake	Fraise	Gettings	Gronstal
Hagerla	Hannon	Hester	Horn
Husak	Hutchins	Kersten	Kibbie
Kinley	Kramer	Lind	Lloyd-Jones
Miller	Murphy	Nystrom	Palmer
Pate	Priebe	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Tinsman	Welsh

Nays, 12:

Borlaug	Boswell	Dieleman	Fuhrman
Hedge	Jensen	McLaren	Peterson
Rensink	Taylor	Tieden	Vande Hoef

Absent or not voting, 2:

Szymoniak	Varn
-----------	------

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Horn asked and received unanimous consent that Senate File 478 be immediately messaged to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 501

Senator Running called up for consideration Senate File 501, a bill for an act relating to collective bargaining by delineating certain duties and powers of the public employment relations board and modifying certain collective bargaining procedures for teachers, amended by the House in House amendment S—3568 filed April 24, 1991.

Senator Taylor offered amendment S—3672 filed by him from the floor to House amendment S—3568.

Senator Running raised the point of order that amendment S—3672 to House amendment S—3568 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3672 out of order.

Senator Running moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator 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. 501) the vote was:

Ayes, 47:

Borlaug
Deluhery
Fraise
Hagerla

Boswell
Dieleman
Fuhrman
Hannon

Buhr
Doyle
Gettings
Hedge

Connolly
Drake
Gronstal
Hester

Horn	Husak	Hutchins	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Taylor	Tieden
Tinsman	Vande Hoef	Welsh	

Nays, none.

Absent or not voting, 3:

Jensen	Szymoniak	Varn
--------	-----------	------

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 send an **immediate message** to the House on **Senate File 501**.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Welsh presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on May 1, 1991, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 193, 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, providing for a temporary waiver of certain licensing requirements, and providing other properly related matters (S—3669).

ALSO: That the House has on May 1, 1991, passed the following bill in which the concurrence of the Senate is asked:

House File 701, a bill for an act relating to the establishment of an agricultural chemical response and reimbursement program, imposing and appropriating fees, and providing for a repeal.

This bill was read first time and **passed on file.**

INTRODUCTION OF RESOLUTION

Senate Resolution 19, by Jensen, a resolution relating to the establishment of an interim committee to study the costs of printing, binding, and distributing the completed journals of the General Assembly.

Read first time and **passed on file.**

APPENDIX

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 83, the following correction was made:

1. Page 3, line 1, the words and numbers "Sections 1, 2, and 4" were changed to the words and numbers "Sections 1, 2, and 5".

JOHN F. DWYER
Secretary of the Senate

REPORT OF COMMITTEE MEETING

WAYS AND MEANS

Convened: May 1, 1991, 2:00 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hedge, Ranking Member; Connolly, Deluhery, Drake, Fraise, Hester, McLaren, Murphy, Palmer, Rosenberg and Taylor.

Members Absent: Fuhrman and Szymoniak (excused).

Committee Business: Assigned bills to subcommittees and recommended passage of House File 697.

Adjourned: 2:25 p.m.

STUDY BILL RECEIVED

SSB 359 Ways and Means

An act relating to fuel, by providing for the production and consumption of renewable fuel, and providing for the imposition of taxes upon certain fuel.

SUBCOMMITTEE ASSIGNMENT

SSB 359

WAYS AND MEANS: Husak, Chair; Drake and Fraise

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifty-four fifth grade students from Pence Elementary School, Fairfield, Iowa, accompanied by Mrs. Jackson and Mrs. Maurine. Senator Hedge.

Forty fifth grade students from Glidden-Ralston Elementary School, Glidden, Iowa, accompanied by Sheryl Reiter. Senator Nystrom.

Sixty fifth and sixth grade students from Rockwell-Swaledale Elementary School, Rockwell, Iowa, accompanied by Doug Sheriff. Senators Borlaug and Miller.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Dr. Sylvio Scorza, Orange City — For receiving the Governor's trophy for the "Disabled Iowan of the Year" award. Senator Rensink (5-1-91).

COMMITTEE REPORT

WAYS AND MEANS

Final Bill Action: HOUSE FILE 697, a bill for an act relating to the collection of delinquent criminal fines by counties.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Dieleman, Husak, Hedge, Connolly, Deluhery, Drake, Fraise, Hester, McLaren, Murphy, Palmer, Rosenberg and Taylor. Nays, none. Absent or not voting, 2: Fuhrman and Szymoniak.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on May 1, 1991, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 10 — Relating to the establishment and registration of elder family homes.

SENATE FILE 33 — Amending the pesticide act of Iowa, by providing requirements for pesticide dealers, and providing for fees.

SENATE FILE 269 — Regulating transient food service establishments and providing for licensing fees.

SENATE FILE 331 — Extending traffic enforcement authority to mobile home parks.

SENATE FILE 494 — Relating to the transfer of the regulatory authority of the superintendent of savings and loan associations to the director of the department of commerce and the superintendent of banking.

SENATE FILE 495 — Relating to the ability of a mentally disabled person to obtain a marriage license or an annulment, and findings by the court in guardianship proceedings concerning capacity to contract a valid marriage

BILLS ASSIGNED TO COMMITTEE

President Welsh announced the assignment of the following bills to committee:

S.F.	544	Judiciary
S.R.	19	Rules and Administration
H.F.	701	Ways and Means

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: HOUSE FILE 421, a bill for an act relating to establishing a registry of sex offenders and establishing penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3674.

Final Vote: Ayes, 13: Sturgeon, Rosenberg, Fuhrman, Connolly, Deluhery, Drake, Gronstal, Hagerla, Hester, Murphy, Pate, Slife and Varn. Nays, none. Absent or not voting, 2: Horn and Peterson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 545 (SSB 359), a bill for an act relating to fuel, by providing for the production and consumption of renewable fuel, and providing for the imposition of taxes upon certain fuel.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Dieleman, Husak, Hedge, Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Murphy, Rosenberg, Szymoniak and Taylor. Nays, none. Absent or not voting, 1: Palmer.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILL

Senate File 545, by committee on Ways and Means, a bill for an act relating to fuel, by providing for the production and consumption of renewable fuel, and providing for the imposition of taxes upon certain fuel.

Read first time under Rule 28 and placed on Ways and Means Calendar.

AMENDMENTS FILED

S-3669	S. F.	193	House amendment
S-3670	H. F.	693	Larry Murphy
S-3671	S. F.	478	Mike Connolly
S-3672	S. F.	501	Ray Taylor
S-3673	H. F.	693	Derryl McLaren
			John Jensen
			James Riordan
			Berl E. Priebe
			John P. Kibbie
			Allen Borlaug
			Richard Vande Hoef
			Linn Fuhrman
			Jack Hester
			Ray Taylor
			H. Kay Hedge
			Wilmer Rensink
			Paul Pate
			Harry Slife

S—3674 H.F. 421 Judiciary

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:38 p.m., until 9:00 a.m., Thursday, May 2, 1991.

JOURNAL OF THE SENATE

ONE HUNDRED NINTH CALENDAR DAY
SIXTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, May 2, 1991

The Senate met in regular session at 9:05 a.m., President Welsh presiding.

Prayer was offered by Imam-Taha-Tawil, chairman of the Islamic Council of Iowa, Cedar Rapids, Iowa.

The Journal of Wednesday, May 1, 1991, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Sturgeon for the morning on request of Senator Horn.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senate Resolution 15

On motion of Senator Boswell, Senate Resolution 15, a resolution protesting the lack of progress and results of investigations of Americans missing in action in Southeast Asia, was taken up for consideration.

Senator Boswell moved the adoption of Senate Resolution 15, which motion prevailed by a voice vote.

PRESENTATION OF POW/MIA FLAG

Senator Boswell introduced Vietnam veterans Keith Taylor, Jim Wilson and Mike Bose from Bedford, and Steve Clay and Doug Kneisel of Charles City, who were present in the Senate gallery:

Senator Boswell made the following introductions:

Color Guard

Gunnery Sergeant Edward E. Mumm
 Hospital Corpman Senior Chief Allon B. Cady
 Technical Sergeant Kenneth D. Robertson
 Staff Sergeant Heather M. Roggio

United States Marine Corps
 United States Navy Reserve
 Iowa Air National Guard
 Iowa Army National Guard

Music

34th Army Band
 Staff Sergeant Jeffrey P. Schmalz
 Sergeant Jeffrey A. Crile
 Ruth Skeries, Music Teacher,
 Johnston Schools

Fairfield, Iowa
 Fife Player
 Drummer
 National Anthem

Senator Boswell acknowledged the following non-commissioned officers in charge: Master Sergeant Anthony Capaldo, Brigadier General Harold Thompson and Sergeant Major Kline.

The Color Guard advanced the U.S. Flag and POW/MIA Flag to the well of the Senate and Senator Boswell delivered the following remarks with background music provided by Staff Sergeant Schmalz:

We are gathered today to honor two national symbols - one which represents freedom and one which represents a group of Americans for which freedom has been denied.

Our nation's flag reminds us of our national independence, individual liberty, and patriotism. The flag is an emblem of America's unity. It has the power to clear mens and womens minds and lift their spirit, and it fosters brotherhood and sisterhood. It is presented to a soldier's survivor in recognition of the supreme sacrifice made in the cause of freedom. It expresses the dreams, ideals, and goals of our American way of life, it represents the basis of our freedom.

That freedom that we cherish so dearly and which is represented by the flag of the United States has been and continues to be denied to an unknown number of Americans. The flag of the United States has a direct relationship to the POW/MIA banner which symbolizes the plight of America's prisoners of war and their families who still await word of their loved ones.

The POW/MIA banner traces its beginning back to a period almost 20 years ago when a MIA wife and a member of the National League of Families, Mrs. Michael Hoff prompted an advertising agency to design a flag that would represent the nation's missing military. Many groups and individuals have altered the original banner many times. The colors have been switched from black with white, to red, white and blue. The POW/MIA has been revised to MIA/POW. Such changes have been insignificant, the importance lies in the continued visibility of this symbol,

a constant reminder of the sacrifice of our missing soldiers, sailors, marines and airmen.

This banner is the sole flag other than the national symbol ever to fly over the White House, having been displayed in this place of honor since 1982. In addition, the flag flies over the national Vietnam Veterans Memorial, federal and state buildings on specifically designated days, military installations worldwide on a daily basis, and countless other locations throughout the nation.

On March 9, 1989, an official league flag, which flew over the White House on the 1988 POW/MIA recognition day, was installed in the United States Capitol Rotunda. This installation was a result of legislation passed overwhelmingly during the 100th Congress. The leadership of both houses hosted the installation ceremony in a demonstration of bipartisan congressional support. This POW/MIA flag, the only flag ever displayed in the United States Capitol Rotunda will stand as a powerful symbol of national commitment to our POW/MIA's until the fullest possible accounting has been achieved for Americans still missing in Southeast Asia.

Today, we repeat the ceremony in Iowa's Capitol, where the POW/MIA flag will take its rightful place along side our national symbol of freedom, as a stark reminder that American servicemen were denied freedom and still are unaccounted for. This symbol will serve as a reminder to Iowans that freedom is not a reality for all its citizens.

In our President's words, "Our nation cannot and will not forget these missing Americans, we shall not divert our attention from the suffering of our prisoners of war. In posting this flag, we promise to keep faith with them and with their families."

There are 22 Iowans still listed as prisoners of war, and 16 listed as missing in action, so let us renew our pledge that this issue be maintained as a national and a state priority, until all our POW's and MIA's are accounted for. The military personnel you honor today are truly America's heroes and they deserve no less.

The POW/MIA banner which we are about to post features a white silhouette of a prisoner before a guard tower and barbwire set on a black background. "POW/MIA" appears above the image and the words "You are not forgotten", appear below.

This black and white banner stands as evidence that there are Americans still prisoners, missing or otherwise unaccounted for, and are symbolized by this nationally accepted banner. This flag will remain in this place of honor as long as prisoners of war and missing in action remains an unresolved issue.

Thank you.

The Color Guard placed the U.S. Flag in its stand and presented the POW/MIA flag to President Welsh who positioned the flag in its stand behind the President's station, with background music provided by Staff Sergeant Schmalz and Sergeant Crile.

The National Anthem was sung by Mrs. Ruth Skeries, music teacher at Johnston Schools.

The Color Guard reassembled in the well of the Senate and exited from the chamber.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 30, 1991, adopted the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 23, a concurrent resolution expressing opposition to a proposed graduated annual fee for recreational vessels operated on navigable waters of the United States where the coast guard is present.

ALSO: That the House has on April 30, 1991, 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 182, a bill for an act relating to administrative rulemaking.

Senate File 356, a bill for an act relating to the procedures, confidentiality, penalties, refunds, and nonsubstantive changes for taxes administered by the department of revenue and finance, relating to refunds of the environmental protection charge, and providing effective dates.

ALSO: That the House has on April 30, 1991, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 109, a bill for an act to prohibit the shooting of a firearm across a public highway and subjecting violators to a penalty.

House File 423, a bill for an act relating to student financial aid programs administered by the college student aid commission.

House File 583, a bill for an act relating to eligibility of school districts for the reorganization incentives and providing an effective date.

House File 596, a bill for an act relating to the liability of certain persons rendering emergency care or assistance in good faith.

ALSO: That the House has on May 1, 1991, 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 517, a bill for an act relating to workers' compensation medical benefits and weekly benefit claims, burial expenses, and minimum benefit payments (S—3675 to H—3978).

ALSO: That the House has on May 1, 1991, passed the following bill in which the concurrence of the Senate is asked:

House File 702, a bill for an act establishing a state funding formula for the costs of services provided to adults with mental retardation, a developmental disability, or mental illness, and providing effective dates.

This bill was read first time and **passed on file**.

ALSO: That the House has on May 1, 1991, insisted on its amendment to **Senate File 101** a bill for an act relating to the loss of pay while on military leave of absence, and that the members of the **Conference Committee** on part of the House are: The Representative from Dubuque, Mr. Knapp, Chair; the Representative from Greene, Mr. Blanshan; the Representative from Polk, Mr. Connors; the Representative from Linn, Mrs. Lundby; the Representative from Henry, Mr. Spenner.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 25, by Running, a concurrent resolution relating to a day of recognition for the practice of the Islamic faith in Iowa and the establishment of the Islamic Council of Iowa.

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.	374	Local Government
S. F.	450	Judiciary
S. F.	63	Transportation
S. F.	341	Human Resources
S. F.	344	Human Resources

Senator Hutchins asked and received unanimous consent that **Senate Resolution 13** be referred from the Regular Calendar to the committee on **Rules and Administration**.

Senator Running took the chair at 9:40 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.

CONSIDERATION OF BILL (Ways and Means Calendar)

House File 687

On motion of Senator Szymoniak, House File 687, a bill for an act relating to the collection and administration of ad valorem property taxes, special assessments, mobile home taxes, and various rates and charges, and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

President pro tempore Lloyd-Jones took the chair at 9:52 a.m.

Senator Szymoniak offered amendment S—3656 filed by the committee on Ways and Means on April 30, 1991, to page 27 of the bill and moved its adoption.

Amendment S—3656 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. 687) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Miller Sturgeon

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **Senate File 101** on the part of the Senate: Senators Running, Chair; Kibbie, Buhr, Soorholtz and Slife.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate File 545.

Senate File 545

On motion of Senator Husak, Senate File 545, a bill for an act relating to fuel, by providing for the production and consumption

of renewable fuel, and providing for the imposition of taxes upon certain fuel, 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. 545) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 1:

Gronstal

Absent or not voting, 1:

Sturgeon

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENT CONSIDERED

Senate File 193

Senator Murphy called up for consideration Senate File 193, 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, providing for a temporary waiver of certain

licensing requirements, and providing other properly related matters, amended by the House, and moved that the Senate concur in House amendment S—3669 filed May 1, 1991.

Senator Palmer asked and received unanimous consent that action on House amendment S—3669 and Senate File 193 be deferred.

UNFINISHED BUSINESS
(Deferred April 23, 1991)

Senate File 352

The Senate resumed consideration of Senate File 352, a bill for an act relating to the interest penalty applied to delinquent property taxes, deferred on April 23, 1991.

Senator Varn offered amendment S—3676 filed by Senators Varn, Priebe and Miller from the floor to page 1 of the bill.

Senator Varn asked and received unanimous consent that action on amendment S—3676 and Senate File 352 be deferred.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that Senate File 545 be immediately messaged to the House.

CONSIDERATION OF BILL
(Ways and Means Calendar)

House File 688

On motion of Senator Szymoniak, House File 688, a bill for an act relating to health insurance reforms by limiting small group premium rating practices, increasing access to affordable basic benefits health insurance, and authorizing certain premium credits and tax exemptions for qualifying health insurance plans and insureds, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Szymoniak offered amendment S—3641 filed by the committee on Ways and Means on April 29, 1991, to pages 3, 5 and 13-15 of the bill.

Senator Szymoniak offered amendment S—3678 filed by her from the floor to amendment S—3641 and moved its adoption.

Amendment S—3678 was adopted by a voice vote.

Senator Szymoniak moved the adoption of amendment S—3641 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—3641 as amended, the Chair ruled amendment S—3651 filed by Senator Szymoniak on April 30, 1991, to page 15 of the bill, out of order.

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. 688) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Rittmer	Rosenberg	Running	Slife
Soorholtz	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Riordan Sturgeon

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 20, by committee on Agriculture, a resolution to request that the Legislative Council establish an interim committee to study the livestock industry in this state, including

the economic impact and the future of the livestock industry in this state.

Read first time and placed on calendar.

Senate Concurrent Resolution 26, by Fraise, Drake and Connolly, a concurrent resolution supporting the enactment of a federal surface transportation reauthorization Act for federal highway and public transportation programs identifying specific concerns and issues related to proposals currently before Congress.

Read first time and passed on file.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House File 688** be **immediately messaged** to the House.

RECESS

On motion of Senator Horn, the Senate recessed at 11:14 a.m., until 2:30 p.m.

APPENDIX

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 56, the following correction was made:

1. Page 1, line 4, the words "REPORT OF COUNTY AID" were changed to the words "REPORT OF COUNTY AID."

JOHN F. DWYER
Secretary of the Senate

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: May 1, 1991, 5:46 p.m.

Members Present: Sturgeon, Chair; Rosenberg, Vice Chair; Fuhrman, Ranking Member; Connolly, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Murphy, Pate, Peterson, Slife and Varn.

Members Absent: none.

Committee Business: Recommended passage of House File 421 as amended.

Adjourned: 6:22 p.m.

STATE GOVERNMENT

Convened: May 1, 1991, 2:35 p.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Buhr, Dieleman, Doyle, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Rife, Running, Soorholtz, Vande Hoef and Welsh.

Members Absent: none.

Committee Business: Assigned SSB 358 to a subcommittee; Gary Kaufman appeared before the committee and answered questions regarding the redistricting plan.

Adjourned: 3:57 p.m.

WAYS AND MEANS

Convened: May 1, 1991, 5:04 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hedge, Ranking Member; Connolly, Deluhery, Drake, Fraise, Fuhrman, Hester, McLaren, Murphy, Rosenberg, Szymoniak and Taylor.

Members Absent: Palmer.

Committee Business: Amended and approved SSB 359 as a committee bill.

Adjourned: 5:36 p.m.

PRESENTATION OF VISITORS

Senator Horn presented Specialist E4 Michael Brandt of the 186th Military Police, Camp Dodge, who recently returned from serving in Operation Desert Storm (Mike is the son of Lynn Brandt, Assistant Sergeant-at-arms of the Senate).

The Chair welcomed the following visitors who were present in the Senate gallery:

One hundred fifth grade students from Orange City Elementary School, Orange City, accompanied by Paul Koets. Senator Rensink.

Thirty-six fifth grade students from West Marshall School, State Center, accompanied by Trev Houck. Senator Soorholtz.

The following visitors were present in the Senate gallery:

Forty-three third grade students from Manning Elementary School, Manning, accompanied by Laurie Peterson. Senator Hutchins.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 2nd day of May, 1991:

Senate Files 112, 422, 492, 56, 114, 134 and 257.

JOHN F. DWYER
Secretary of the Senate

SUBCOMMITTEE ASSIGNMENT

House File 701

WAYS AND MEANS: Husak, Chair; Fraise and McLaren

COMMITTEE REPORT

AGRICULTURE

Final Bill Action: SENATE RESOLUTION 20, a resolution to request that the Legislative Council establish an interim committee to study the livestock industry in this state, including the economic impact and the future of the livestock industry in this state.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 15: Priebe, Peterson, Soorholtz, Boswell, Doyle, Fraise, Hedge, Hester, Husak, McLaren, Miller, Palmer, Riordan, Rittmer and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3675	H.F.	517	House amendment
S-3676	S.F.	352	Richard Varn Berl Priebe Alvin Miller
S-3677	H.F.	693	Larry Murphy
S-3678	H.F.	688	Elaine Szymoniak
S-3679	H.F.	697	Richard F. Drake H. Kay Hedge Larry Murphy Emil Husak
S-3680	S.F.	540	William W. Dieleman Richard F. Drake
S-3681	H.F.	380	House amendment

AFTERNOON SESSION

The Senate reconvened at 2:44 p.m., President pro tempore Lloyd-Jones presiding.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on May 2, 1991, 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 380, a bill for an act requiring the state registrar to provide a certified copy of a birth certificate when the certificate is registered (S—3681 to H—3886).

ALSO: That the House has on May 2, 1991, **refused to concur** in the Senate amendment to the following bill in which the concurrence of the House was asked:

House File 455, a bill for an act relating to school instruction and attendance of children of compulsory school attendance age and providing for mediation of truancy issues and penalties.

INTRODUCTION OF BILL

Senate File 546, by committee on State Government, a bill for an act providing for congressional and legislative redistricting effective for the 1992 general election and providing an effective date.

Read first time and placed on calendar.

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.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House File 687** be **immediately messaged** to the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Fuhrman for the remainder of the day and May 3, 1991, on request of Senator Hagerla.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Horn asked and received unanimous consent to take up for consideration House File 697.

House File 697

On motion of Senator Hedge, House File 697, a bill for an act relating to the collection of delinquent criminal fines by counties, with report of committee recommending passage, was taken up for consideration.

Senator Drake offered amendment S—3679 filed by Senators Drake, et. al., from the floor to page 1 and the title page of the bill and moved its adoption.

Amendment S—3679 was adopted by a voice vote.

Senator Hedge moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 697) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind

Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Welsh

Nays, none.

Absent or not voting, 2:

Fuhrman Varn

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 193

The Senate resumed consideration of Senate File 193, 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, providing for a temporary waiver of certain licensing requirements, and providing other properly related matters, and House amendment S—3669, previously deferred.

Senator Palmer offered amendment S—3682 filed by Senators Palmer, Lloyd-Jones and Kramer from the floor to House amendment S—3669 and moved its adoption.

On the question "Shall amendment S—3682 to House amendment S—3669 be adopted?" (S.F. 193) the vote was:

Ayes, 12:

Buhr	Gettings	Gronstal	Jensen
Kinley	Kramer	Lloyd-Jones	Palmer
Peterson	Priebe	Rife	Soorholtz

Nays, 35:

Borlaug	Boswell	Connolly	Deluhery
Dieleman	Doyle	Drake	Fraise
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Kersten	Kibbie
Lind	McLaren	Miller	Murphy
Nystrom	Pate	Rensink	Riordan
Rittmer	Rosenberg	Running	Slife
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Welsh	

Absent or not voting, 3:

Fuhrman	Hutchins	Varn
---------	----------	------

Amendment S—3682 lost.

Senator Murphy moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator 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. 193) the vote was:

Ayes, 36:

Borlaug	Boswell	Buhr	Connolly
Dieleman	Doyle	Drake	Fraise
Gettings	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kersten	Kibbie
Lind	McLaren	Miller	Murphy
Nystrom	Pate	Priebe	Rensink
Riordan	Rittmer	Running	Slife
Sturgeon	Tinsman	Vande Hoef	Welsh

Nays, 10:

Deluhery	Kinley	Kramer	Lloyd-Jones
Palmer	Peterson	Rife	Soorholtz
Taylor	Tieden		

Absent or not voting, 4:

Fuhrman

Rosenberg

Szymoniak

Varn

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

SENATE INSISTS

House File 455

Senator Murphy called up for consideration House File 455, a bill for an act relating to school instruction and attendance of children of compulsory school attendance age and providing for mediation of truancy issues and penalties, amended by the Senate, 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 455** on the part of the Senate: Senators Connolly, Chair; Murphy, Dieleman, Kramer and Kersten.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 380

Senator Murphy called up for consideration House File 380, a bill for an act requiring the state registrar to provide a certified copy of a birth certificate when the certificate is registered, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—3681 to Senate amendment H—3886 filed May 2, 1991.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Murphy moved that the bill as amended by the Senate, further amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which

motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 380) the vote was:

Ayes, 46:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Rittmer	Running	Slife	Soorholtz
Sturgeon	Taylor	Tieden	Tinsman
Vande Hoef	Welsh		

Nays, none.

Absent or not voting, 4:

Fuhrman	Rosenberg	Szymoniak	Varn
---------	-----------	-----------	------

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred April 19, 1991)

House File 201

The Senate resumed consideration of House File 201, a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and providing effective and retroactive applicability dates, deferred on April 19, 1991, referred to the committee on Judiciary on April 23, 1991, reported out with recommendation for amendment and passage and returned to the Unfinished Business Calendar on April 30, 1991.

Senator Sturgeon offered amendment S—3659 filed by the committee on Judiciary on April 30, 1991, to pages 6, 20-22, 25-27, 37, 40, 43, 44, 46 and 48 of the bill.

Senator Palmer raised the point of order that amendment S—3659 was in violation of Joint Rules 11 and 12.

The Chair ruled the point not well taken and amendment S—3659 in order.

Senator Sturgeon moved the adoption of amendment S—3659, which motion prevailed by a voice vote.

Senator Sturgeon moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 201) the vote was:

Ayes, 17:

Connolly	Deluhery	Gronstal	Hannon
Horn	Kibbie	Kinley	Lloyd-Jones
Murphy	Nystrom	Pate	Riordan
Rosenberg	Running	Sturgeon	Szymoniak
Welsh			

Nays, 30:

Borlaug	Buhr	Dieleman	Doyle
Drake	Fraise	Gettings	Hagerla
Hedge	Hester	Husak	Hutchins
Jensen	Kersten	Kramer	Lind
McLaren	Miller	Palmer	Peterson
Priebe	Rensink	Rife	Rittmer
Slife	Soorholtz	Taylor	Tieden
Tinsman	Vande Hoef		

Absent or not voting, 3:

Boswell	Fuhrman	Varn
---------	---------	------

The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 517

Senator Sturgeon called up for consideration House File 517, a bill for an act relating to workers' compensation medical benefits and weekly benefit claims, burial expenses, and minimum benefit payments, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—3675 to Senate amendment H—3978 filed May 2, 1991.

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. 517) the vote was:

Ayes, 37:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Gronstal	Hagerla	Hannon
Horn	Husak	Hutchins	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	Miller	Murphy	Nystrom
Peterson	Priebe	Rensink	Riordan
Rittmer	Rosenberg	Running	Soorholtz
Sturgeon	Szymoniak	Tieden	Vande Hoef
Welsh			

Nays, 10:

Borlaug	Hedge	Hester	Jensen
McLaren	Pate	Rife	Slife
Taylor	Tinsman		

Absent or not voting, 3:

Fuhrman	Palmer	Varn
---------	--------	------

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:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on May 2, 1991, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 273, a bill for an act authorizing a class "B" wine permittee who also holds a class "E" liquor control license to sell wine to liquor control licensees (S—3684).

Senate File 505, a bill for an act providing for voluntary limitation of campaign expenditures for certain elective officers and providing penalties (S—3688).

Senate File 519, a bill for an act relating to entities and subject matter subject to regulation under the regulated industries unit of the division of insurance, including business opportunity promotions, continuing care and senior adult congregate living retirement communities, and loan brokers, establishing certain fees, and making penalties applicable (S—3685).

HOUSE AMENDMENT CONSIDERED

Senate File 519

Senator Deluhery called up for consideration Senate File 519, a bill for an act relating to entities and subject matter subject to regulation under the regulated industries unit of the division of insurance, including business opportunity promotions, continuing care and senior adult congregate living retirement communities, and loan brokers, establishing certain fees, and making penalties applicable, amended by the House, and moved that the Senate concur in House amendment S—3685 filed May 2, 1991.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Deluhery moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

President pro tempore Lloyd-Jones took the chair at 4:27 p.m.

On the question "Shall the bill pass?" (S.F. 519) the vote was:

Ayes, 45:

Borlaug	Buhr	Connolly	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Gronstal	Hannon	Hedge
Hester	Horn	Husak	Jensen
Kersten	Kibbie	Kinley	Kramer
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Welsh			

Nays, none.

Absent or not voting, 5:

Boswell	Fuhrman	Hagerla	Hutchins
Varn			

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 547, by committee on Ways and Means, a bill for an act relating to housing and residential development within certain urban renewal areas and to tax exemption schedules for revitalization areas and providing an applicability date.

Read first time and placed on Ways and Means Calendar.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President pro tempore Lloyd-Jones presiding.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on May 2, 1991, amended the Senate amendment, concurred in the Senate amendment as amended, and passed the following bill in which the concurrence of the House was asked:

House File 668, a bill for an act relating to the certificate of need program and providing penalties (S—3690 to H—4006).

ALSO: That the members of the Conference Committee, appointed May 2, 1991, on **House File 455**, a bill for an act relating to school instruction and attendance of children of compulsory school attendance age and providing for mediation of truancy issues and penalties, on the part of the House are: The Representative from Clinton, Mr. Ollie, Chair; the Representative from Hamilton, Mrs. Adams; the Representative from Linn, Mr. Corbett; the Representative from Bremer, Mr. Lageschulte; the Representative from Scott, Mr. Wissing.

APPENDIX

GOVERNOR'S VETO MESSAGE

May 2, 1991

The Honorable Joseph Welsh
President of the Senate
State Capitol Building
L O C A L

Dear Mr. President:

Senate File 457, an act relating to 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 457 amends the Iowa Public Employment Relations Act by adding the words "discipline and discharge" to the list of mandatory subjects of bargaining in Section 20.9 of the Code of Iowa. In 1990, the General Assembly approved similar legislation. That Act, Senate File 385, was disapproved because it failed to address a conflict between the provisions of a contract relating to discipline and dismissal and the statutory termination procedures for certificated school employees and civil service employees, and because it failed to maintain a balance between the rights of public employers and employees.

It is clear that the General Assembly has attempted to address the conflicts with other termination procedures by excluding the application of those procedures to employees who are covered by discipline and discharge provisions in a collective bargaining agreement. However, the Act falls short of removing all conflicts in the law by failing to address the just cause procedures for teachers in Section 279.27. Senate File 457 would also disallow the application of a probationary period for beginning teachers. In view of the many efforts that have been made to improve the quality of teaching during the past decade, it would be a mistake to remove the authority of school boards to require a teacher to serve a probationary period before a continuing contract is issued under Section 279.13.

As Governor, I have encouraged the representatives of public employers and public employees to work together in an effort to address the issues raised by this legislation while maintaining the balance between employer and employee rights. I believe that it is possible to fashion legislation which would achieve these objectives.

Future efforts to expand the list of mandatory subjects of bargaining to include the terms "discipline and discharge" should be balanced with the following corresponding statutory changes.

1. Provide for judicial review of discipline or discharge decisions which involve professional employees.

2. Provide public employers with the exclusive right to determine the standards of performance for employees.

3. Provide that statutory procedures for termination under Chapters 279 and 400 are not available to employees covered by a collective bargaining agreement, and retain provisions for a probationary period for beginning teachers.

4. Provide direction to arbitrators or other third parties who rule in cases of discipline and discharge in order to protect the interests and welfare of the public.

It may also be appropriate for the Board of Educational Examiners and the State Board of Education to develop a model policy for the evaluation of certificated school employees. Quality teaching is a vital part of a world class school system. A model evaluation policy could help teachers, administrators, and school board members respond to the increasing demand for excellence in teaching and learning.

Additionally, other changes in the law which could shift the balance between employer and employee rights should be reviewed carefully before they are included in future legislation concerning this subject.

For the above reasons, I hereby respectfully disapprove Senate File 457.

Sincerely,
TERRY E. BRANSTAD
Governor

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Twenty-three eighth grade students from the School for Christian Education, Oskaloosa, accompanied by Rod Spoelstra. Senator Hedge.

Thirty-five fourth, fifth and sixth grade students from St. Alberts School, Council Bluffs. Senator Gronstal.

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifty fifth grade students from Sioux Central Elementary School, Sioux Rapids, accompanied by Marla Huebner and Craig Cadman. Senators Fuhrman and Kibbie.

COMMITTEE REPORTS

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: HOUSE FILE 683, a bill for an act relating to the establishment of toxics pollution prevention program and establishing fees.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3691.

Final Vote: Ayes, 9: Rosenberg, Gronstal, Jensen, Deluhery, Fraise, Hannon, Hedge, Miller and Varn. Nays, 2: Borlaug and Kersten. Absent or not voting, 1: Soorholtz.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 546 (SSB 358), a bill for an act providing for congressional and legislative redistricting effective for the 1991 general election and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Kibbie, Lloyd-Jones, Nystrom, Drake, Gronstal, Kramer, Lind, McLaren, Murphy, Priebe, Rife, Soorholtz and Welsh. Nays, 1: Horn. Voting present, 4: Buhr, Dieleman, Running and Vande Hoef. Absent or not voting, 1: Doyle.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 547 (SSB 356), a bill for an act relating to residential development within certain urban renewal areas and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Dieleman, Husak, Connolly, Deluhery, Drake, Fraise, Hester, McLaren, Murphy, Rosenberg, Szymoniak and Taylor. Nays, 1: Hedge. Absent or not voting, 2: Fuhrman and Palmer.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 698, a bill for an act relating to school bus driver education and qualifications, establishing a fund for school bus driver and passenger safety programs, and providing for a fee.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3686.

Final Vote: Ayes, 13: Dieleman, Husak, Hedge, Connolly, Deluhery, Drake, Fraise, Hester, McLaren, Murphy, Rosenberg, Szymoniak and Taylor. Nays, none. Absent or not voting, 2: Fuhrman and Palmer.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 700, a bill for an act raising the city transit property tax levy limit.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3687.

Final Vote: Ayes, 13: Dieleman, Husak, Hedge, Connolly, Deluhery, Drake, Fraise, Hester, McLaren, Murphy, Rosenberg, Szymoniak and Taylor. Nays, none. Absent or not voting, 2: Fuhrman and Palmer.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 2nd day of May, 1991:

Senate Files 313, 355 and 479.

JOHN F. DWYER
Secretary of the Senate

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on May 2, 1991, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 327 — Requiring that certain settlements of claims involving governmental bodies be filed with the governmental bodies as public records.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which the Senate refused to concur in House amendment S—3581 to Senate File 491 on May 1, 1991.

JIM LIND

MR. PRESIDENT: I move to reconsider the vote by which House File 201 failed to pass the Senate on May 2, 1991.

BILL HUTCHINS

SUBCOMMITTEE ASSIGNMENT

Senate File 544

JUDICIARY: Gronstal, Chair; Hagerla and Horn

PROOF OF PUBLICATION

Verified proof of publication of Senate File 544 in accordance with Section 585.1 of the Code was filed with the Secretary of the Senate.

BILLS ASSIGNED TO COMMITTEE

President Welsh announced the assignment of the following bills to committee:

H.F.	702	Ways and Means
S. C. R.	25	Rules and Administration
S. C. R.	26	Rules and Administration

AMENDMENTS FILED

S—3682	S. F.	193	William Palmer Jean Lloyd-Jones Mary Kramer
S—3683	H. F.	693	Elaine Szymoniak Derryl McLaren Larry Murphy

S-3684	S.F.	273	House amendment
S-3685	S.F.	519	House amendment
S-3686	H.F.	698	Ways and Means
S-3687	H.F.	700	Ways and Means
S-3688	S.F.	505	House amendment
S-3689	S.F.	507	Patrick Deluhery John Jensen Michael Gronstal Richard Drake Jim Kersten
S-3690	H.F.	668	House amendment
S-3691	H.F.	683	Environment & Energy Utilities

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:28 p.m., until 9:00 a.m., Friday, May 3, 1991.

JOURNAL OF THE SENATE

ONE HUNDRED TENTH CALENDAR DAY
SEVENTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, May 3, 1991

The Senate met in regular session at 9:02 a.m., President pro tempore Lloyd-Jones presiding.

Prayer was offered by Pastor Michael Palmer, pastor of the Cedar Rapids First Church of the Nazarene, Cedar Rapids, Iowa.

The Journal of Thursday, May 2, 1991, was approved.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent and a quorum present.

UNFINISHED BUSINESS (Deferred April 16, 1991)

House File 614

The Senate resumed consideration of House File 614, a bill for an act relating to the reapportionment of county supervisor districts, deferred on April 16, 1991.

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. 614) the vote was:

Ayes, 44:

Borlaug
Deluhery
Fraise

Boswell
Dieleman
Gettings

Buhr
Doyle
Gronstal

Connolly
Drake
Hagerla

Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kinley	Kramer	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Pate	Peterson	Priebe	Rensink
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Szymoniak
Taylor	Tinsman	Vande Hoef	Welsh

Nays, none.

Absent or not voting, 6:

Fuhrman	Kibbie	Palmer	Rife
Tieden	Varn		

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 Horn asked and received unanimous consent to take up for consideration Senate File 547.

Senate File 547

On motion of Senator Rosenberg, Senate File 547, a bill for an act relating to housing and residential development within certain urban renewal areas and to tax exemption schedules for revitalization areas and providing an applicability date, was taken up for consideration.

President Welsh took the chair at 9:27 a.m.

Senator Rosenberg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 547) the vote was:

Ayes, 46:

Borlaug	Boswell	Buhr	Connolly
Deluherly	Dieleman	Doyle	Drake
Fraise	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn

Husak	Jensen	Kersten	Kibbie
Kinley	Kramer	Lind	Lloyd-Jones
McLaren	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Riordan	Rittmer	Rosenberg
Running	Slife	Soorholtz	Sturgeon
Szymoniak	Taylor	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Fuhrman	Hutchins	Rife	Tieden
---------	----------	------	--------

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Rosenberg filed the following motion to reconsider from the floor and moved its adoption.

MR. PRESIDENT, I move to reconsider the vote by which Senate File 547 passed the Senate on May 3, 1991.

On the question "Shall the motion to reconsider be adopted?" (S.F. 547) the vote was:

Ayes, 44:

Borlaug	Buhr	Connolly	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Gronstal	Hannon	Hedge
Hester	Horn	Husak	Hutchins
Jensen	Kersten	Kibbie	Kinley
Lind	Lloyd-Jones	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 6:

Boswell	Fuhrman	Hagerla	Kramer
Rife	Tieden		

The motion prevailed.

Senator Rosenberg moved to reconsider the vote by which Senate File 547 went to its last reading, which motion prevailed by a voice vote.

Senate File 547

On motion of Senator Rosenberg, Senate File 547, a bill for an act relating to housing and residential development within certain urban renewal areas and to tax exemption schedules for revitalization areas and providing an applicability date, was taken up for reconsideration.

Senator Rosenberg asked and received unanimous consent that action on Senate File 547 be deferred.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that House File 683 be referred from the Regular Calendar to the committee on Ways and Means and returned to the Senate Calendar by 10:30 a.m., May 3, 1991.

MOTION TO RECONSIDER LOST

House File 232

Senator Lloyd-Jones called up the motion to reconsider House File 232, a bill for an act relating to the sale and furnishing of cigarettes and tobacco products to certain persons and providing penalties and an effective date, filed by her on May 1, 1991, found on page 1587 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (H.F. 232) the vote was:

Ayes, 25:

Boswell	Connolly	Deluhery	Dieleman
Gettings	Gronstal	Hannon	Hester
Horn	Kibbie	Kramer	Lloyd-Jones
Murphy	Palmer	Rittmer	Rosenberg
Running	Soorholtz	Sturgeon	Szymoniak
Taylor	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 22:

Borlaug	Buhr	Doyle	Drake
Fraise	Hagerla	Hedge	Husak
Hutchins	Jensen	Kersten	Kinley
Lind	McLaren	Miller	Nystrom
Pate	Peterson	Priebe	Rensink
Riordan	Slife		

Absent or not voting, 3:

Fuhrman	Rife	Tieden
---------	------	--------

The motion lost.

HOUSE AMENDMENT CONSIDERED

Senate File 508

Senator Deluhery called up for consideration Senate File 508, a bill for an act relating to energy efficiency by expanding the entities entitled to financial assistance for implementing energy conservation measures, requiring implementation of life cycle cost analyses and providing exemptions from the implementation requirements, requiring the appropriation of abandoned utility refunds and deposits, establishing energy efficiency standards for certain products, establishing various energy efficiency-related programs and projects, and providing for a sales and use tax credit for the purchase of fuel-efficient motor vehicles, amended by the House in House amendment S—3632 filed April 29, 1991.

Senator Deluhery offered amendment S—3696 filed by Senators Deluhery, et. al., from the floor to House amendment S—3632.

Senator Pate called for a division of amendment S—3696 to House amendment S—3632: Lines 12-25 as division S—3696A; lines 4-11 and 26-29 as division S—3696B.

Senator Deluhery moved the adoption of division S—3696A to House amendment S—3632.

A non record roll call was requested.

The ayes were 22, nays 20.

Division S—3696A was adopted.

Senator Deluhery moved the adoption of division S—3696B to House amendment S—3632, which motion prevailed by a voice vote.

Senator Deluhery moved that the Senate concur in the House amendment as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Deluhery moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 508) the vote was:

Ayes, 39:

Buhr	Connolly	Deluhery	Doyle
Fraise	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Kinley	Kramer	Lind	Lloyd-Jones
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rife
Riordan	Rittmer	Rosenberg	Slife
Soorholtz	Sturgeon	Szymoniak	Tieden
Tinsman	Varn	Welsh	

Nays, 9:

Borlaug	Boswell	Dieleman	Drake
Kersten	McLaren	Rensink	Taylor
Vande Hoef			

Absent or not voting, 2:

Fuhrman	Running
---------	---------

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

President pro tempore Lloyd-Jones took the chair at 9:56 a.m.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House Files 614, 232 and Senate File 508** be immediately messaged to the House.

INTRODUCTION OF RESOLUTION

Senate Resolution 21, by committee on Rules and Administration, a senate resolution relating to daily operations of the Senate.

Read first time and placed on calendar.

COMMITTEE REPORT**RULES AND ADMINISTRATION**

Final Bill Action: SENATE RESOLUTION 21, a senate resolution relating to daily operations of the Senate.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 9: Hutchins, Welsh, Rife, Gettings, Husak, Jensen, Kinley, Lloyd-Jones and Soorholtz. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

**CONSIDERATION OF RESOLUTION
(Regular Calendar)**

Senator Horn asked and received unanimous consent to take up for immediate consideration Senate Resolution 21.

Senate Resolution 21

On motion of Senator Welsh, Senate Resolution 21, a senate resolution relating to daily operations of the Senate, was taken up for consideration.

Senator Welsh moved the adoption of Senate Resolution 21, which motion prevailed by a voice vote.

BUSINESS PENDING

Senate File 547

The Senate resumed consideration of Senate File 547, a bill for an act relating to housing and residential development within certain urban renewal areas and to tax exemption schedules for revitalization areas and providing an applicability date, previously deferred.

Senator Connolly offered amendment S—3695 filed by the committee on Ways and Means from the floor to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3695 be adopted?" (S.F. 547) the vote was:

Ayes, 27:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Doyle	Fraise	Gettings
Gronstal	Hannon	Horn	Husak
Hutchins	Kibbie	Kinley	Lloyd-Jones
Miller	Murphy	Nystrom	Palmer
Peterson	Priebe	Rosenberg	Running
Sturgeon	Varn	Welsh	

Nays, 20:

Borlaug	Drake	Hagerla	Hedge
Hester	Jensen	Kramer	Lind
McLaren	Pate	Rensink	Rife
Rittmer	Slife	Soorholtz	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef

Absent or not voting, 3:

Fuhrman	Kersten	Riordan
---------	---------	---------

Amendment S—3695 was adopted.

Senator Rosenberg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 547) the vote was:

Ayes, 44:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Rittmer
Rosenberg	Sturgeon	Szymoniak	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 1:

Taylor

Absent or not voting, 5:

Fuhrman	Riordan	Running	Slife
Soorholtz			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Horn asked and received unanimous consent that **Senate File 547** 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 Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 36 present, 14 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Szymoniak for the remainder of the day on request of Senator Horn.

BILLS REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that the following bills on the Unfinished Business Calendar no longer eligible for consideration under Joint Rule 20 be referred to committee:

S. F.	77	State Government
S. F.	321	Judiciary
S. F.	177	Judiciary

Senator Horn asked and received unanimous consent that **Senate Resolution 20** be referred from the Regular Calendar to the committee on **Rules and Administration**.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 23, 1991, concurred in the Senate amendment and passed the following bill in which the concurrence of the House was asked:

House File 558, a bill for an act relating to child support by affecting informational requirements of the child support recovery unit and the receipt and disbursement of child support payments.

ALSO: That the House has on May 1, 1991, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 430, a bill for an act relating to the crime victim assistance programs.

House File 510, a bill for an act relating to the election of a county sheriff to serve more than one county.

House File 634, a bill for an act relating to the regulation of the business of insurance, amending certain filing requirements, filing fees, and the deposit of those fees by the insurance division, providing for the prior review and approval of certain policy forms and rates prior to issuance or delivery, making modifications to certain meeting and license renewal requirements, providing administrative penalties, and providing for the Act's applicability.

ALSO: That the House has on May 1, 1991, 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 429, a bill for an act relating to agricultural land held by corporations, limited partnerships, and trusts, and providing penalties.

ALSO: That the House has on May 2, 1991, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 184, a bill for an act relating to open enrollment, making changes in payment of funds for pupils who transfer from one district to another and permitting students whose former district of residence was dissolved and merged with contiguous districts, and providing effective and applicability dates (S—3692).

Senate File 362, a bill for an act relating to petroleum underground storage tanks by raising the maximum use taxes deposited in the Iowa comprehensive underground storage tank fund and adjusting the diminution cost factor, establishing monitoring certificates, requiring certain corrective action rules, defining free product, providing for double-walled tanks as a corrective action cost, providing for payment of corrective action costs for certain not-for-profit organizations, establishing requirements for site cleanup reports, changing copayment schedules for remedial action, extending property liens, limiting cleanup payments, extending loan maturity dates and offering a special interest rate buy-down, extending upgrade dates, offering insurance coverage for certified tank installers and for property transfers, limiting rights of recovery and subrogation under the insurance account, requiring certification and registration of groundwater professionals, imposing an environmental damage offset, and providing an effective date (S—3701).

Senate File 496, a bill for an act relating to persons convicted of public offenses, relating to the department of corrections and its programs and facilities, and establishing additional public offenses and criminal penalties (S—3698).

Senate File 541, a bill for an act appropriating federal funds made available from federal block grants and other federal 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 providing effective dates (S—3699).

ALSO: That the House has on May 2, 1991, 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 302, a bill for an act relating to infectious and radioactive waste treatment and disposal facilities by extending the moratorium on construction and operation, requiring operating permits for treatment and disposal facilities and collection and transportation operations, providing for emission limitations and standards, and providing an effective date (S—3694 to H—4010).

ALSO: That the House has on May 2, 1991, passed the following bill in which the concurrence of the Senate is asked:

House File 707, 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 or money market funds.

This bill was read first time and passed on file.

ALSO: That the House has on May 3, 1991, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 455, a bill for an act relating to the restructuring of the codified provisions relating to dependent adult abuse, and providing penalties (S—3703).

ALSO: That the House has on May 3, 1991, refused to concur in the Senate amendment to the following bill in which the concurrence of the House was asked:

House File 233, a bill for an act relating to the hunter safety and ethics education program, and providing a penalty for violations.

HOUSE AMENDMENTS CONSIDERED

Senate File 541

Senator Boswell called up for consideration Senate File 541, a bill for an act appropriating federal funds made available from federal block grants and other federal 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 providing effective dates, amended by the House, and moved that the Senate concur in House amendment S—3699 filed May 3, 1991.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Boswell moved that the bill as amended by the 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. 541) the vote was:

Ayes, 47:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy
Nystrom	Palmer	Pate	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Fuhrman	Peterson	Szymoniak
---------	----------	-----------

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 273

Senator Kibbie called up for consideration Senate File 273, a bill for an act authorizing a class "B" wine permittee who also holds a class "E" liquor control license to sell wine to liquor control

licensees, amended by the House in House amendment S—3684 filed May 2, 1991.

Senator Kibbie offered amendment S—3697 filed by him from the floor to House amendment S—3684 and moved its adoption.

Amendment S—3697 was adopted by a voice vote.

Senator Kibbie asked and received unanimous consent that action on House amendment S—3684 as amended and **Senate File 273** be deferred.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 618

Senator Varn called up for consideration House File 618, a bill for an act relating to the marketable title of real estate and the lapse of stale mineral interests, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—3662 to Senate amendment H—3753 filed May 1, 1991.

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. 618) the vote was:

Ayes, 43:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Nystrom
Palmer	Pate	Priebe	Rensink
Riordan	Rittmer	Rosenberg	Running

Slife
Tinsman

Soorholtz
Vande Hoef

Sturgeon
Varn

Tieden

Nays, 1:

Taylor

Absent or not voting, 6:

Fuhrman
Szymoniak

Murphy
Welsh

Peterson

Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

UNFINISHED BUSINESS (Deferred April 19, 1991)

House File 200

The Senate resumed consideration of House File 200, a bill for an act relating to the minutes required to be maintained by governmental bodies, deferred on April 19, 1991.

Senator Dieleman withdrew amendment S—3350 filed by him on April 9, 1991, 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. 200) the vote was:

Ayes, 45:

Boswell
Dieleman
Gettings
Hedge
Hutchins
Kinley
McLaren
Palmer
Riordan
Slife

Buhr
Doyle
Gronstal
Hester
Jensen
Kramer
Miller
Pate
Rittmer
Soorholtz

Connolly
Drake
Hagerla
Horn
Kersten
Lind
Murphy
Priebe
Rosenberg
Sturgeon

Deluhery
Fraise
Hannon
Husak
Kibbie
Lloyd-Jones
Nystrom
Rensink
Running
Taylor

Tieden
Welsh

Tinsman

Vande Hoef

Varn

Nays, none.

Absent or not voting, 5:

Borlaug
Szymoniak

Fuhrman

Peterson

Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

Senate File 273

The Senate resumed consideration of Senate File 273, a bill for an act authorizing a class "B" wine permittee who also holds a class "E" liquor control license to sell wine to liquor control licensees, and House amendment S—3684 as amended, previously deferred.

Senator Kibbie offered amendment S—3704 filed by him from the floor to House amendment S—3684 and moved its adoption.

Amendment S—3704 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. 273) the vote was:

Ayes, 34:

Borlaug
Doyle
Gronstal
Husak

Buhr
Drake
Hagerla
Hutchins

Connolly
Fraise
Hannon
Kersten

Deluhery
Gettings
Horn
Kibbie

Kinley	Kramer	Lind	McLaren
Miller	Murphy	Nystrom	Priebe
Rife	Riordan	Rittmer	Rosenberg
Running	Soorholtz	Sturgeon	Tieden
Varn	Welsh		

Nays, 13:

Boswell	Dieleman	Hedge	Hester
Jensen	Lloyd-Jones	Palmer	Pate
Rensink	Slife	Taylor	Tinsman
Vande Hoef			

Absent or not voting, 3:

Fuhrman	Peterson	Szymoniak
---------	----------	-----------

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Horn asked and received unanimous consent that **Senate File 273** be immediately messaged to the House.

HOUSE AMENDMENTS CONSIDERED

Senate File 507

Senator Deluhery called up for consideration Senate File 507, a bill for an act relating to the authority of the superintendent of banking to remove officers and directors of state banks and to prohibit an institution-affiliated party from participating in the conduct of the affairs of a state bank, and providing civil penalties, amended by the House in House amendment S—3633 filed April 29, 1991.

Senator Deluhery offered amendment S—3643 filed by Senators Deluhery and Hedge on April 29, 1991, to House amendment S—3633 and moved its adoption.

Amendment S—3643 was adopted by a voice vote.

Senator Deluhery offered amendment S—3689 filed by Senators Deluhery, et. al., on May 2, 1991, to House amendment S—3633.

Senator Jensen offered amendment S—3693 filed by him from the floor to amendment S—3689 to House amendment S—3633 and moved its adoption.

Amendment S—3693 was adopted by a voice vote.

Senator Deluhery moved the adoption of amendment S—3689 as amended to House amendment S—3633, which motion prevailed by a voice vote.

Senator Deluhery moved that the Senate concur in the House amendment as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Deluhery moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 507) the vote was:

Ayes, 44:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Gronstal	Hannon
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kersten	Kibbie
Kinley	Lind	Lloyd-Jones	McLaren
Miller	Murphy	Nystrom	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Soorholtz	Sturgeon	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Voting present, 3:

Hagerla	Kramer	Slife
---------	--------	-------

Absent or not voting, 3:

Fuhrman	Peterson	Szymoniak
---------	----------	-----------

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 444

Senator Sturgeon called up for consideration Senate File 444, a bill for an act relating to law enforcement, victim services, and domestic abuse, establishing certain training and certification requirements, establishing and increasing certain criminal penalties, imposing mandatory minimum sentences, establishing a domestic abuse services fund, establishing an income tax checkoff for domestic abuse, increasing certain court costs and fees, eliminating certain court costs, requiring batterers treatment by offenders, establishing a pilot program, and containing effective date and applicability provisions, amended by the House in House amendment S—3638 filed April 29, 1991.

Senator Sturgeon offered amendment S—3702 filed by Senators Sturgeon and Slife from the floor to pages 1-7 of House amendment S—3638 and moved its adoption.

Amendment S—3702 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. 444) the vote was:

Ayes, 48:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kinley	Kramer	Lind
Lloyd-Jones	McLaren	Miller	Murphy

Nystrom
Priebe
Rittmer
Soorholtz
Tinsman

Palmer
Rensink
Rosenberg
Sturgeon
Vande Hoef

Pate
Rife
Running
Taylor
Varn

Peterson
Riordan
Slife
Tieden
Welsh

Nays, none.

Absent or not voting, 2:

Fuhrman

Szymoniak

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 Senate Files 444, 507, 541 and House File 618 be immediately messaged to the House.

RECESS

On motion of Senator Horn, the Senate recessed at 12:08 p.m., until 1:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: May 1, 1991, 4:30 p.m.

Members Present: Priebe, Chair; Peterson, Vice Chair; Soorholtz, Ranking Member; Boswell, Doyle, Fraise, Hedge, Hester, Husak, McLaren, Miller, Palmer, Riordan, Rittmer and Vande Hoef.

Members Absent: none.

Committee Business: Approved LSB 2794 as a committee resolution.

Adjourned: 4:45 p.m.

STATE GOVERNMENT

Convened: May 2, 1991, 11:18 a.m.

Members Present: Kibbie, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Buhr, Dieleman, Drake, Gronstal, Horn, Kramer, Lind, McLaren, Murphy, Priebe, Rife, Running, Soorholtz, Vande Hoef and Welsh.

Members Absent: Doyle.

Committee Business: Approved SSB 358 as a committee bill.

Adjourned: 11:30 a.m.

WAYS AND MEANS

Convened: May 2, 1991, 1:41 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hedge, Ranking Member; Connolly, Deluhery, Drake, Fraise, Hester, McLaren, Murphy, Rosenberg, Szymoniak and Taylor.

Members Absent: Fuhrman (excused) and Palmer.

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 698 and 700 as amended; approved SSB 356 as a committee bill with amendment.

Adjourned: 2:25 p.m.

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 473, the following correction was made:

1. Page 2, line 26, the words and numbers "Sections 3 and 100" were changed to the words and numbers "Sections 3 and 6".

JOHN F. DWYER
Secretary of the Senate

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 3rd day of May, 1991:

Senate Files 453, 115, 138, 297, 211, 314, 412, 340 and 473.

JOHN F. DWYER
Secretary of the Senate

PRESENTATION OF VISITORS

Senator Kramer presented Pertti and Irja Raunio, rotary international exchange couple from Rauma, Finland, who have been visiting Iowa the past four weeks.

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 26

RULES AND ADMINISTRATION: Gettings, Chair; Husak and Soorholtz

House Concurrent Resolution 25

RULES AND ADMINISTRATION: Husak, Chair; Gettings and Soorholtz

House File 683

WAYS AND MEANS: Rosenberg, Chair; Deluhery and Hedge

House File 702

WAYS AND MEANS: Rosenberg, Chair; Hester and Murphy

CONFERENCE COMMITTEE REPORT RECEIVED
(House File 455)

A conference committee report signed by the following Senate and House members was filed May 3, 1991, on House File 455, a bill for an act relating to school instruction and attendance of children of compulsory school attendance age and providing for mediation of truancy issues and penalties:

On the Part of the Senate:

MIKE CONNOLLY, Chair
WILLIAM W. DIELEMAN
JIM KERSTEN
MARY KRAMER
LARRY MURPHY

On the Part of the House:

C. ARTHUR OLLIE, Chair
JANET ADAMS
RON CORBETT
RAYMOND LAGESCHULTE
MATTHEW WISSING

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 200 passed the Senate on May 3, 1991.

MICHAEL E. GRONSTAL

COMMITTEE REPORTS

WAYS AND MEANS

Final Bill Action: HOUSE FILE 683, a bill for an act relating to the establishment of a toxics pollution prevention program and establishing fees.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3707.

Final Vote: Ayes, 13: Dieleman, Husak, Hedge, Connolly, Deluhery, Drake, Fraise, Hester, McLaren, Murphy, Palmer, Rosenberg and Taylor. Nays, none. Absent or not voting, 2: Fuhrman and Szymoniak.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 702, a bill for an act establishing a state funding formula for the costs of services provided to adults with mental retardation, a developmental disability, or mental illness, and providing effective dates.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Dieleman, Husak, Hedge, Connolly, Deluhery, Drake, Fraise, Hester, McLaren, Murphy, Palmer, Rosenberg and Taylor. Nays, none. Absent or not voting, 2: Fuhrman and Szymoniak.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3692	S.F.	184	House amendment
S—3693	S.F.	507	John Jensen
S—3694	H.F.	302	House amendment
S—3695	S.F.	547	Ways and Means
S—3696	S.F.	508	Patrick Deluhery Ralph Rosenberg Michael Gronstal Eugene Fraise Richard Varn Alvin Miller
S—3697	S.F.	273	Jack Kibbie
S—3698	S.F.	496	House amendment
S—3699	S.F.	541	House amendment
S—3700	H.F.	421	Mark Hagerla
S—3701	S.F.	362	House amendment
S—3702	S.F.	444	Al Sturgeon Harry G. Slife
S—3703	S.F.	455	House amendment
S—3704	S.F.	273	Jack Kibbie
S—3705	S.F.	465	House amendment
S—3706	H.F.	698	Larry Murphy
S—3707	H.F.	683	Ways and Means
S—3708	S.F.	542	House amendment

AFTERNOON SESSION

The Senate reconvened at 1:22 p.m., Senator Kibbie presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 10, 1991, passed the following bill in which the concurrence of the House was asked:

Senate File 470, a bill for an act relating to federal-state public assistance programs.

ALSO: That the House has on April 25, 1991, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 465, a bill for an act relating to the department of inspections and appeals by creating new licensing and fee requirements for gaming activities (S—3705).

ALSO: That the House has on May 3, 1991, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 542, a bill for an act relating to and making appropriations from the energy conservation trust for weatherization purposes (S—3708).

ALSO: That the House has on May 3, 1991, passed the following bill in which the concurrence of the Senate is asked:

House File 705, a bill for an act relating to the Iowa finance authority's housing trust fund program and increasing the real estate transfer tax for revenues for the fund.

This bill was read first time and passed on file.

ALSO: That the House has on May 3, 1991, adopted the conference committee report and passed **House File 455**, a bill for an act relating to school instruction and attendance of children of compulsory school attendance age and providing for mediation of truancy issues and penalties.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 27, by Lind, Borlaug, Drake,

Fuhrman, Hagerla, Hedge, Hester, Jensen, Kersten, Kramer, McLaren, Nystrom, Pate, Rensink, Rife, Rittmer, Slife, Soorholtz, Taylor, Tieden, Tinsman and Vande Hoef, a concurrent resolution relating to public service recognition week.

Read first time and passed on file.

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.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Kinley and Lloyd-Jones for the remainder of the day on request of Senator Horn.

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **House File 421** be referred from the Unfinished Business Calendar to the committee on **Judiciary**.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House File 697** be **immediately messaged** to the House.

CONFERENCE COMMITTEE REPORT ADOPTED

House File 455

Senator Connolly called up for conference committee report on House File 455, a bill for an act relating to school instruction and attendance of children of compulsory school attendance age and providing for mediation of truancy issues and penalties, filed on May 3, 1991.

Senator Buhr took the chair at 1:55 p.m.

Senator Connolly moved the adoption of the conference committee report.

The motion prevailed by a voice vote and the conference committee report and the recommendations and amendments contained therein was adopted.

Senator 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. 455) the vote was:

Ayes, 45:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kramer	Lind	McLaren
Miller	Murphy	Nystrom	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 5:

Fuhrman	Kinley	Lloyd-Jones	Palmer
Szymoniak			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MOTION TO RECONSIDER WITHDRAWN

House File 182

Senator Hedge withdrew the motion to reconsider House File 182, a bill for an act relating to the annexation of land surrounded by one or more cities, filed by him on May 1, 1991, and found on page 1587 of the Senate Journal.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 668

Senator Sturgeon called up for consideration House File 668, a bill for an act relating to the certificate of need program and providing penalties, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—3690 to Senate amendment H—4006 filed May 2, 1991.

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. 668) the vote was:

Ayes, 45:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Doyle	Drake	Fraise
Gettings	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kersten	Kibbie
Kramer	Lind	McLaren	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 5:

Dieleman	Fuhrman	Kinley	Lloyd-Jones
Szymoniak			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration House File 683.

House File 683

On motion of Senator Varn, House File 683, a bill for an act relating to the establishment of a toxics pollution prevention program and establishing fees, with report of committees on Environment and Energy Utilities and Ways and Means recommending amendment and passage, was taken up for consideration.

Senator Varn offered amendment S—3691 filed by the committee on Environment and Energy Utilities on May 2, 1991, to pages 4-7, 10-13 and the title page of the bill.

Senator Drake offered amendment S—3710 filed by him from the floor to amendment S—3691 and moved its adoption.

Amendment S—3710 was adopted by a voice vote.

Senator Varn moved the adoption of amendment S—3691 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—3691 as amended, the Chair ruled amendment S—3707 filed by the committee on Ways and Means from the floor to pages 4-7, 12, 13 and the title page of the bill, out of order.

Senator Varn asked and received unanimous consent that action on **House File 683** be deferred.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House File 182** be immediately messaged to the House.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on May 3, 1991, 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 417, a bill for an act relating to private club expense deductions for individual and corporate state income tax purposes (S—3711 to H—4015).

UNFINISHED BUSINESS
(Deferred April 17, 1991)

House File 353

The Senate resumed consideration of House File 353, a bill for an act relating to the possession or use of a device or appliance to stimulate or depress a race horse or dog and providing penalties, deferred on April 17, 1991.

Senator Deluhery asked and received unanimous consent that action on amendment S—3475 filed by Senators Priebe, Deluhery and Fuhrman on April 18, 1991, to page 1 of the bill, be deferred.

Senator Priebe offered amendment S—3487 filed by Senators Priebe, Deluhery and Fuhrman on April 18, 1991, to page 1 of the bill and moved its adoption.

Amendment S—3487 was adopted by a voice vote.

With the adoption of amendment S—3487, the Chair ruled amendment S—3475, previously deferred, out of order.

Senator Deluhery moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (HF. 353) the vote was:

Ayes, 44:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kramer	Lind	McLaren

Miller	Murphy	Nystrom	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Running
Slife	Soorholtz	Sturgeon	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 6:

Fuhrman	Kinley	Lloyd-Jones	Peterson
Szymoniak	Taylor		

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 474** be withdrawn from further consideration of the Senate.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Taylor until he returns on request of Senator Vande Hoef.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 417

Senator Rosenberg called up for consideration House File 417, a bill for an act relating to private club expense deductions for individual and corporate state income tax purposes, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—3711 to Senate amendment H—4015 filed May 3, 1991.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Rosenberg 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. 417) the vote was:

Ayes, 46:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kersten
Kibbie	Kramer	Lind	McLaren
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Running	Slife	Soorholtz	Sturgeon
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Fuhrman	Kinley	Lloyd-Jones	Szymoniak
---------	--------	-------------	-----------

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 465

Senator Running called up for consideration Senate File 465, a bill for an act relating to the department of inspections and appeals by creating new licensing and fee requirements for gaming activities, amended by the House, and moved that the Senate concur in House amendment S—3705 filed May 3, 1991.

The motion lost by a voice vote and the Senate refused to concur in the House amendment.

Senator Horn asked and received unanimous consent that House Files 417 and 353 and Senate File 465 be immediately messaged to the House.

BILLS REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that the following bills be referred from the Unfinished Business Calendar to committee:

H.F.	372	Agriculture
H.F.	580	Education
H.F.	646	Education
S.F.	432	Education

MOTION TO RECONSIDER ADOPTED

Senator Gronstal called up the motion to reconsider House File 200 filed by him on May 3, 1991, found on page 1654 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (H.F. 200) the vote was:

Ayes, 38:

Boswell	Buhr	Connolly	Deluhery
Doyle	Drake	Fraise	Gronstal
Hagerla	Hannon-	Hedge	Hester
Horn	Hutchins	Jensen	Kersten
Kibbie	Kramer	Lind	McLaren
Miller	Murphy	Nystrom	Pate
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Running	Slife
Soorholtz	Sturgeon	Taylor	Tinsman
Vande Hoef	Varn		

Nays, 6:

Borlaug	Dieleman	Gettings	Husak
Peterson	Tieden		

Absent or not voting, 6:

Fuhrman	Kinley	Lloyd-Jones	Palmer
Szymoniak	Welsh		

The motion prevailed.

Senator Gronstal moved to reconsider the vote by which House File 200 went to its last reading, which motion prevailed by a voice vote.

Senator Gronstal offered amendment S—3709 filed by him from the floor to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3709 be adopted?" (H.F. 200) the vote was:

Ayes, 34:

Borlaug	Buhr	Connolly	Drake
Fraise	Gronstal	Hagerla	Hannon
Hedge	Horn	Hutchins	Jensen
Kersten	Kibbie	Kramer	Lind
McLaren	Miller	Murphy	Nystrom
Palmer	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Soorholtz	Sturgeon	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 12:

Boswell	Deluhery	Dieleman	Doyle
Gettings	Hester	Husak	Pate
Peterson	Running	Taylor	Tieden

Absent or not voting, 4:

Fuhrman	Kinley	Lloyd-Jones	Szymoniak
---------	--------	-------------	-----------

Amendment S—3709 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. 200) the vote was:

Ayes, 32:

Buhr	Connolly	Drake	Fraise
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Kersten	Kibbie

Kramer	Lind	McLaren	Miller
Murphy	Nystrom	Palmer	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Slife	Soorholtz	Sturgeon
Tinsman	Vande Hoef	Varn	Welsh

Nays, 12:

Borlaug	Boswell	Deluhery	Doyle
Gettings	Husak	Jensen	Pate
Peterson	Running	Taylor	Tieden

Voting present, 1:

Dieleman

Absent or not voting, 5:

Fuhrman	Hutchins	Kinley	Lloyd-Jones
Szymoniak			

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 Horn asked and received unanimous consent to take up for consideration House File 698.

House File 698

On motion of Senator Murphy, House File 698, a bill for an act relating to school bus driver education and qualifications, establishing a fund for school bus driver and passenger safety programs, and providing for a fee, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Husak offered amendment S—3686 filed by the committee on Ways and Means on May 2, 1991, to page 1 of the bill.

Senator Murphy offered amendment S—3706 filed by him from the floor to amendment S—3686 and moved its adoption.

Amendment S—3706 was adopted by a voice vote.

Senator Husak moved the adoption of amendment S—3686 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. 698) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 28:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kramer
Lind	Miller	Murphy	Nystrom
Palmer	Peterson	Riordan	Rosenberg
Running	Tinsman	Varn	Welsh

Nays, 18:

Borlaug	Hagerla	Hedge	Hester
Jensen	Kersten	McLaren	Pate
Priebe	Rensink	Rife	Rittmer
Slife	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef		

Absent or not voting, 4:

Fuhrman	Kinley	Lloyd-Jones	Szymoniak
---------	--------	-------------	-----------

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 3:30 p.m.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House Files 455, 668 and 698** be immediately messaged to the House.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on May 3, 1991, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 4, a bill for an act relating to consideration of voluntary and involuntary annexation petitions which concern the same territory or city (S—3714).

SENATE INSISTS

Senate File 471

Senator Kramer called up for consideration Senate File 471, a bill for an act relating to state policies and procedures affecting children, 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 471, on the part of the Senate: Senators Rosenberg, Chair; Szymoniak, Hannon, Kramer and Tinsman.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Horn asked and received unanimous consent to take up for consideration House File 700.

House File 700

On motion of Senator Connolly, House File 700, a bill for an act raising the city transit property tax levy limit, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Taylor offered amendment S—3687 filed by the committee on Ways and Means on May 2, 1991, to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3687 be adopted?" (H.F. 700) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 27:

Borlaug	Boswell	Doyle	Fraise
Gettings	Hagerla	Hedge	Hester
Husak	Jensen	Kersten	Kramer
Lind	McLaren	Murphy	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Rittmer	Slife	Soorholtz
Taylor	Tinsman	Vande Hoef	

Nays, 16:

Buhr	Connolly	Deluhery	Dieleman
Drake	Gronstal	Hannon	Horn
Kibbie	Miller	Riordan	Rosenberg
Running	Sturgeon	Varn	Welsh

Absent or not voting, 7:

Fuhrman	Hutchins	Kinley	Lloyd-Jones
Nystrom	Szymoniak	Tieden	

Amendment S—3687 was adopted.

Senator Connolly asked and received unanimous consent that action on House File 700 be deferred.

HOUSE AMENDMENT CONSIDERED

Senate File 542

Senator Boswell called up for consideration Senate File 542, a bill for an act relating to and making appropriations from the energy conservation trust for weatherization purposes, amended by the House in House amendment S—3708 filed May 3, 1991.

Senator Boswell offered amendment S—3715 filed by him from the floor to House amendment S—3708 and moved its adoption.

Amendment S—3715 was adopted by a voice vote.

Senator Boswell moved that the Senate concur in the House amendment as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Boswell moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 542) the vote was:

Ayes, 42:

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Gronstal	Hagerla
Hannon	Hedge	Horn	Husak
Hutchins	Kersten	Kibbie	Kramer
Lind	McLaren	Miller	Murphy
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Running	Slife	Soorholtz
Sturgeon	Taylor	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 8:

Fuhrman	Hester	Jensen	Kinley
Lloyd-Jones	Nystrom	Szymoniak	Tieden

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Horn asked and received unanimous consent that Senate File 542 be immediately messaged to the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Borlaug for the remainder of the day on request of Senator Vande Hoef.

APPENDIX

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 23, 1991. Had I been present, I would have voted "aye" on Senate File 276.

I was necessarily absent from the Senate chamber on April 25, 1991. Had I been present, I would have voted "aye" on Senate Files 91, 317, 429, 460 and House Files 214, 430, 455, 517 and 649. I would have voted "nay" on Senate File 515 and House File 510.

MAGGIE TINSMAN

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in preparing the Senate amendment to the House amendment to Senate File 273, the following correction was made:

1. Page 1, line 4, the word and number "line 1" was changed to the word and number "line 3".

JOHN F. DWYER
Secretary of the Senate

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifty-four sixth grade students from Boyden-Hull Elementary School, Boyden, accompanied by Marcene Cox, Evelyn Bakker, Ginny Eulberg, et al. Senators Rensink and Vande Hoef.

Thirty third, fourth and fifth grade students from Palmer Elementary School, Palmer, Iowa, accompanied by Wally Parman. Senator Fuhrman

Fifty eighth grade students from Van Buren Community Jr-Sr. High School, Keosauqua, accompanied by Chuck Russell. Senator Fraise.

Thirty-five fifth and seventh grade students from Lutheran Inter-Parish School, Williamsburg, accompanied by Marna Durr. Senator Varn.

Sixty fifth grade students from Woodward-Granger Elementary School, Granger, accompanied by Terry Danielson. Senator Riordan.

Twenty-six seventh and eighth grade students from Sacred Heart School, Boone, accompanied by Beth Hibben. Senator Nystrom.

ANNOUNCEMENT BY PRESIDENT

The President of the Senate announced the following senators appointed to boards and commissions as a result of expiration of terms or vacancies:

Capitol Planning Board CODE 18A

Senator William W. Dieleman, 5/3/91 - 4/30/95

Advisory Commission on Quality Grain Marketing
1989 Session, House File 686

Senator Leonard Boswell, 5/3/91 - 5/1/93

Senator Jack Kibbie, 5/3/91 - 5/1/93

REPORT OF COMMITTEE MEETING

ENVIRONMENT AND ENERGY UTILITIES

Convened: May 2, 1991, 4:45 p.m.

Members Present: Rosenburg, Chair; Gronstal, Vice Chair; Jensen, Ranking Member; Borlaug, Deluhery, Fraise, Hannon, Hedge, Kersten, Miller and Varn.

Members Absent: Soorholtz.

Committee Business: Recommended passage of House File 683 as amended.

Adjourned: 4:55 p.m.

BILLS ASSIGNED TO COMMITTEE

President Welsh announced the assignment of the following bills to committee:

S. C. R. 27 Rules and Administration

H.F. 705 Ways and Means

AMENDMENTS FILED

S-3709	H.F.	200	Michael Gronstal
S-3710	H.F.	683	Richard F. Drake
S-3711	H.F.	417	House amendment
S-3712	H.F.	693	Alvin Miller Florence Buhr
S-3713	S.F.	184	Richard Varn Emil J. Husak Michael Connolly
S-3714	S.F.	4	House amendment
S-3715	S.F.	542	Leonard Boswell

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 3:55 p.m., until 1:30 p.m., Monday, May 6, 1991.