

State of Iowa

JOURNAL OF THE SENATE

1999

REGULAR SESSION SEVENTY-EIGHTH GENERAL ASSEMBLY

**Convened January 11, 1999
Adjourned April 29, 1999**

**Volume I
January 11 – April 19**

**MARY KRAMER, President of the Senate
RON CORBETT, Speaker of the House**

Published by the
STATE OF IOWA
Des Moines

SEVENTY-EIGHTH GENERAL ASSEMBLY

1999 Regular Session

OFFICERS OF THE SENATE

MARY KRAMER, <i>President</i>	West Des Moines
DON REDFERN, <i>President Pro Tempore</i>	Cedar Falls
STEWART E. IVERSON, JR., <i>Majority Leader</i>	Dows
MERLIN E. BARTZ, <i>Assistant Majority Leader</i>	Grafton
NANCY BOETTGER, <i>Assistant Majority Leader</i>	Harlan
H. KAY HEDGE, <i>Assistant Majority Leader</i>	Fremont
O. GENE MADDOX, <i>Assistant Majority Leader</i>	Clive
JOHN REDWINE, <i>Assistant Majority Leader</i>	Sioux City
MICHAEL E. GRONSTAL, <i>Minority Leader</i>	Council Bluffs
DENNIS BLACK, <i>Assistant Minority Leader</i>	Grinnell
ROBERT E. DVORSKY, <i>Assistant Minority Leader</i>	Coralville
EUGENE S. FRAISE, <i>Assistant Minority Leader</i>	Fort Madison
STEVEN D. HANSEN, <i>Assistant Minority Leader</i>	Sioux City
ELAINE SZYMONIAK, <i>Assistant Minority Leader</i>	Des Moines
MICHAEL E. MARSHALL, <i>Secretary of the Senate</i>	Urbandale
CYNTHIA A. CLINGAN, <i>Assistant Secretary of the Senate</i>	Des Moines
JULIE ELDER, <i>Journal Editor</i>	Urbandale
LINDA LAURENZO, <i>Senior Finance Officer</i>	Clive
KATHY OLAH, <i>Indexer</i>	Des Moines
BECKY BEACH, <i>Administrative Assistant to</i> <i>President of the Senate</i>	Des Moines
KAYE LOZIER, <i>Administrative Assistant to</i> <i>President of the Senate</i>	Des Moines
TOM COPE, <i>Administrative Assistant to Majority Leader</i>	Des Moines

SARA DEENY, <i>Administrative Assistant to Majority Leader</i>	Des Moines
CHRISTOPHER HULL, <i>Majority Caucus Staff Director</i>	Des Moines
DEBBIE O'LEARY, <i>Senior Minority Caucus Staff Director</i>	Urbandale
JAMES BOOSE, <i>Senior Majority Caucus Research Analyst</i>	Urbandale
CAROLANN JENSEN, <i>Senior Majority Caucus Research Analyst</i>	Ames
ANGELA DORSEY, <i>Majority Caucus Research Analyst</i>	Indianola
PAMELA DUGDALE, <i>Majority Caucus Research Analyst</i>	West Des Moines
JIM FRIEDRICH, <i>Majority Caucus Research Analyst</i>	Charles City
MICHAEL V. SAVALA, <i>Majority Caucus Research Analyst</i>	Des Moines
MICHAEL ST. CLAIR, <i>Majority Caucus Research Analyst</i>	Ankeny
PAT WARD, <i>Majority Caucus Research Analyst</i>	Clive
STEPHEN CONWAY, <i>Senior Minority Caucus Research Analyst</i>	West Des Moines
THERESA L. KEHOE, <i>Senior Minority Caucus Research Analyst</i>	Des Moines
JAMES FITZGERALD, <i>Minority Caucus Research Analyst</i>	Des Moines
JEFF LAKE, <i>Minority Caucus Research Analyst</i>	Ames
RUSTY MARTIN, <i>Minority Caucus Research Analyst</i>	Iowa City
JULIE T. SIMON, <i>Minority Caucus Research Analyst</i>	Des Moines
KERRY WRIGHT, <i>Minority Caucus Research Analyst</i>	Grinnell
ANISSA COWLEY, <i>Majority Caucus Secretary</i>	Ankeny
K'ANN BRANDT, <i>Journal Editor</i>	Ankeny
MEGAN THOMPSON, <i>Assistant Journal Editor</i>	Ankeny
LOIS BROWNELL, <i>Finance Officer</i>	Des Moines
LORI BRISTOL, <i>Confidential Secretary to the Secretary of the Senate</i>	Cumming
JOANN HANOVER, <i>Administrative Assistant to the Minority Leader</i>	Des Moines
MELISSA WATSON, <i>Administrative Assistant to the Minority Leader</i>	Des Moines
LUANN RANDLEMAN, <i>Administrative Secretary to the Secretary of the Senate</i>	Ankeny

KATHLEEN CUROE, <i>Indexer</i>	Des Moines
STEPHANIE COX, <i>Assistant to Legal Counsel</i>	Des Moines
JAY MOSHER, <i>Bill Clerk</i>	Milo
WILLIAM KRIEG, <i>Sergeant-at-Arms</i>	Des Moines
TOM SHELDAHL, <i>Assistant Sergeant-at-Arms</i>	West Des Moines
ARNOLD BOYUM, <i>Doorkeeper</i>	Des Moines
SVEND A. CHRISTENSEN, <i>Doorkeeper</i>	Des Moines
GEORGE FINKENAUER, <i>Doorkeeper</i>	Johnston
ROBERT LANGBEHN, <i>Doorkeeper</i>	Des Moines
JIM OLMSTED, <i>Doorkeeper</i>	Des Moines
E.A. SAMUELSON, <i>Doorkeeper</i>	Des Moines
KERMIT A. TANNATT, <i>Doorkeeper</i>	Des Moines
PAUL UNDERHILL, <i>Doorkeeper</i>	Ankeny
KIM RUSSELL, <i>Switchboard Operator</i>	Des Moines
JACKI SOUER, <i>Switchboard Operator</i>	Indianola
ELEANOR HESSLING, <i>Postmaster</i>	West Des Moines

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

ELECTED STATE OFFICIALS

Official Address: Des Moines, Iowa

THOMAS J. VILSACK, <i>Governor</i>	Mt. Pleasant
SALLY J. PEDERSON, <i>Lieutenant Governor</i>	Des Moines
CHET CULVER, <i>Secretary of State</i>	Des Moines
RICHARD D. JOHNSON, <i>Auditor of State</i>	Sheldahl
MICHAEL L. FITZGERALD, <i>Treasurer of State</i>	Des Moines
PATTY JUDGE, <i>Secretary of Agriculture and Land Stewardship</i>	Albia
TOM MILLER, <i>Attorney General</i>	McGregor

JUSTICES OF THE IOWA SUPREME COURT

ARTHUR A. MCGIVERIN, <i>Chief Justice</i>	Ottumwa
MARK S. CADY, <i>Justice</i>	Fort Dodge
JAMES H. CARTER, <i>Justice</i>	Cedar Rapids
K. DAVID HARRIS, <i>Justice</i>	Jefferson
J.L. LARSON, <i>Justice</i>	Harlan
LOUIS A. LAHORATO, <i>Justice</i>	Des Moines
LINDA NEUMAN, <i>Justice</i>	Davenport
BRUCE M. SNELL, JR., <i>Justice</i>	Ida Grove
MARSHA TERNUS, <i>Justice</i>	Des Moines

JUDGES OF THE IOWA COURT OF APPEALS

ROSEMARY S. SACKETT, <i>Chief Judge</i>	Spencer
TERRY L. HUITINK, <i>Judge</i>	Orange City
ROBERT E. MAHAN, <i>Judge</i>	Waterloo
MICHAEL J. STREIT, <i>Judge</i>	Des Moines
GAYLE NELSON VOGEL, <i>Judge</i>	Knoxville
VAN D. ZIMMER, <i>Judge</i>	Vinton

MEMBERS OF THE SENATE
SEVENTY-EIGHTH GENERAL ASSEMBLY
1999 REGULAR SESSION

JEFF ANGELO

Address.....Creston
Age.....34
Occupation.....Broadcaster
Senatorial District.....44-Adams, Decatur, Page, Ringgold, Taylor, Union
Former Legislative Service.....77

MERLIN BARTZ

Address.....Grafton
Age.....37
Occupation.....Farmer/Laborer
Senatorial District.....10-Cerro Gordo, Mitchell, Worth
Former Legislative Service.....74, 74X, 74XX, 75, 76, 77

JERRY BEHN

Address.....Boone
Age.....44
Occupation.....Farmer
Senatorial District.....40-Boone, Carroll, Greene
Former Legislative Service.....77

DENNIS H. BLACK

Address.....Grinnell
Age.....59
Occupation.....Conservationist
Senatorial District.....29-Jasper, Mahaska, Marshall, Poweshiek
Former Legislative Service.....70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76, 77

NANCY BOETTGER

Address.....Harlan
Age.....55
Occupation.....Farmer/Former Educator
Senatorial District.....41-Audubon, Harrison, Pottawattamie, Shelby
Former Legislative Service.....76, 77

JOE BOLKCOM

Address.....Iowa City
Age.....43
Occupation.....Legislator
Senatorial District.....23-Johnson
Former Legislative Service.....None

**MEMBERS OF THE SENATE—78TH GENERAL ASSEMBLY
1999 REGULAR SESSION—Continued**

MICHAEL W. CONNOLLY

Address.....Dubuque
 Age.....53
 Occupation.....School Administrator
 Senatorial District.....18—Dubuque
 Former Legislative Service.....68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX,
 73, 74, 74X, 74XX, 75, 76, 77

DICK L. DEARDEN

Address.....Des Moines
 Age.....60
 Occupation.....Job Developer, 5th Judicial District
 Senatorial District.....35—Polk
 Former Legislative Service.....76, 77

PATRICK J. DELUHERY

Address.....Davenport
 Age.....56
 Occupation.....College Teacher
 Senatorial District.....22—Scott
 Former Legislative Service.....68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX,
 73, 74, 74X, 74XX, 75, 76, 77

RICHARD F. DRAKE

Address.....Muscatine
 Age.....71
 Occupation.....Farmer
 Senatorial District.....24—Johnson, Louisa, Muscatine, Scott
 Former Legislative Service.....63, 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71,
 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76, 77

ROBERT E. DVORSKY

Address.....Coralville
 Age.....50
 Occupation.....Job Developer, Community-Based Corrections
 Senatorial District.....25—Johnson, Linn
 Former Legislative Service.....72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76, 77

WILLIAM (BILL) FINK

Address.....Carlisle
 Age.....43
 Occupation.....Teacher
 Senatorial District.....45—Marion, Warren
 Former Legislative Service.....75, 76, 77

TOM FLYNN

Address..... Epworth
Age.....43
Occupation..... Business Owner
Senatorial District 17—Delaware, Dubuque, Jackson
Former Legislative Service.....76, 77

EUGENE (GENE) FRAISE

Address..... Fort Madison
Age.....66
Occupation..... Farmer
Senatorial District 50—Des Moines, Lee
Former Legislative Service..... 71 (2nd), 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76, 77

MARY LOU FREEMAN

Address..... Alta
Age.....58
Occupation..... Substitute Teacher/Grantwriter
Senatorial District 5—Buena Vista, Cherokee, Clay, O'Brien, Plymouth, Pocahontas
Former Legislative Service..... 75 (2nd), 76, 77

E. THURMAN GASKILL

Address..... Corwith
Age.....64
Occupation..... Farmer
Senatorial District 8—Hancock, Humboldt, Kossuth, Winnebago, Wright
Former Legislative Service..... 77 (2nd)

MICHAEL E. GRONSTAL

Address..... Council Bluffs
Age.....48
Senatorial District 42—Pottawattamie
Former Legislative Service..... 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76, 77

JOHNIE HAMMOND

Address..... Ames
Age.....66
Occupation..... Legislator
Senatorial District 31—Story
Former Legislative Service..... 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76, 77

STEVEN D. HANSEN

Address..... Sioux City
Age.....43
Occupation..... Adjunct Instructor/Self-Employed
Senatorial District 1—Woodbury
Former Legislative Service..... 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76, 77

PATRICIA M. HARPER

Address..... Waterloo
 Age..... 66
 Occupation..... Retired Educator
 Senatorial District..... 13—Black Hawk
 Former Legislative Service..... 72, 72X, 72XX, 73, 75, 76, 77

H. KAY HEDGE

Address..... Fremont
 Age..... 70
 Occupation..... Grain and Livestock Farmer
 Senatorial District..... 48—Keokuk, Mahaska, Marion, Wapello, Washington
 Former Legislative Service..... 73, 74, 74X, 74XX, 75, 76, 77

WALLY E. HORN

Address..... Cedar Rapids
 Age..... 65
 Occupation..... Retired Educator
 Senatorial District..... 27—Linn
 Former Legislative Service..... 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71,
 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76, 77

STEWART E. IVERSON, JR.

Address..... Dows
 Age..... 48
 Occupation..... Farmer
 Senatorial District..... 9—Franklin, Hamilton, Hardin, Wright
 Former Legislative Service..... 73 (2nd), 74, 74X, 74XX, 75, 76, 77

JOHN W. JENSEN

Address..... Plainfield
 Age..... 73
 Occupation..... Farmer
 Senatorial District..... 11—Black Hawk, Bremer, Butler, Grundy
 Former Legislative Service..... 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73,
 74, 74X, 74XX, 75, 76, 77

JOANN JOHNSON

Address..... Adel
 Age..... 49
 Occupation..... Former Farmer/Teacher
 Senatorial District..... 39—Adair, Dallas, Guthrie, Madison
 Former Legislative Service..... 76, 77

JOHN JUDGE

Address..... Albia
Age..... 55
Occupation Farmer/Banker
Senatorial District 46-Appanoose, Clarke, Davis, Lucas, Monroe, Van Buren, Wayne
Former Legislative Service None

JOHN P. KIBBIE

Address..... Emmetsburg
Age..... 69
Occupation Farmer
Senatorial District 4-Clay, Dickinson, Emmet, Kossuth, Palo Alto
Former Legislative Service 59, 60, 60X, 61, 62, 73, 74, 74X, 74XX, 75, 76, 77

STEVE KING

Address..... Kiron
Age..... 49
Occupation Earth Moving Contractor
Senatorial District 6-Crawford, Ida, Monona, Sac, Woodbury
Former Legislative Service 77

MARY KRAMER

Address..... West Des Moines
Age..... 63
Occupation Foundation Executive
Senatorial District 37-Polk
Former Legislative Service 74, 74X, 74XX, 75, 76, 77

JEFF LAMBERTI

Address..... Ankeny
Age..... 37
Occupation Attorney
Senatorial District 33-Polk
Former Legislative Service None

MARY LUNDBY

Address..... Marion
Age..... 50
Occupation Legislator
Senatorial District 26-Linn
Former Legislative Service 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76, 77

GENE MADDOX

Address..... Clive
 Age.....60
 Occupation..... Lawyer
 Senatorial District 38-Dallas, Polk
 Former Legislative Service..... 75, 76, 77

MATT McCOY

Address..... Des Moines
 Age.....32
 Occupation..... Industry Relations Manager
 Senatorial District 34-Polk
 Former Legislative Service..... 75, 76, 77

ANDY McKEAN

Address..... Anamosa
 Age.....49
 Occupation..... Lawyer/Bed and Breakfast Operator
 Senatorial District 28-Jones, Linn
 Former Legislative Service..... 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX,
 73, 74, 74X, 74XX, 75, 76, 77

LARRY McKIBBEN

Address..... Marshalltown
 Age.....52
 Occupation..... Attorney
 Senatorial District 32-Marshall, Story
 Former Legislative Service..... 77

DERRYL McLAREN

Address..... Farragut
 Age.....49
 Occupation..... Farmer
 Senatorial District 43-Cass, Fremont, Mills, Montgomery, Pottawattamie
 Former Legislative Service..... 74, 74X, 74XX, 75, 76, 77

DAVID MILLER

Address..... Libertyville
 Age.....53
 Occupation..... Attorney/Farmer
 Senatorial District 47-Jefferson, Van Buren, Wapello
 Former Legislative Service..... None

DONALD REDFERN

Address..... Cedar Falls
Age.....53
Occupation..... Attorney
Senatorial District.....12-Black Hawk
Former Legislative Service.....75 (2nd), 76, 77

JOHN REDWINE

Address..... Sioux City
Age.....48
Occupation..... Physician
Senatorial District.....2-Plymouth, Woodbury
Former Legislative Service.....77

KITTY REHBERG

Address.....Rowley
Age.....60
Occupation.....Farmer
Senatorial District.....14-Black Hawk, Buchanan, Delaware, Fayette
Former Legislative Service.....77

JACK RIFE

Address.....Durant
Age.....55
Occupation.....Farmer
Senatorial District.....20-Cedar, Clinton, Jones, Scott
Former Legislative Service.....70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76, 77

SHELDON RITTMER

Address.....DeWitt
Age.....70
Occupation.....Farmer
Senatorial District.....19-Clinton, Scott
Former Legislative Service.....74, 74X, 74XX, 75, 76, 77

NEAL SCHUERER

Address.....Amana
Age.....44
Occupation.....Restaurateur
Senatorial District.....30-Benton, Black Hawk, Iowa, Tama
Former Legislative Service.....77

MIKE SEXTON

Address.....Rockwell City
Age.....38
Occupation.....Farmer
Senatorial District.....7-Boone, Calhoun, Hamilton, Webster
Former Legislative Service.....None

MARK SHEARER

Address..... Washington
 Age..... 47
 Occupation Communications Consultant
 Senatorial District 49-Des Moines, Henry, Lee, Washington
 Former Legislative Service..... None

BETTY SOUKUP

Address..... New Hampton
 Age..... 52
 Occupation Legislator, Writer, Communications
 Senatorial District 15-Chickasaw, Floyd, Howard, Mitchell, Winneshiek
 Former Legislative Service..... None

ELAINE SZYMONIAK

Address..... Des Moines
 Age..... 78
 Occupation Retired
 Senatorial District 36-Polk
 Former Legislative Service..... 73, 74, 74X, 74XX, 75, 76, 77

MAGGIE TINSMAN

Address..... Davenport
 Age..... 62
 Occupation Legislator
 Senatorial District 21-Scott
 Former Legislative Service..... 73, 74, 74X, 74XX, 75, 76, 77

KEN VEENSTRA

Address..... Orange City
 Age..... 60
 Occupation Insurance Agent
 Senatorial District 3-Lyon, O'Brien, Osceola, Sioux
 Former Legislative Service..... None

LYLE E. ZIEMAN

Address..... Postville
 Age..... 77
 Occupation Retired Farmer/Businessman
 Senatorial District 16-Allamakee, Clayton, Fayette, Winneshiek
 Former Legislative Service..... 75, 76, 77

JOURNAL OF THE SENATE

FIRST CALENDAR DAY
FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 11, 1999

Pursuant to chapter two (2), sections two point one (2.1) and two point three (2.3), Code of Iowa, the 1999 Regular Session of the Seventy-eighth General Assembly convened at 10:09 a.m., and the Senate was called to order by President Kramer.

Prayer was offered by the Reverend Sam Massey, pastor of Westminster Presbyterian Church, Des Moines, Iowa.

OPENING REMARKS BY THE PRESIDENT OF THE SENATE

President Kramer addressed the Senate with the following remarks:

Good Morning . . . We begin another session — it has the feel of the family reunion — We are glad to be together in this beautiful and historic place, and — we are presented with a fresh new opportunity to do good.

What will we do with it?

What obligations do we have? What is our duty to those who elected us? How will we approach the issues of our time?

Perhaps we can learn from some historic words from our Founders, "Public opinion is the starting point of popular government, and that opinion must be Refined by Deliberative Processes." Alexander Hamilton also said — when "the interests of the people are at variance with their inclinations, it is their representatives' duty to give time and opportunity for more cool and sedate reflection." From time to time I might like to remind us of OUR need to "cool and sedate" reflection.

Again, listening to our founders, Thomas Jefferson tells us we share the task of "refining and enlarging opinion" to represent our constituents at our and their best.

Always on the first day — in the first week — when we celebrate tradition, protocol, the standards and decorum that make our Chamber and our state

government prideful and majestic — we agree — our state is magnificent; it is indeed worth working — and working well together. . . . to create sound public policy.

We have been through a paradoxical election cycle. What did the voters tell us? Here is what I think the message is — taken in part from a recent Business Week editorial. The voters chose — Pragmatism over extremism; compassion over anger; bread and butter issues over divisive ideological crusades. Policies and ideas that voters believe promote economic growth and security were rewarded, and partisan attacks against individuals were not. This is as is should be! Using the tools we have at our disposal — our tax codes, our systems of education, our government agencies-to foster growth and generate jobs. This if the legitimate work of public policy makers.

Voters have chosen divided governments to offset extremism and to maintain balance. Paradoxical as it may seem, voters have told us in both parties — they want us to work together. That is our stage and the curtain goes up today.

We have all spoken to the issues we care about — and there is remarkable consensus in the big picture. Education improvement and investment, dealing aggressively and urgently with methamphetamine and malignancies it is causing in our society, recruitment and development of a larger and more productive workforce; and maintaining our environment in ways that reflect our value of prizing our land and air and water. . . . Aldo Leopold said “we who labor in conservation are prone to forget that there was a time, within the memory of many still living, when it presented no field for endeavor. Generations of conservationists have had to fight for the recognition of these values before our present task of preserving them could begin.” This preservation is a part of our task.

So — we are presented a unique and marvelous opportunity — one that is given to few people.

Jane Jacobs, writing in the *Death and Life of Great American Cities* has said — “there is a wistful myth that if only we had enough money to spend — we could wipe out all our problems — but the lessons of history suggest that is not so.”

Self discipline is essential for self government!

Self government will not work without self discipline. It has been nearly a decade since communism collapsed in eastern Europe. . . . But freedom demands responsibility and many eastern Europeans are finding freedom too difficult — many have already reverted to caretaker, paternalistic forms of government. Self government and self discipline are very hard work.

We are in a time of great prosperity — even though some question its foundation and its future. There will be ups and downs in our economy — but the general trend is toward greater prosperity achieved over a long period of time. . . . Slow and steady growth. . . . All the more need for self discipline.

And so we begin — often divided philosophically, but with large areas of consensus, all motivated to serve our constituencies and our state the best we know how. . . .

On a banner in a downtown Des Moines building is a mission statement from a group of people who called themselves Iowa's ambassadors several years ago.

It goes something like this. . .

"Iowa is the America you grew up believing in. It is hope and caring for each other.

It is freedom, bought by hard work and integrity.

It is the belief that the future will be even better than today. . . if WE MAKE it that way.

Iowa is a place where the dream still works."

I once worked for a visionary CEO who reminded his staff weekly — the danger of being very good is we won't try very hard to get better.

It is our challenge — indeed our obligation — here in this chamber, beginning anew today, to make sure the dream does still work for all Iowans and — if we believe in ourselves — we will try very hard to get better!

Thank you for listening . . . for your attention.

REMARKS BY THE MAJORITY LEADER

Senator Iverson addressed the Senate as follows:

I want to welcome all Senators, staff, and visitors who are present today in the Capitol, especially those new Senators who are joining us for the first time today. These opening day speeches remind me of a line in President Abraham Lincoln's Gettysburg Address: "The world will little note nor long remember what is said here today." While that's not true for that famous speech, it probably holds true today. However, I do want to take this opportunity to point out that the next 110 days provide all of us with a unique opportunity to move Iowa forward. If we care deeply about the future of Iowa's families, we will work together during session. Occasionally in caucus I've been heard to say, "We can hang together, or hang separately." I firmly believe the same holds true for the entire Iowa legislature. We must all make a commitment to working together to move Iowa forward without violating our core principals.

I think we owe it to each other to remember that if a legislator wasn't committed to moving Iowa forward, that legislator wouldn't be here. While we may have different ideas on the best way to improve our schools or support Iowa families, we all are committed to having the best schools in the world and we all care deeply about the future of Iowa's families. Some in this room may believe the best way to move Iowa forward is to reduce state spending by 10%; some may believe the only way to move Iowa forward is to increase spending by 10%. The truth, and the likely final result, is probably somewhere in between. Today, lets all make a commitment to work together to find groundbreaking solutions to challenges facing Iowa. Working together to move Iowa forward can be a great legacy for this legislative session. I look forward to working with each and everyone of you to accomplish that goal.

REMARKS BY THE MINORITY LEADER

Senator Gronstal addressed the Senate as follows:

Madam President, Ladies and Gentlemen of the Senate:

First, I'd like to welcome all of you to the Iowa Senate. For the new members who have just been elected, I think you may be surprised to learn that the Senate is a pretty congenial place and that the vast majority of what we deal with is not partisan. After a contentious campaign, it is hard, at times, to forget that elections are about defining differences between ourselves and our opponents, but governing is about finding common ground to deal with the issues that face our state.

I would also welcome the returning senators, both the holdover and re-elected. I look forward to working with each of you as the challenges of this session emerge. We should also welcome the new staff that we see around the chamber. There have been a lot of changes for the Democratic staff in particular. By the way, if you need to be in touch with any of our former staff I think most of them can be reached downstairs.

The elections certainly produced results that both parties can take some satisfaction in and also some disappointment. As you know, Democrats are understandably excited to have the opportunity to work with a Democratic Governor for the first time in 30 years and I would say to the Majority party that for 14 years the Democrats worked with the Republican Governor. So if you need any advise on how that works we would be happy to share some of our experiences with you. On the other hand, based on your experiences working with a governor of your own party perhaps there will come a time when we will be seeking your advice.

Last session was supposed to be the education session. Let's resolve to fulfill the promise of last year with bipartisan cooperation this year. The danger signs for education could not be more ominous. Iowa's first in the nation status on college entrance examinations has been lost. Reading achievement levels in the early elementary grades have been falling slowly but steadily for the last six years. Math achievement levels have been declining for six years. Our school buildings are crumbling. The state fire marshal says one third of our buildings don't meet basic fire safety codes and as many as ten percent should be closed. Forty other states assist their local school districts with their buildings needs. Iowa should too.

Last year in my opening speech we proposed what we called the 5 R's of Education. Reducing elementary school class sizes, repairing crumbling buildings, raising young childrens' school readiness, requiring students to act responsibly, and rewarding student achievement and results. We stand committed to those goals today. Last year we also pledged and delivered bipartisan cooperation to help achieve Governor Branstad's recommendations related to education. On the campaign trail this fall many in your party proposed assessing children's reading skills in the 3rd and 4th grade and providing schools with the resources to help kids that are lagging behind to catch up. I believe that if we enter this session in the spirit of bipartisan cooperation that we can move forward on all of these proposals and make real progress in reclaiming our first in the nation status in education. We accomplished much last year when we worked together. Tens of thousands of Iowa children are right now becoming eligible

for health insurance. We began a program to assist in the development of value added agriculture. We invested in early childhood education. We can accomplish much when we work together. A great man once said, "We're going to lose these opportunities of real reform. It's sad that he is not willing to accept input and ideas from other people. He's not the sole fountain and source of ideas." Senator Redfern, you were right when you said that last summer and I was struck by the fact that, that is how the majority party treated the Democrats last year. Let's make this year different. Let's tackle problems like healthcare, meth abuse and education, together. Let's work for tax reform that treats middle class working families more fairly. Let's invest in training that makes our workers the most productive in the world. We failed last year. Let's work together and make Iowans proud of their legislature.

Our citizens can't wait another year.

Thank you, Madam President.

APPOINTMENT OF TEMPORARY SECRETARY OF THE SENATE

Senator Iverson moved that Michael E. Marshall be appointed as temporary Secretary of the Senate.

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

ADOPTION OF TEMPORARY RULES

Senator Iverson moved that the rules of the Senate and provisions for compensation of employees of the Seventy-seventh General Assembly be adopted as the temporary rules and temporary compensation provisions for the 1999 Session of the Seventy-eighth General Assembly.

The motion prevailed by a voice vote.

VACANCY IN THE SENATE

President Kramer announced that a vacancy had occurred in Senatorial District 46, due to the resignation of Senator Patty Judge on December 13, 1998.

COMMITTEE ON CREDENTIALS

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

The motion prevailed by a voice vote and the Chair appointed as such committee Senators Johnson, Chair; Rehberg, Behn, Flynn, and Kibbie.

The Senate stood at ease at 10:34 a.m. until the fall of the gavel.

The Senate resumed session at 10:39 a.m. President Kramer 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 copy of the certification of the Secretary of the State duly elected to and entitled to seats in the Senate of the Seventy-eighth General Assembly.

JoAnn Johnson, Chair
Kitty Rehberg
Jerry Behn
Tom Flynn
John P. Kibbie

CERTIFICATION STATE OF IOWA Office of THE SECRETARY OF STATE

To the Honorable Secretary of the Senate:

I, CHESTER J. CULVER, Secretary of State of the State of Iowa, custodian of the files and records pertaining to elections in the state, do hereby certify that the State Canvassing Board has declared that at the General Election held on November 3, 1998, each of the following named persons was elected to the office of State Senator for the term of four years beginning on the second day of January, 1999.

DISTRICTS

First.....	Steven D. Hansen
Third.....	Kenneth Veenstra
Fifth.....	Mary Lou Freeman
Seventh.....	Mike Sexton
Ninth.....	Stewart Iverson, Jr.
Eleventh.....	John W. Jensen

Thirteenth	Patricia Harper
Fifteenth	Betty Soukup
Seventeenth	Tom Flynn
Nineteenth	Sheldon Rittmer
Twenty-First	Maggie Tinsman
Twenty-Third	Joe Bolkom
Twenty-Fifth	Robert E. Dvorsky
Twenty-Seventh	Wally E. Horn
Twenty-Ninth	Dennis H. Black
Thirty-First	Johnie Hammond
Thirty-Third	Jeff Lamberti
Thirty-Fifth	Dick L. Dearden
Thirty-Seventh	Mary E. Kramer
Thirty-Ninth	JoAnn Douglas
Forty-First	Nancy Boettger
Forty-Third	Derryl McLaren
Forty-Fifth	Bill Fink
Forty-Seventh	David P. Miller
Forty-Ninth	Mark Shearer

I FURTHER CERTIFY that the State Canvassing Board has declared that at a special election held on February 3, 1998, Thurman Gaskill was duly elected to the office of State Senator for the Eighth District.

I FURTHER CERTIFY that the State Canvassing Board has declared that at the General Election held on November 5, 1996, 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, 1997.

DISTRICTS

Second	John Redwine
Fourth	John P. Kibbie
Sixth	Steve King
Tenth	Merlin E. Bartz
Twelfth	Donald B. Redfern
Fourteenth	Kitty Rehberg
Sixteenth	Lyle E. Ziemann
Eighteenth	Mike Connolly
Twentieth	Jack Rife
Twenty-Second	Patrick J. Deluhery
Twenty-Fourth	Richard F. Drake
Twenty-Sixth	Mary Lundby
Twenty-Eighth	Andy McKean
Thirtieth	Neal Schuerer
Thirty-Second	Larry McKibben
Thirty-Fourth	Matt McCoy
Thirty-Sixth	Elaine Szymoniak
Thirty-Eighth	O. Gene Maddox
Fortieth	Jerry Behn
Forty-Second	Michael E. Gronstal
Forty-Fourth	Jeff Angelo

Forty-Sixth [vacant]
Forty-Eighth H. Kay Hedge
Fiftieth Eugene S. Fraise

(SEAL)

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Secretary of State at the Statehouse in Des Moines this 11th day of January, 1999.

CHESTER J. CULVER, Secretary of State

President pro tempore Redfern took the chair at 10:43 a.m.

On motion of Senator Johnson, 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.

President Kramer took the chair at 10:53 a.m.

COMMITTEE FROM THE HOUSE

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

ELECTION OF PRESIDENT

Senator Iverson placed in nomination the name of Senator Mary Kramer of Polk County as a candidate for the office of President of the Senate for the Seventy-eighth General Assembly.

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

Senator Kramer was administered the oath of office by Chief Justice Arthur McGivern of the Iowa Supreme Court.

ELECTION OF PRESIDENT PRO TEMPORE

Senator Iverson placed in nomination the name of Senator Redfern of Black Hawk County as a candidate for the office of President pro tempore for the Senate for the Seventy-eighth General Assembly.

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

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

President Kramer requested that Senators Redwine, Jensen, and Lundby escort Senator Redfern to the rostrum.

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

Senator Redfern addressed the Senate with brief remarks and thanked the Senate for the opportunity to be a part of the leadership team.

COMMITTEE TO NOTIFY THE GOVERNOR

Senator Iverson 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 appointed as such committee Senators Bartz, Boettger, Angelo, Deluhery, and McCoy.

COMMITTEE TO NOTIFY THE HOUSE

Senator Iverson 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 appointed as such committee Senators Hedge, McKibben, King, Fink, and Horn.

The Senate stood at ease at 11:00 a.m. until the fall of the gavel.

The Senate resumed session at 11:06 a.m., President Kramer presiding.

ASSIGNMENT OF SEATS IN THE PRESS GALLERY

Senator Iverson 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:

Seat No.

- 51 DES MOINES REGISTER: David Yepsen, Jonathan Roos, Jeff Zeleny, Shirley Salemy
- 52 THE ASSOCIATED PRESS: Mike Glover, Mary Neubauer, Peter Banda
- 53 WHO-RADIO: Mike McGinnis, Jodi Chapman, Chuck Shockley, Sue Danielson
- 54 RADIO IOWA: O. Kay Henderson, Dar Danielson, Matt Kelley
- 55 SIOUX CITY JOURNAL: Kate Thompson
- 56 IOWA LEGISLATIVE NEWS SERVICE: Tom Hunt, Jack Hunt, Leslie Campbell, Bob Halvorsen
- 57 WOI-AM: Joyce Russell
- 58 THE CEDAR RAPIDS GAZETTE: Ken Sullivan, Rod Boshart, Katie Thaman
- 59 BURLINGTON HAWKEYE: Dennis J. Carroll
- 60 LEE ENTERPRISES DM BUREAU: Kathie Obradovich, Ed Tibbetts, Todd Dorman, Joel Hannans, Bob Fenske
- 61 DUBUQUE TELEGRAPH HERALD: Mary Rae Bragg
- 62 WATERLOO CEDAR FALLS COURIER: Eric Stern
- 63 KUNI RADIO: Jeneane Beck
- 64 KCCI-TV: Steve Oswalt, Bryan Polcyn, Geoff Greenwood, Sheila Brummer, Erin Hurley

GENERAL ASSIGNMENT

AMES DAILY TRIBUNE: Tim Paradise

COUNCIL BLUFFS NEWS NOW: Dana Dyksterhuis, Christine Mixan, Cris Harbold, Torri Pantaleon

DES MOINES RADIO GROUP: Polly Carver Kimm

KASI RADIO: Trent Rice

KDSN: Greg Slotsky

KFXB: Liz Luby, Jim Philbrick, Brendan Conway, Surae Chinn.

OMAHA WORLD HERALD: Chris Clayton, David Kotok, Jeff Bundy

WHO-TV: Cal Woods, Lisa Brones, Jim Strickland, Jim Hibbs, Mary Milz

WOI-TV: Dan Farkas

APPOINTMENT OF PERMANENT OFFICERS AND EMPLOYEES

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

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

Secretary of the Senate Michael E. Marshall

Administrative

Confidential Secretary to the Secretary II Lori Bristol
 Administrative Secretary to the Secretary LuAnn Randleman
 Senior Finance Officer Linda Laurenzo
 Finance Officer I Lois Brownell

Indexing

Indexer I Kathy Olah
 Indexer I/Records & Supply Kathleen Curoe

Journal

Editor II K'Ann Brandt
 Editor II Julie Elder
 Assistant Editor Megan Thompson

Legal Counsel

Assistant Secretary of the Senate Cynthia A. Clingan
 Assistant to the Legal Counsel Stephanie Cox

President of the Senate's Office

Administrative Assistant to Leader III Kaye Lozier
 Administrative Assistant to Leader III Becky Beach

Majority Caucus

Administrative Assistant to Leader III Tom Cope
 Administrative Assistant to Leader I Sara Deeny
 Caucus Staff Director Chris Hull
 Secretary to Leader Jeanine Iverson
 Sr. Legislative Research Analyst James Boose
 Sr. Legislative Research Analyst Carolann Jensen
 Sr. Legislative Research Analyst Pamela Dugdale
 Legislative Research Analyst II Michael Savala

Legislative Research Analyst.....	Mike St. Clair
Legislative Research Analyst.....	Petricia Ward
Legislative Research Analyst.....	Angela Dorsey
Legislative Research Analyst.....	Jim Friedrich
Caucus Staff Secretary.....	Anissa Cowley

Minority Caucus

Administrative Assistant to Leader II.....	Melissa Watson (1/19/99)
Administrative Asst. to Leader II.....	JoAnn Hanover
Sr. Caucus Staff Director.....	Debbie O'Leary
Sr. Legislative Research Analyst.....	Theresa Kehoe
Sr. Legislative Research Analyst.....	Steve Conway
Legislative Research Analyst.....	Julie Simon
Legislative Research Analyst.....	James Fitzgerald
Legislative Research Analyst.....	Jeff Lake
Legislative Research Analyst.....	Kerry Wright

Sergeant-at-Arms

Sergeant-at-Arms.....	Bill Krieg
Assistant Sergeant-at-Arms	Tom Sheldahl
Doorkeeper	Svend A. Christensen
Doorkeeper	George Finkenauer
Doorkeeper	Arnold Boyum
Doorkeeper	Paul Underhill
Doorkeeper	Robert Langbehn
Doorkeeper	E. A. Samuelson
Doorkeeper	Kermit Tannatt
Doorkeeper	Jim Olmsted

Services

Bill Clerk.....	Jay Mosher
Switchboard Operator.....	Kimberly Russell
Switchboard Operator.....	Jacki Souer
Postmaster	Eleanor Hesseling

Stewart E. Iverson, Jr., Chair

Senator Iverson moved the adoption of the report and 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.

REPORT OF COMMITTEE TO NOTIFY THE GOVERNOR

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

The report was accepted and the committee discharged.

REPORT OF COMMITTEE TO NOTIFY THE HOUSE

Senator Hedge 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.

APPOINTMENT OF SENATE SECRETARIES

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

MADAM PRESIDENT: Your committee on Rules and Administration begs leave to submit the following individuals for employment as secretaries to the Senators of the 1999 Session of the Seventy-eighth General Assembly:

ASPENGREN, MARY LOU	Bartz, Merlin E.
ALTHOMSONS, SANDY	Dvorsky, Robert E.
BETSINGER, SUSAN M.	Freeman, Mary Lou
BLISS, JULIET	Lundby, Mary
BOETTGER, DAVID	Boettger, Nancy
BORTELL, VICKI	Johnson, Joann
BRAUER, JOAN	McCoy, Matt
BROKAW, JERI	King, Steve
BURNETT, ANNE MARIE	Black, Dennis
CHAVANNES, JEFF	Lamberti, Jeff
COWDEN, SUSAN	Drake, Richard F.
DAVIS, VICKI	Rife, Jack
FOLLETT, CONNIE	Shearer, Mark
FRAISE, FAYE	Fraise, Eugene S.
FRANK, NANCY	Miller, David
FUNDERBURK, TONY	Deluhery, Patrick J.
GOUDY, JEAN	Hammond, Johnie
GJOVIG, CAMILLE	McKean, Andy
HAUGE, MADONNA	Flynn, Tom
HEDGE, ALLEEN	Hedge, H. Kay
HUHN, MARCE	Behn, Jerry
IVERSON, JEANINE	Iverson, Stewart
JENSEN, MYRTLE	Jensen, John W.

JESINA, LEANN	McKibben, Larry
JOAQUIN, THOMAS	Tinsman, Maggie
KIBBIE, KAY	Kibbie, John P.
LOWE, MARC	Redfern, Donald
MARTENS, MARLENE	Maddox, O. Gene
NELSON, JEAN	Harper, Patricia
OLSON, MEREDITH	Angelo, Jeff
PITT, LESLIE	Szymoniak, Elaine
RICE, JAMES	Rehberg, Kitty
RITTMER, ELAINE	Rittmer, Sheldon
SAFFOLD, REBEL	Sexton, Mike
SCHRAGE, DIANE	Schuerer, Neal
SOURBEER, VIRGINIA	Gaskill, E. Thurman
SVOBODA, LINDA	Horn, Wally E.
ULLEM, MARTHA	Redwine, John
VEENSTRA, JAN	Veenstra, Kenneth
WALSHIRE, STACY	Soukup, Betty
WAYMAN, NANCY	Hansen, Steven D.
WENGERT, JOANNE	Dearden, Dick L.
WEST, JO ANN	Connolly, Mike
WISE, BETTY	McLaren, Derryl
WISGERHOF, SARA	Bolkcom, Joe
ZIEMAN, BEVERLY	Zieman, Lyle E.

STEWART E. IVERSON, Jr. Chair

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

MADAM PRESIDENT: Your committee on Rules and Administration begs leave to submit the names of the following persons as Pages for the Senate for the 1999 Session of the Seventy-eighth General Assembly:

John Bazal, Newton
 Noelle DeBoef, New Sharon
 Joe Earle, Grundy Center
 Sara Eighmey, Dewar, Minority Leader's Page
 Tyson Fast, Villisca, Secretary of the Senate's Page
 Mary Jo Hommer, Waukee
 Scott Iverson, Independence

Lizzie Jenkins, Waterloo
Jennifer Johnson, Parkersburg
Emily Kinser, Walnut
Erin Leonard, Holstein, Majority Leader's Page
Staci Lowman, Ames
Keturah Moretz, Pleasant Hill
Paul Nichols, Marshalltown, Majority Caucus Page
Chas Olson, Jewell
Kyle Palmer, Manchester
Audey Veach, Ames
Jaqui Waddell, Westfield, President of the Senate's Page
Kara Wilber, Hastings, Majority Leader's Page

STEWART E. IVERSON, JR., Chair

Senator Iverson 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.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on January 11, 1999, adopted the following resolutions in which the concurrence of the Senate is asked:

House Concurrent Resolution 1, a concurrent resolution relating to a joint convention on Monday, January 11, 1999, at 1:30 p.m. for the purpose of canvassing votes and a joint convention on Tuesday, January 12, 1999, at 10:00 a.m. for the purpose of Governor Terry E. Branstad presenting his Condition of the State and Budget message.

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

House Concurrent Resolution 2, a concurrent resolution relating to a joint convention on Wednesday, January 13, 1999, at 10:00 a.m. for the purpose of the Condition of the Judicial Branch message by Chief Justice Arthur A. McGiverin.

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

ADOPTION OF RESOLUTIONS

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

House Concurrent Resolution 1

On motion of Senator Iverson, House Concurrent Resolution 1, a concurrent resolution relating to a joint convention on Monday, January 11, 1999, at 1:30 p.m. for the purpose of canvassing votes and a joint convention on Tuesday, January 12, 1999, at 10:00 a.m. for the purpose of Governor Terry E. Branstad presenting his Condition of the State and Budget message, was taken up for consideration.

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

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

House Concurrent Resolution 2

On motion of Senator Iverson, House Concurrent Resolution 2, a concurrent resolution relating to a joint convention on Wednesday, January 13, 1999, at 10:00 a.m. for the purpose of the Condition of the Judicial Branch message by Chief Justice Arthur A. McGiverin, was taken up for consideration.

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

COMMITTEE ON MILEAGE

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

The motion prevailed by a voice vote and the chair appointed as such committee Senators Freeman, Maddox, Harper, and Hansen.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on January 11, 1999, adopted the following resolution in which the concurrence of the Senate is asked:

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

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

ADOPTION OF RESOLUTION

Senator Iverson asked and received unanimous consent to take up for immediate consideration, House Concurrent Resolution 3.

House Concurrent Resolution 3

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

Senator Iverson moved the adoption of House Concurrent Resolution 3, which motion prevailed by a voice vote and the Chair appointed as such committee Senators Rife, Schuerer, Rittmer, Dearden, Dvorsky, and Fraise.

COMMITTEE ON CHAPLAINS

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

TELLERS OF JOINT CONVENTION

Senator Iverson 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 appointed as such committee Senators Rife, McKean, and Szymoniak.

SELECTION OF SEATS

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

Senator Iverson moved that the holdover and re-elected Senators who participated in seat selection in 1998 be granted the privilege of selecting new seats in order of seniority from unassigned seats; that the re-elected Senators first elected during the 1998 session be granted the privilege of selecting their seats from the unassigned seats according to their seniority; that former members of the House of Representatives be granted the privilege of selecting their seats according to seniority; and the newly elected senators be granted the privilege of selecting their seats from the unassigned seats with the order of selection being established by lot; and that first, the Majority floor Leader and the Minority Floor Leader be permitted to select their seats.

The motion prevailed by a voice vote.

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

<u>NAME</u>	<u>SEAT NO.</u>
Angelo of Union.....	32
Bartz of Worth.....	10
Behn of Boone.....	22
Black of Jasper.....	31
Boettger of Shelby.....	14
Bolkcom of Johnson.....	25
Connolly of Dubuque.....	47
Dearden of Polk.....	21
Deluhery of Scott.....	45
Drake of Muscatine.....	40
Dvorsky of Johnson.....	29
Fink of Warren.....	33
Flynn of Dubuque.....	9

Fraise of Lee	39
Freeman of Buena Vista	8
Gaskill of Hancock	1
Gronstal of Pottawattamie	37
Hammond of Story	27
Hansen of Woodbury	35
Harper of Black Hawk	5
Hedge of Mahaska	30
Horn of Linn	43
Iverson of Wright	42
Jensen of Bremer	44
Johnson of Dallas	16
Kibbie of Palo Alto	41
King of Crawford	24
Kramer of Polk	36
Lamberti of Polk	12
Lundby of Linn	6
Maddox of Polk	34
McCoy of Polk	15
McKean of Jones	48
McKibben of Marshall	19
McLaren of Fremont	49
Miller of Jefferson	17
Redfern of Black Hawk	28
Redwine of Plymouth	2
Rehberg of Buchanan	20
Rife of Cedar	38
Rittmer of Clinton	46
Schuerer of Iowa	4
Sexton of Calhoun	3
Shearer of Washington	11
Soukup of Chickasaw	7
Szymoniak of Polk	13
Tinsman of Scott	50
Veenstra of Sioux	26
Zieman of Allamakee	18

INTRODUCTION OF BILLS

Senate File 1, by Angelo and Maddox, a bill for an act relating to the display of a safety flag by a vessel towing a water skier and providing a penalty.

Read first time and referred to committee on **Natural Resources and Environment**.

Senate File 2, by Tinsman, a bill for an act relating to the exemption from state individual income tax for pension or retirement income received and providing a retroactive applicability date.

Read first time and referred to committee on **Ways and Means**.

Senate File 3, by Zieman, a bill for an act setting the time for the closing of precinct polling places.

Read first time and referred to committee on **State Government**.

RECESS

On motion of Senator Iverson, the Senate recessed at 12:06 p.m., until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:38 p.m., President Kramer presiding.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House Concurrent Resolution 1, 2, and 3** be immediately messaged to the House.

COMMITTEE FROM THE HOUSE

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

President Kramer 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 1:43 p.m., President Kramer presiding.

Senator Iverson 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 Kramer declared a quorum present and the joint convention duly organized.

The joint convention stood at ease at 1:45 p.m.

The joint convention resumed session at 2:05 p.m.

Representative Siegrist moved that the joint convention recess until the fall of the gavel at 10:00 a.m., Tuesday, January 12, 1999.

The motion prevailed by a voice vote and the joint convention was recessed.

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

RECESS

On motion of Senator Redwine, the Senate recessed at 2:24 p.m., until 4:00 p.m.

RECONVENED

The Senate reconvened at 4:16 p.m., President Kramer presiding.

INTRODUCTION OF BILLS

Senate File 4, by Jensen, a bill for an act relating to regulations adopted by local authorities regulating the turning of vehicles at and between intersections.

Read first time and referred to committee on **Transportation**.

Senate File 5, by Rittmer, a bill for an act relating to the tuition exemption for, and actual enrollment count of, nonresident eleventh and twelfth grade pupils.

Read first time and referred to committee on **Education**.

APPENDIX

STANDING COMMITTEES APPOINTED

The Majority and Minority Leaders announced the following appointments to the standing committees of the Senate for the Seventy-eighth General Assembly:

*Vice Chair

**Ranking Member

AGRICULTURE—15 Members

Gaskill, Chair	Bartz	Hedge	Soukup
Miller*	Behn	Kibbie	Veenstra
Fraise**	Black	Sexton	Zieman
Angelo	Dearden	Shearer	

APPROPRIATIONS—25 Members

McLaren, Chair	Deluhery	Jensen	Redwine
Kramer*	Dvorsky	Johnson	Rehberg
Flynn**	Freeman	King	Rife
Behn	Hammond	Lamberti	Schuerer
Black	Hedge	Maddox	Soukup
Bolkcom	Horn	McCoy	Tinsman
Connolly			

BUSINESS AND LABOR RELATIONS—11 Members

McKibben, Chair	Fraise	Horn	Schuerer
Veenstra*	Freeman	King	Sexton
Dearden**	Hansen	Rife	

COMMERCE—15 Members

Jensen, Chair	Flynn	King	Redfern
Maddox*	Gronstal	Lamberti	Redwine
Deluhery**	Hansen	Lundby	Schuerer
Bolkcom	Johnson	McCoy	

EDUCATION—15 Members

Redfern, Chair	Boettger	Harper	Szymoniak
Rehberg*	Dvorsky	Redwine	Tinsman
Connolly**	Fink	Sexton	Veenstra
Angelo	Gaskill	Shearer	

ETHICS—6 Members

Hedge, Chair	Szymoniak**	Hammond
Drake*	Connolly	McKean

HUMAN RESOURCES—13 Members

Boettger, Chair	Behn	Horn	Shearer
Redwine*	Hammond	Miller	Tinsman
Szymoniak**	Harper	Schuerer	Veenstra
Bartz			

JUDICIARY—15 Members

McKean, Chair	Boettger	Horn	Miller
Lamberti*	Dvorsky	Maddox	Redfern
Hansen**	Fraise	McCoy	Tinsman
Angelo	Hammond	McKibben	

LOCAL GOVERNMENT—13 Members

Angelo, Chair	Gaskill	McCoy	Miller
Bartz*	Hammond	McKean	Rife
Bolkcom**	Hansen	McKibben	Zieman
Fraise			

NATURAL RESOURCES AND ENVIRONMENT—15 Members

Bartz, Chair	Bolkcom	Freeman	Miller
King*	Dearden	Gaskill	Rehberg
Fink**	Deluhery	Kibbie	Rife
Black	Drake	McKean	

RULES AND ADMINISTRATION—11 Members

Iverson, Chair	Dvorsky	Jensen	Rehberg
Kramer*	Fink	Lundby	Rittmer
Gronstal**	Harper	Redfern	

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM—13 Members

Lundby, Chair	Dvorsky	Rittmer	Tinsman
Behn*	Flynn	Sexton	Veenstra
Shearer**	Hansen	Soukup	Zieman
Boettger			

STATE GOVERNMENT—15 Members

Rittmer, Chair	Dearden	King	Redfern
Lamberti*	Deluhery	Lundby	Schuerer
Kibbie**	Drake	Maddox	Szymoniak
Connolly	Fink	McLaren	

TRANSPORTATION—13 Members

Drake, Chair	Fink	Jensen	McKibben
Sexton*	Fraise	Johnson	Rittmer
McCoy**	Freeman	Kibbie	Zieman
Black			

WAYS AND MEANS—15 Members

Johnson, Chair	Bolkcom	Flynn	McLaren
McKibben*	Connolly	Hedge	Redwine
Harper*	Deluhery	Lamberti	Soukup
Bartz	Drake	Maddox	

SENATE APPROPRIATIONS SUBCOMMITTEES

ADMINISTRATION AND REGULATION

Redwine, Chair	McCoy**	Sexton
Bartz*	Flynn	

AGRICULTURE AND NATURAL RESOURCES

Behn, Chair	Black**	Gaskill
Hedge*	Fink	

ECONOMIC DEVELOPMENT

Schuerer, Chair	Soukup**	Lamberti
Boettger*	Hansen	

EDUCATION

Rehberg, Chair	Horn**	McLaren
Redfern*	Kibbie	

HEALTH AND HUMAN RIGHTS

Rife, Chair	Bolkcom**	McKibben
Zieman*	Dearden	

HUMAN SERVICES

Tinsman, Chair	Hammond**	Szymoniak
Veenstra*	Miller	

JUSTICE SYSTEM

Maddox, Chair	Dvorsky**	McKean
Angelo*	Fraise	

OVERSIGHT AND COMMUNICATIONS

King, Chair
Lundby*

Deluhery**
Harper

Rittmer

TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

Freeman, Chair
Jensen*

Connolly**
Johnson

Shearer

SENATORS AND THEIR RESPECTIVE COMMITTEES

Angelo, Jeff

Agriculture
Education
Judiciary
Local Government, Chair
Justice System Appropriations
Subcommittee, Vice Chair

Bartz, Merlin

Agriculture
Human Resources
Local Government, Vice Chair
Natural Resources and Environment, Chair
Ways and Means
Administration and Regulation
Appropriations Subcommittee, Vice Chair

Behn, Jerry

Agriculture
Appropriations
Human Resources
Small Business, Economic Development and
Tourism, Vice Chair
Agriculture and Natural Resources
Appropriations Subcommittee, Chair

Black, Dennis H.

Agriculture
Appropriations
Natural Resources and Environment
Transportation
Agriculture and Natural Resources
Appropriations Subcommittee, Ranking
Member

Boettger, Nancy

Education
Human Resources, Chair
Judiciary
Small Business, Economic Development and
Tourism
Economic Development Appropriations
Subcommittee, Vice Chair

Bolkcom, Joe

Appropriations
Commerce
Local Government, Ranking Member
Natural Resources and Environment
Ways and Means
Health and Human Rights Appropriations
Subcommittee, Ranking Member

Connolly, Michael W.

Appropriations
Education, Ranking Member
Ethics
State Government
Ways and Means
Transportation, Infrastructure and Capitals
Appropriations Subcommittee, Ranking
Member

Dearden, Dick L.

Agriculture
Business and Labor Relations, Ranking Member
Natural Resources and Environment
State Government
Health and Human Rights Appropriations
Subcommittee

Deluhery, Patrick J.

Appropriations
Commerce, Ranking Member
Natural Resources and Environment
State Government
Ways and Means
Oversight and Communications
Appropriations Subcommittee, Ranking
Member

Drake, Richard F.

Ethics, Vice Chair
Natural Resources and Environment
State Government
Transportation, Chair
Ways and Means

Dvorsky, Robert E.

Appropriations
Education
Judiciary
Rules and Administration
Small Business, Economic Development and
Tourism
Justice System Appropriations Subcommittee,
Ranking Member

Fink, Bill

Education
Natural Resources and Environment,
Ranking Member
Rules and Administration

	State Government Transportation Agriculture and Natural Resources Appropriations Subcommittee
Flynn, Tom	Appropriations, Ranking Member Commerce Small Business, Economic Development and Tourism Ways and Means Administration and Regulation Appropriations Subcommittee
Fraise, Eugene	Agriculture, Ranking Member Business and Labor Relations Judiciary Local Government Transportation Justice System Appropriations Subcommittee
Freeman, Mary Lou	Appropriations Business and Labor Relations Natural Resources and Environment Transportation Transportation, Infrastructure and Capitals Appropriations Subcommittee, Chair
Gaskill, E. Thurman	Agriculture, Chair Education Local Government Natural Resources and Environment Agriculture and Natural Resources Appropriations Subcommittee
Gronstal, Michael E.	Commerce Rules and Administration, Ranking Member
Hammond, Johnie	Appropriations Ethics Human Resources Judiciary Local Government Human Services Appropriations Subcommittee, Ranking Member
Hansen, Steven D.	Business and Labor Relations Commerce Judiciary, Ranking Member Local Government Small Business, Economic Development and Tourism

Economic Development Appropriations
Subcommittee

Harper, Pat

Education
Human Resources
Rules and Administration
Ways and Means, Ranking Member
Oversight and Communications
Appropriations Subcommittee

Hedge, H. Kay

Agriculture
Appropriations
Ethics, Chair
Ways and Means
Agriculture and Natural Resources
Appropriations
Subcommittee, Vice Chair

Horn, Wally E.

Appropriations
Business and Labor Relations
Human Resources
Judiciary
Education Appropriations Subcommittee,
Ranking Member

Iverson, Stewart E., Jr.

Rules and Administration, Chair

Jensen, John W.

Appropriations
Commerce, Chair
Rules and Administration
Transportation
Transportation, Infrastructure and Capitals
Appropriations Subcommittee, Vice Chair

Johnson, JoAnn

Appropriations
Commerce
Transportation
Ways and Means, Chair
Transportation, Infrastructure and Capitals
Appropriations Subcommittee

Kibbie, John P.

Agriculture
Natural Resources and Environment
State Government, Ranking Member
Transportation
Education Appropriations Subcommittee

King, Steve

Appropriations
Business and Labor Relations
Commerce
Natural Resources and Environment, Vice Chair
State Government

	Oversight and Communications Appropriations Subcommittee, Chair
Kramer, Mary E.	Appropriations, Vice Chair Rules and Administration, Vice Chair
Lamberti, Jeff	Appropriations Commerce Judiciary, Vice Chair State Government, Vice Chair Ways and Means Economic Development Appropriations Subcommittee
Lundby, Mary	Commerce Rules and Administration Small Business, Economic Development and Tourism, Chair State Government Oversight and Communications Appropriations Subcommittee, Vice Chair
Maddox, O. Gene	Appropriations Commerce, Vice Chair Judiciary State Government Ways and Means Justice System Appropriations Subcommittee, Chair
McCoy, Matt	Appropriations Commerce Judiciary Local Government Transportation, Ranking Member Administration and Regulation Appropriations Subcommittee, Ranking Member
McKean, Andy	Ethics Judiciary, Chair Local Government Natural Resources and Environment Justice System Appropriations Subcommittee
McKibben, Larry	Business and Labor Relations, Chair Judiciary Local Government Transportation Ways and Means, Vice Chair Health and Human Rights Appropriations Subcommittee

McLaren, Derryl	Appropriations, Chair State Government Ways and Means Education Appropriations Subcommittee
Miller, David	Agriculture, Vice Chair Human Resources Judiciary Local Government Natural Resources and Environment Human Services Appropriations Subcommittee
Redfern, Donald B.	Commerce Education, Chair Judiciary Rules and Administration State Government Education Appropriations Subcommittee, Vice Chair
Redwine, John	Appropriations Commerce Education Human Resources, Vice Chair Ways and Means Administration and Regulation Appropriations Subcommittee, Chair
Rehberg, Kitty	Appropriations Education, Vice Chair Natural Resources and Environment Rules and Administration Education Appropriations Subcommittee, Chair
Rife, Jack	Appropriations Business and Labor Relations Local Government Natural Resources and Environment Health and Human Rights Appropriations Subcommittee, Chair
Rittmer, Sheldon	Rules and Administration Small Business, Economic Development and Tourism State Government, Chair; Transportation Oversight and Communications Appropriations Subcommittee
Schuerer, Neal	Appropriations Business and Labor Relations Commerce

	Human Resources State Government Economic Development Appropriations Subcommittee, Chair
Sexton, Mike	Agriculture Business and Labor Relations Education Small Business, Economic Development and Tourism Transportation, Vice Chair Administration and Regulation Appropriations Subcommittee
Shearer, Mark	Agriculture Education Human Resources Small Business, Economic Development and Tourism, Ranking Member Transportation, Infrastructure and Capitals Appropriations Subcommittee
Soukup, Betty A.	Agriculture Appropriations Small Business, Economic Development and Tourism Ways and Means Economic Development Appropriations Subcommittee, Ranking Member
Szymoniak, Elaine	Education Ethics, Ranking Member Human Resources, Ranking Member State Government Human Services Appropriations Subcommittee
Tinsman, Maggie	Appropriations Education Human Resources Judiciary Small Business, Economic Development and Tourism Human Services Appropriations Subcommittee, Chair
Veenstra, Ken	Agriculture Business and Labor Relations, Vice Chair Education Human Resources Small Business, Economic Development and Tourism

Human Services Appropriations
Subcommittee, Vice Chair

Zieman, Lyle

Agriculture
Local Government
Small Business, Economic Development and
Tourism
Transportation; Health and Human Rights
Appropriations Subcommittee, Vice Chair

RESIGNATION FROM OFFICE

The following resignation was received subsequent to adjournment of the 1998 legislative session:

December 13, 1998

Honorable Terry E. Branstad
State Capitol Building
Des Moines, IA 50319

Dear Governor Branstad:

As a result of being elected Secretary of Agriculture, I am submitting to you, my resignation from the Iowa Senate, effective today, Sunday, December 13, 1998.

Sincerely,
Senator Patty Judge

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Service Bureau:

May 4, 1998

CITIZENS' AIDE/OMBUDSMAN

Calendar Year 1997 Annual Report, in accordance with Iowa Code Section 2C.

IOWA DEPARTMENT OF TRANSPORTATION

Fourth annual report of the recalculation of the construction and maintenance needs of roads under the jurisdiction of each county, in accordance with Iowa Code Chapter 307A.2(14A).

May 20, 1998

IOWA RACING AND GAMING COMMISSION

Annual Report.

IOWA COMMISSION ON LATINO AFFAIRS

Annual Report for 1995-1996.

June 12, 1998

COMMUNITY ACTION AGENCIES IN IOWA

Annual Report for 1997.

June 24, 1998

IOWA DEPARTMENT OF INSPECTIONS AND APPEALS

Fiscal Year 1997 Annual Report.

July 8, 1998

IOWA DEPARTMENT OF ECONOMIC DEVELOPMENT

ICN Activity Report for fiscal year 1997, in accordance with Iowa Code Section 8D.10.

July 9, 1998

OFFICE OF AUDITOR OF STATE

Single audit report of the State of Iowa covering the fiscal year ending June 30, 1997.

July 15, 1998

DEPARTMENT OF NATURAL RESOURCES

Iowa's 1997 Public Drinking Water Program Annual Compliance Report.

July 22, 1998

DEPARTMENT OF NATURAL RESOURCES

Energy Fund Disbursement Council annual report covering expenditures of Petroleum Violation Escrow funds through fiscal year 1998.

July 6, 1998

DEPARTMENT OF JUSTICE
CONSUMER ADVOCATE

Annual report pursuant to Iowa Code Chapter 476.98.

September 25, 1998

DEPARTMENT OF NATURAL RESOURCES

Fiscal Year 1998 annual report for the Building Energy Management programs operated by the Iowa Department of Natural Resources, Energy Bureau.

August 24, 1998

CITIZEN'S AIDE/OMBUDSMAN

Investigative Report 98-1, Investigation of the Department of Natural Resources' response to water pollution complaints involving Lynndana Acres Subdivision, pursuant to Chapter 2C, Code of Iowa.

DEPARTMENT OF PUBLIC SAFETY

The 1997 Iowa Uniform Crime Report.

August 28, 1998

IOWA DEPARTMENT OF TRANSPORTATION

The annual sufficiency rating report, pursuant to Iowa Code Section 307A.2(12).

September 9, 1998

COMMISSION ON CHILDREN, YOUTH, AND FAMILIES

The 1998 annual report and legislative recommendations required by Chapter 217.9A of the Iowa Code.

The Final Report of the Iowa Commission on Children, Youth and Families.

September 30, 1998

COMMISSION OF PERSONS WITH DISABILITIES

Fiscal Year 1998 Annual Report.

October 2, 1998

IOWA DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Fiscal Year 1998 Annual Report of the Office of Renewable Fuels and Co-Products.

IOWA DEPARTMENT OF NATURAL RESOURCES

The 1998 REAP Congress Report, pursuant to Chapter 7A.11, Code of Iowa.

November 2, 1998

IOWA DRUG ENFORCEMENT AND ABUSE PREVENTION

The Annual Report, pursuant to Chapter 80E, Code of Iowa.

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

MADAM PRESIDENT: Pursuant to Senate Concurrent Resolution 1, the committee on Rules and Administration submits the following increases and reclassifications and the effective dates of Senate employees:

Secretary of the Senate	Mary Pat Gunderson	\$72,113.60 to \$74,260.80 effective 7/1/98 Resigned 1/8/99
Assistant Secretary of the Senate III to Sr. Asst. Secretary of Senate	Cynthia A. Clingan	Grade 38, Step 6 to Grade 41, Step 3 effective 6/98
Sr. Administrative Asst. to Leader	Greg Nichols	Resigned effective 1/14/99
Admin. Asst. to Leader III	Tom Cope	Step 4 to Step 5 effective 7/98
Sr. Caucus Staff Director	Debbie O'Leary	Step 2 to Step 3 effective 8/98
Caucus Staff Director	Chris Hull	Step 2 to Step 3 effective 2/99
Admin. Asst. to Leader to Admin Asst. to Leader I	Sara Deeny	Grade 27, Step 1 to Grade 29, Step 1 effective 6/98
Sr. Research Analyst	James Boose	Step 5 to Step 6 effective 6/98

Sr. Research Analyst	Carolann Jensen	Step 4 to Step 5 effective 3/99
Sr. Research Analyst	John Cacciatore	Step (-1) to Step 2 effective 6/98 Resigned effective 1/14/99
Sr. Research Analyst	Suzanne Johnson	Resigned effective 6/12/98
Sr. Research Analyst	Steve Conway	Step 4 to Step 5 effective 9/98
Sr. Research Analyst	Randall Bauer	Step 3 to Step 4 effective 8/98 Resigned effective 1/18/99
Sr. Finance Officer	Linda Laurenzo	Step 5 to Step 6 effective 9/98
Finance Officer I	Lois Brownell	Step 3 to Step 4 effective 6/98
Confidential Secretary to Sec. of Senate II	Lori Bristol	Step 3 to Step 4 effective 2/99
Sr. Research Analyst	Theresa Kehoe	Step 4 to Step 5 effective 11/98
Research Assistant to Research Analyst	Julie Simon	Step 2 to Step 3 effective 11/98 Grade 27, Step 2 Effective 1/99
Sr. Research Analyst	Carolann Jensen	Step 4 to Step 5 effective 3/99
Research Analyst III to Sr. Research Analyst	Pam Dugdale	Grade 35, Step 3 to Grade 38, Step 2 effective 5/98
Confidential Secretary to Leader Administrative Asst. to Leader II	Joann Hanover	Grade 27, Step 6 to Grade 32, Step 3 effective 7/98
Research Analyst I Research Analyst II	Kristin Ripperger	Grade 29, Step 2 to Grade 32, Step 1 effective 9/8/98 Resigned 9/23/98

Research Analyst I to Research Analyst II	Mark Braun	Grade 29, Step 2 to Grade 32, Step 1 effective 10/6/98 Resigned 10/7/98
Admin. Asst. to President III	Kaye Lozier	Step 2 to Step 3 effective 7/98
Admin. Asst. to President III	Becky Beach	Step 2 to Step 3 effective 7/98
Research Analyst I to Research Analyst II	Michael Savala	Grade 29, Step 3 to Grade 32, Step 2 effective 3/99
Research Analyst	Mike St. Clair	Step 2 to Step 3 effective 6/98
Research Analyst	Petricia Ward	Step 2 to Step 3 effective 2/99
Research Analyst II	Ronald M. Parker	Step 1 to Step 2 effective 5/98 Resigned effective 1/14/99
Research Analyst II	Linda Santi	Step 2 to Step 3 effective 7/98 Resigned 12/24/98
Caucus Secretary to Sr. Caucus Secretary to Research Analyst	James Fitzgerald	Grade 21, Step 3 to Grade 24, Step 2 effective 8/98 Grade 27, Step 2 effective 1/99
Caucus Secretary (Part Time)	Jean Cooper	Grade 21, Step 1 effective 7/98 through 11/98
Journal Editor II	Julie Elder	Step 3 to Step 5 effective 6/98
Journal Editor II	K'Ann Brandt	Step 3 to Step 4 effective 1/99
Indexer II	Caryll Wilbur	Resigned 1/4/99
Journal Editor I to Indexer I	Kathy Olah	Step 1 to Step 2 effective 6/98 Grade 22, Step 4 effective 10/98

Indexer I/Records & Supply	Kathleen Curoe	Step 5 to Step 6 effective 12/98
Doorkeeper	Svend Christensen	Step 4 to Step 5 effective 1/22/99
Bill Clerk	Jay Mosher	Step 2 to Step 3 effective 1/11/99
Doorkeeper	Jim Olmsted	Step 1 to Step 2 effective 2/19/99
Switchboard Operator	Kimberly Russell	Step 2 to Step 3 effective 4/16/99
Asst. Sergeant-at-Arms	Tom Sheldahl	Step 1 to Step 2 effective 3/5/99
Legislative Committee Secretary	Marce Huhn	Step 1 to Step 2 effective 4/16/99
Legislative Committee Secretary	Virginia Sourbeer	Step 1 to Step 2 effective 3/19/99
Legislative Committee Secretary	Vicki Bortell	Step 1 to Step 2 effective 3/19/99
Legislative Committee Secretary	Camille Gjovig	Step 1 to Step 2 effective 3/19/99
Legislative Secretary	Jean Cooper	Step 2 to Step 3 effective 4/3/99
Legislative Secretary	Madonna Hauge	Step 2 to Step 3 effective 3/19/99
Legislative Secretary	Leslie Pitt	Step 1 to Step 2 effective 3/19/99

STEWART E. IVERSON, JR. Chair

REPORT OF THE COMMITTEE ON MILEAGE

MADAM PRESIDENT: Pursuant to Section 2.10, Code 1999, the following mileage has been determined to be that to which members of the Senate are entitled for the 1999 Session of the Seventy-eighth General Assembly:

NAMEROUND TRIP MILES

Angelo, Jeff.....	144
Bartz, Merlin	274
Behn, Jerry.....	94

Black, Dennis	104
Boettger, Nancy	222
Bolkcom, Joe	236
Connolly, Mike	400
Dearden, Dick L.	0
Deluhery, Pat	338
Drake, Richard F.	306
Dvorsky, Robert E.	228
Fink, Bill	28
Flynn, Tom	418
Fraise, Eugene S.	369
Freeman, Mary Lou	320
Gaskill, E. Thurman	250
Gronstal, Michael E.	270
Hammond, Johnie	74
Hansen, Steven D.	412
Harper, Patricia M.	220
Hedge, H. Kay	152
Horn, Wally E.	250
Iverson, Stewart	152
Jensen, John W.	290
Johnson, Joann	60
Kibbie, John P.	344
King, Steve	280
Kramer, Mary	0
Lamberti, Jeffrey M.	0
Lundby, Mary A.	272
Maddox, O. Gene	17
McCoy, Matt	0
McKean, Andy	304
McKibben, Larry	110
McLaren, Derryl	300
Miller, David	220
Redfern, Donald	210
Redwine, John	410
Rehberg, Kitty	272
Rife, Jack	308
Rittmer, Sheldon	388
Schuerer, Neal	190
Sexton, Mike	242
Shearer, Mark	268
Soukup, Betty	334
Szymoniak, Elaine	0
Tinsman, Maggie	360
Veenstra, Kenneth	480
Zieman, Lyle E.	400

Mary Lou Freeman, Chair
 E. Thurman Gaskill
 Patricia M. Harper
 Steven D. Hansen

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: January 11, 1999, 2:17 p.m.

Members Present: Gaskill, Chair; Miller, Vice Chair; Fraise, Ranking Member; Angelo, Bartz, Behn, Black, Hedge, Kibbie, Sexton, Shearer, Soukup, Veenstra, and Zieman.

Members Absent: Dearden (excused).

Committee Business: Organizational meeting and adopted committee rules.

Adjourned: 4:05 p.m.

RULES AND ADMINISTRATION

Convened: January 11, 1999, 11:00 a.m.

Members Present: Iverson, Chair; Kramer, Vice Chair; Gronstal, Ranking Member; Dvorsky, Fink, Harper, Jensen, Lundby, Redfern, Rehberg, and Rittmer.

Members Absent: None.

Committee Business: Approved "Report of the Committee on Rules and Administration" (list of Senate pages), amended "Secretaries Report," approved reclassification of employees, Governor's office granted access to Senate chamber, and education assistance granted to two staff members.

Recessed: 11:03 a.m.

Reconvened: 3:37 p.m.

Adjourned: 3:50 p.m.

STUDY BILL RECEIVED

SSB 1000 Agriculture

Relating to the foreclosure of mortgages by providing for a moratorium as provided in the governor's declaration of economic emergency, and providing applicability and effective dates.

SUBCOMMITTEE ASSIGNMENT

SSB 1000

AGRICULTURE: Angelo, Chair; Hedge and Kibbie

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 4:20 p.m., until 9:00 a.m., Tuesday, January 12, 1999.

JOURNAL OF THE SENATE

SECOND CALENDAR DAY SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 12, 1999

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

Prayer was offered by the Reverend Glenn Kappelmann, pastor of the First Lutheran Church, Dows, Iowa.

The Journal of January 11, 1999, was approved.

INTRODUCTION OF BILLS

Senate File 6, by Kibbie, a bill for an act relating to tax exemptions for livestock-related pollution-control or recycling property.

Read first time and referred to the committee on **Ways and Means**.

Senate File 7, by Miller, a bill for an act requiring contracts for the construction or maintenance of highways to include certain provisions for the restoration of area in which fill dirt or other materials are to be removed.

Read first time and referred to committee on **Transportation**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Schuerer for the morning, on request of Senator Hedge.

The Senate stood at ease at 9:07 a.m. until the fall of the gavel.

The Senate resumed session at 9:36 a.m., President Kramer presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Redfern for the morning, on request of Senator Hedge.

COMMITTEE FROM THE HOUSE

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

JOINT CONVENTION

In accordance with law and House Concurrent Resolution 1, duly adopted, the joint convention was called to order at 9:38 a.m., President Kramer presiding.

Senator Iverson 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 Kramer declared a quorum present and the joint convention duly organized.

Senator Iverson moved that a committee of six, consisting of three members from the Senate and three members from the House, be appointed to notify Governor 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 Behn, Boettger, and Black on the part of the Senate, and Representatives Raecker, Blodgett, and Richardson on the part of the House.

The following guests were escorted into the House Chamber:

Chief Justice McGiverin and the Justices of the Supreme Court; the Judges of the Court of Appeals; Secretary of State, Chet Culver;

Treasurer of State, Michael Fitzgerald; Secretary of Agriculture, Patty Judge; and Auditor of State, Richard Johnson.

Mrs. Chris Branstad, wife of the Governor, and their sons, Eric and Marcus.

Lieutenant Governor Joy Corning.

Governor-elect Tom Vilsack and Lieutenant Governor-elect Sally Pederson.

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

President Kramer presented Governor Branstad, who delivered the following Condition of the State and Budget Address:

President Kramer, Speaker Corbett, Lieutenant Governor Corning, Governor-Elect Vilsack, Lieutenant Governor-Elect Pederson, Chief Justice McGiverin, Justices and Judges, State Officials, Senators and Representatives, Distinguished Guests, and Friends.

On this, my last State of the State Address, pardon me if I get just a little bit nostalgic. I vividly recall, back in 1982, when then Governor Ray was being touted for his 14 years of outstanding service. My friend, Senator Chuck Grassley, in his own unique style, rose before the assembled throng and pronounced that Governor Ray was "the longest Governor in the history of Iowa." Well, I've never been accused of being the "longest" Governor in Iowa; the shortest, maybe; but never the longest.

These past 16 years have been the best years of my life. Challenging, yes; stressful, at times; demanding, always. But I was and remain invigorated each and every day by my love for this state and its people. To all of you who have put up with my mustache, my less than silver tongue, and my Iowa earnestness over all these years, I say thank you.

Thank you for giving this farm boy from Winnebago County a chance to be your Governor. I will never forget the honor you gave me when I led you well, nor the tender mercies you showed when I struggled with you to find a better way.

To the members of the General Assembly past and present, to Lieutenant Governor Corning, my partner of the last eight years, and our State officials, and all those Iowans who dared to dream with me of better things to come, I say thank you. You've built a better Iowa for all of us.

It's been a great run.

- In January 1983, the unemployment rate was 8.9 percent and 126,000 Iowans were out of work. Today, our unemployment rate is 2.5 percent and more Iowans are working than ever before.
- Sixteen years ago, our budget was not balanced and taxes had to be raised. In 1999, we have a record budget surplus, and taxes have been cut four years in a row, and should be cut again this year.
- In 1983, we were in the midst of a farm crisis where we literally lost a generation of Iowans. As we approach the 21st century, we can be proud that Iowa is growing again, and a majority of our counties are gaining population.

I can go on:

- The unemployment trust fund -- from a \$63 million deficit to a surplus of over \$750 million;
- Manufacturing jobs, up almost 24 percent, despite a decline nationally, with payroll jobs up 40 percent;
- Per capita income, up 115 percent;
- Housing values, 147 percent higher in the last ten years;
- Factory exports, up 234 percent and business failures, down 80 percent in the last decade.

We now manage under generally accepted accounting principles, with adequate reserve accounts, and with spending under control. State government now operates as a single enterprise with a common goal, not as a multitude of independent agencies.

I could go on and on. Indeed, 1998 proved that our economic diversification strategy worked. Despite record low pork prices and other farm commodity prices in the pits, our economy continued to grow.

How did we do this? We focused on the fundamentals. We made the state more competitive by cutting taxes and regulations. We put training and incentive packages together for quality jobs. We invested in education at all levels to build a strong work force. We trained and energized a new generation of community leaders committed to economic development. We built commercial highway and telecommunications networks to link and to provide better access to all parts of our state. And we marketed and promoted Iowa like never before.

As we close the books on 1998, I am pleased to report that the state of our state is strong and sound. Iowa was recently recognized as the best state in America to raise a child. Iowa is, indeed, in good shape.

But enough of the past. What about the future? What's in store for Iowa as we embark on a new century and a new millenium?

Someone once said that the definition of a statesman is a former politician. Well, as a soon to be statesman, let me visit with you for a minute with some straight talk about change and the future of Iowa.

You see, Iowa needs to change -- in three major ways -- if we are to reach our potential as a people. Now, I know that we Iowans don't like change. I'm living testimony to that. If things work, we generally don't tinker with them. Lord knows, with all the change in the weather, we don't need more change to deal with in our lives.

That attitude has a certain appeal to it. We continue to be a place where you know your neighbor, where they know when you're sick, and they care when you die. Family, friends, community -- those constants of Iowa life give us a grounding that is unique in America today.

But that doesn't mean we can escape change. Too often, we Iowans idolize the past -- reflecting on the loamy smell of newly tilled ground in the spring; the ringing of the dinner bell calling us from the hay barn; or a full harvest moon over a soon-to-be picked field of corn -- and we wonder why life can't always be filled with the sights, sounds, and smells of the way life used to be.

But, in reality, our state almost from its inception, has been trying to resist the inexorable march of economic change. A change that has displaced people with machines on our farms and sent some of our best and brightest packing for the bright lights of the cities.

Now that we have stabilized this state, now that we are in good shape again, it is time to stop resisting change once and for all.

It is time for Iowa to truly grow once again. That is the first and most important challenge facing us. How do we do that? Historically, we have acceded to change only during times of catharsis -- our economic diversification program became a reality only once we hit a wall called the farm crisis.

Our challenge today is to make changes in the good times so that Iowa can grow into even better times. We need to open our arms and communities to 21st century immigrants who will make our state economically stronger and more culturally diverse.

We must convince our own children and those from other states that they can make a great living and live a great life in Iowa. We will not convince them with memories of a pastoral past. You can't feed your family on memories. We will convince them only by creating a climate of growth and unlimited opportunity for all.

Therefore, I suggest that Iowans engage in a great conversation; a great conversation on growth over the next few years. In every community, barriers to growth, whether they be statutory, regulatory, cultural, or economic, should be identified and broken down. An era of responsible risk taking must be ushered in. A new era of entrepreneurship must be fostered. Successful risk-takers should be touted, not flouted. We must make it OK to stand out above the crowd in Iowa.

We need to nurture the next generation of Ruans and McLeods, John K. Hansons and Dwight Vredenburgs. And then double and triple their number.

That does not mean we have to depopulate rural Iowa while we build up only our cities, as some would say. Our capacity for growth is not based on location -- technology shortens all distances. We don't need to create a greater disparity of wealth to create a better climate for wealth-creation. We can have growth everywhere in this state.

But it also means we must find ways to further process our own goods here in Iowa. We must give our producers and workers greater access to sources of capital and more

options in the marketplace so they, too, can help Iowa grow. We must encourage and help our cities to grow, too, so that they reach a critical mass of economic and cultural opportunities.

We will have to think outside the box to do this. It won't be easy. We won't be able to do things the way they have always been done. But like it or not, the only thing certain about the future is the certainty of change. We must either embrace it and make this good state a growth state, or face a future that is but a mere reflection of the past. Let the great conversation on growth begin.

Our second challenge for change is in education. No state has a deeper education heritage; no state has shown a more sustained commitment to its young. But there is too much complacency. We are among the best, but not as good as we could be, and our educational establishment is too resistant to change.

The problems our schools face have never been greater. New stresses on families, the drug culture, new immigrants, and rapidly changing technologies and workplace skills all weigh heavily on our schools. But no challenge is greater than the imminent loss of a whole generation of our best teachers.

We all know you can have a class size of one, have a bad teacher, and get a horrible education. We all know that one outstanding teacher can make a difference in our life for the rest of our lives.

Then why don't we pay the good teachers what they are worth -- every bit as much as a good doctor or lawyer or successful business person? Iowa should lead the nation in rejecting the seniority mentality in education and pay good teachers more, and pay great teachers more yet.

We also must recreate our schools. Why do we have only 180 days of school, when our international competitors have as many as 240? Why do we halt the education of our youngsters for three months every year, when they need it the most?

Iowa will never have mountains or oceans; our weather will always be fickle. But our schools are our creatures, subject to our control. Our constitution recognizes our unique commitment to the common school as the ticket to opportunity for our citizens.

Finally, our challenge to change must address our tax structure. Our current system is as archaic as it is complicated. Our property and income taxes are too high and almost indecipherable. Our income tax structure tells prospective business executives that their taxes will be about double what they really are.

Yet, even after two income tax cuts, our rates still place us among the top 10 in the country. Our property tax system looks like something devised by Rube Goldberg, layered with bygone eras of property tax fixes and hidden opportunities for tax increases.

Taxes can and should be cut. You can and should do that, and invest in education, too. But taxes must also be reformed. Reformed by making it harder to raise taxes and easier to understand for our citizens. Your challenge for the future is to reform the system, reduce the burden, and make it a tool of growth.

Americans are unique. We are the only people on this earth who always focus on the future and expect better things. Others yearn for the past. Our immigrant ancestors taught us that the past is but history and better days are ours for the making.

There are better days ahead for Iowa. They are ours for the making. We are poised as never before for an era of growth and opportunity. We can be a place that more and more people want to call home. But it won't happen without change. A new commitment to growth, a renewed commitment to education and a reformed tax structure are all within your grasp. Seize them and make Iowa a better place for generations to come.

With that it is time for me to move on. I've had my time. I've done what I could. It is your turn now.

Before I go, I'd like to thank my wife and my family. They know, all too well, the sacrifices involved in public service. It is time for me to serve them now.

We Iowans are a fortunate people. We have good, clean, honest, open government. We are still a place where you can respect your government and its leaders. It is that abiding trust that will allow you, the assembled members of this Legislature, to do great things.

I have tried to conduct myself with similar openness and honesty. I have truly worked to earn your trust.

When it is all said and done, I hope people will say this about my governorship:

He worked hard;

He did his best;

And he prepared us for even better days ahead.

Fellow Iowans, thank you, and God bless you all.

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

SEVENTY-EIGHTH GENERAL ASSEMBLY
EXTRAORDINARY RESOLUTION 1

By: Senate members Angelo, Bartz, Behn, Black, Boettger, Bolkcom, Connolly, Dearden, Deluhery, Drake, Dvorsky, Fink, Flynn, Fraise, Freeman, Gaskill, Gronstal, Hammond, Hansen, Harper, Hedge, Horn, Iverson, Jensen, Johnson, Kibbie, King, Kramer, Lamberti, Lundby, Maddox, McCoy, McKean, McKibben, McLaren, Miller, Redfern, Redwine, Rehberg, Rife, Rittmer, Schuerer, Sexton, Shearer, Soukup, Szymoniak, Tinsman, Veenstra, Zieman; and

House members Alons, Arnold, Barry, Baudler, Bell, Blodgett, Boal, Boddicker, Boggess, Bradley, Brauns, Brunkhorst, Bukta, Burnett, Carroll, Cataldo, Chapman, Chiodo, Cohoon, Connors, Corbett, Cormack, Davis, Dix, Doderer, Dolecheck, Dotzler, Drake, Drees, Eddie, Falck, Fallon, Foege, Ford, Frevert, Garman, Gipp, Greiner, Grundberg, Hahn, Hansen, Heaton, Hoffman, Holmes, Holveck, Horbach, Houser,

Huseman, Huser, Jacobs, Jager, Jenkins, Jochum, Johnson, Kettering, Klemme, Kreiman, Kuhn, Larkin, Larson, Lord, Martin, Mascher, May, Mertz, Metcalf, Millage, Mundie, Murphy, Myers, Nelson, O'Brien, Osterhaus, Parmenter, Raecker, Rants, Rayhons, Reynolds, Richardson, Scherrman, Schrader, Shoultz, Siegrist, Stevens, Sukup, Sunderbruch, Taylor, Teig, Thomas, Thomson, Tyrrell, Van Engelenhoven, Van Fossen, Warnstadt, Weidman, Weigel, Welter, Whitead, Wise, and Witt

WHEREAS, Terry E. Branstad today addressed the Seventy-eighth General Assembly of the State of Iowa and in so doing, delivered, in addition to his Inaugural Address in 1983, his sixteenth and last Condition of the State message to the Iowa General Assembly as Governor of the State of Iowa, and

WHEREAS, this Joint Convention of 50 Senators and 100 Representatives therefore is honored to represent the hundreds of men and women who served in the eight General Assemblies during Terry E. Branstad's sixteen-year tenure as governor, and

WHEREAS, beginning today the state's historians and others will record and evaluate the ways in which Terry E. Branstad's dedicated public service has enriched the history of Iowa state government, and the ways in which his service has touched the lives of all Iowans; *NOW THEREFORE*,

BE IT RESOLVED BY THE SEVENTY-EIGHTH GENERAL ASSEMBLY IN JOINT CONVENTION, that the Joint Convention remark for posterity upon Governor Terry E. Branstad's relationship, as head of the executive branch of state government, to the legislative branch of state government, To Wit:

Terry E. Branstad's four-term tenure as Governor has been marked by a constructive separation of powers during which the Governor's policy objectives have been effectively communicated to the General Assembly, and the General Assembly has freely exercised its constitutionally mandated independence in making public policy through its lawmaking function. The results of this relationship will be recalled by others in more detail than can be expressed in this resolution, but for members of the General Assembly whose service parallels Governor Branstad's service, the following general contributions will serve as reminders of hundreds of policy changes fashioned during Governor Branstad's tenure in office from 1983 until today:

1. **ECONOMIC DEVELOPMENT.** Significant economic development initiatives relating to workforce development, workplace safety, unemployment compensation reform, agricultural and business development and diversification, insurance industry growth, tort reform, and business taxation.
2. **EDUCATION.** Far-reaching early education, kindergarten through grade 12, and higher education funding initiatives and innovation, including teacher and higher education pay and tuition tax credits.
3. **HUMAN SERVICES.** Noteworthy public policy reforms relating to welfare reform, child support, and health care coverages for children.
4. **CRIMINAL JUSTICE.** Substantial public safety reforms relating to the prosecution and incarceration of serious criminal offenders, especially violent, drug, sex, domestic abuse, and drunk driving offenders.
5. **TAXATION.** Significant taxation reform relating to income, sales, property, personal property, and inheritance taxation.

6. ENVIRONMENT. Important environmental protection measures relating to groudwater protection, resource enhancement and protection, underground storage tank and brownfields cleanup, and environmental audits.

7. GOVERNMENT REFORM. Major reforms and initiatives in state government reorganization, balanced budget financing, ethics in state and local government, state control over the gambling industry, state and local government reorganization relating to court system and mental health services funding, and state capitol complex restoration.

In addition to his many contributions in these areas of public policy, Governor Branstad should also be especially commended for his leadership during the great flood of 1993 in which he showed surpassing statesmanship and compassion in dealing with one of the great natural disasters to befall the State of Iowa in the latter half of the century; and

BE IT FURTHER RESOLVED BY THE SEVENTY-EIGHTH GENERAL ASSEMBLY IN JOINT CONVENTION, That Governor Branstad be recognized for the national leadership he assumed as Governor of the State of Iowa, including chair of the Midwestern Governors' Conference in 1986-1987, Chairman of the National Governors' Association in 1989-1990, Chair of the Republican Governors' Association in 1996-1997, President of the Council of State Governments in 1991, and Chairman of the Education Commission of the States in 1997-1998, and that he be congratulated as the senior Governor in the United States at the time of his retirement; and

BE IT FURTHER RESOLVED BY THE SEVENTY-EIGHTH GENERAL ASSEMBLY IN JOINT CONVENTION, That we hereby admonish writers, historians, and journalists, young and old, to compose their portrayals and analyses of the Terry E. Branstad years with wisdom, thoroughness, and compassion; and

BE IT FURTHER RESOLVED BY THE SEVENTY-EIGHTH GENERAL ASSEMBLY IN JOINT CONVENTION, That the Joint Convention honor Governor Terry E. Branstad as the longest serving Governor of the State of Iowa and pay tribute to him for his devoted service to the State of Iowa and the citizens of this State; and

BE IT FURTHER RESOLVED BY THE SEVENTY-EIGHTH GENERAL ASSEMBLY IN JOINT CONVENTION, That a copy of this resolution be forwarded to Governor Terry E. Branstad, and to First Lady Christine Branstad, where it is hoped it will be received as a symbol of appreciation, good wishes, and affection extended by the Seventy-eighth General Assembly and the people of Iowa to the Governor, First Lady, and their family.

Senator Iverson moved the adoption of the resolution, which motion prevailed by a voice vote and the resolution was adopted.

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

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

The Senate returned to the Senate Chamber and resumed regular session, Senator Hedge presiding.

RECESS

On motion of Senator Boettger, the Senate recessed at 11:02 a.m., until 2:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 2:44 p.m., President Kramer presiding.

INTRODUCTION OF BILLS

Senate File 8, by Jensen, a bill for an act relating to coverage under a policy or contract providing for third-party payment for prepayment of health or medical expenses by providing coverage for costs associated with equipment, supplies, and education for the treatment of diabetes.

Read first time and referred to committee on **Commerce**.

Senate File 9, by McKibben and Black, a bill for an act relating to the exemption of the sales and use tax on building materials, supplies, or equipment of certain rural water districts, and providing retroactive applicability and effective dates.

Read first time and referred to committee on **Ways and Means**.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

ETHICS

Convened: January 12, 1999, 2:10 p.m.

Members Present: Hedge, Chair; Drake, Vice Chair; Szymoniak, Ranking Member; Connolly, Hammond, and McKean.

Members Absent: None.

Committee Business: Organizational meeting. Information regarding the House and Senate Rules of Ethics and Rules Governing Lobbyists was distributed to members.

Adjourned: 2:18 p.m.

HUMAN RESOURCES

Convened: January 12, 1999, 1:33 p.m.

Members Present: Boettger, Chair; Redwine, Vice Chair; Szymoniak, Ranking Member; Bartz, Behn, Hammond, Harper, Miller, Shearer, Tinsman, and Veenstra.

Members Absent: Horn and Schuerer (both excused).

Committee Business: Introductions and adoption of committee rules.

Adjourned: 2:03 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: January 12, 1999, 1:04 p.m.

Members Present: Bartz, Chair; King, Vice Chair; Fink, Ranking Member; Black, Bolkom, Dearden, Deluhery, Drake, Freeman, Gaskill, Kibbie, McKean, Miller, Rehberg, and Rife.

Members Absent: None.

Committee Business: Passed SSB 1002, as amended. Adopted rules.

Adjourned: 1:31 p.m.

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM

Convened: January 12, 1999, 1:05 p.m.

Members Present: Lundby, Chair; Behn, Vice Chair; Shearer, Ranking Member; Boettger, Dvorsky, Flynn, Hansen, Rittmer, Sexton, Soukup, Tinsman, Veenstra, and Zieman.

Members Absent: None.

Committee Business: Introductions and discussion of possible issues the committee will address.

Adjourned: 1:20 p.m.

TRANSPORTATION

Convened: January 12, 1999, 1:33 p.m.

Members Present: Drake, Chair; Sexton, Vice Chair; McCoy, Ranking Member; Black, Fink, Fraise, Freeman, Jensen, Johnson, Kibbie, Rittmer, and Zieman.

Members Absent: McKibben (excused).

Committee Business: Organizational meeting.

Adjourned: 1:55 p.m.

PETITION

The following petition was presented and placed on file by:

Senator Jensen, from residents of Bremer, Butler, and various counties favoring legislation to increase Title 19 reimbursement to non-profit nursing homes.

STUDY BILLS RECEIVED

SSB 1001 Ways and Means

Relating to the taxation of certain sales of aircraft under the state sales, services, and use taxes and the local option sales and services taxes.

SSB 1002 Natural Resources and Environment

To strike the maximum number of deer and wild turkey hunting licenses issued to nonresidents, to remove certain allocations of nonresident licenses, and providing an effective date.

SSB 1003 Agriculture

A Senate Concurrent Resolution urging all state institutions and political subdivisions providing food service to support independent swine producers and the pork industry by making available and serving more pork products.

SSB 1004 Local Government

Relating to the duties and meetings of the county agricultural extension councils.

SSB 1005 Local Government

Relating to special assessments collected by the county treasurer and to the date of the annual sale of parcels with delinquent property taxes.

SUBCOMMITTEE ASSIGNMENTS**Senate File 1**

NATURAL RESOURCES AND ENVIRONMENT: King, Chair; Bolkcom and Drake

SSB 1001

WAYS AND MEANS: Lamberti, Chair; Johnson and Soukup

SSB 1002

NATURAL RESOURCES AND ENVIRONMENT: Bartz, Chair; Dearden and Freeman

SSB 1003

AGRICULTURE: Behn, Chair; Miller and Soukup

SSB 1004

LOCAL GOVERNMENT: Bolkcom, Chair; Gaskill and McKibben

SSB 1005

LOCAL GOVERNMENT: Miller, Chair; Zieman and Fraise

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 2:46 p.m., until 9:00 a.m., Wednesday, January 13, 1999.

JOURNAL OF THE SENATE

THIRD CALENDAR DAY THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 13, 1999

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

Prayer was offered by the Reverend Chuck Spindler, of the Crest Baptist Church, Creston, Iowa.

The Journal of January 12, 1999, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Redfern until he arrives, on request of Senator Hedge.

Senator Szymoniak until she arrives, on request of Senator Gronstal.

INTRODUCTION OF BILLS

Senate Joint Resolution 1, by Iverson, Johnson, Boettger, Jensen, Drake, Maddox, McKibben, King, Rittmer, Rehberg, Redwine, Kramer, Freeman, Lamberti, Angelo, Veenstra, Hedge, Ziemann, McKean, Miller, Sexton, Behn, Gaskill, Bartz, Tinsman, McLaren, and Schuerer, a joint resolution proposing amendments to the Constitution of the State of Iowa relating to the state budget by limiting state general fund expenditures and restricting certain state tax revenue changes.

Read first time and referred to committee on **Ways and Means**.

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

The Senate resumed session, President Kramer presiding.

INTRODUCTION OF BILL

Senate File 10, by committee on Natural Resources and Environment, a bill for an act relating to the issuance of nonresident hunting licenses, to the maximum number of deer and wild turkey hunting licenses issued to nonresidents, and to certain allocations of nonresident licenses, and providing an effective date.

Read first time and placed on calendar.

COMMITTEE FROM THE HOUSE

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

Senator Iverson moved that upon dissolution of the joint convention the Senate be adjourned until January 14, 1999, at 9:00 a.m.

The motion prevailed by a voice vote.

JOINT CONVENTION

In accordance with law and House Concurrent Resolution 2, duly adopted, the joint convention was called to order at 9:45 a.m., President Kramer presiding.

Senator Iverson 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 Kramer declared a quorum present and the joint convention duly organized.

Senator Iverson moved that a committee of four, two members from the Senate and two members from the House, be appointed to notify Governor Terry E. Branstad that the joint convention was organized and ready to receive him.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Gaskill and Shearer on the part of the Senate, and Representatives Sunderbruch and Kuhn on the part of the House.

Senator Iverson 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 announced the appointment of Senators Maddox, Freeman, and Fraise on the part of the Senate, and Representatives Baudler, Garman, and Parmenter on the part of the House.

The following guests were escorted into the House Chamber:

Secretary of State, Chet Culver; Treasurer of State, Michael Fitzgerald; Secretary of Agriculture, Patty Judge; Auditor of State, Richard Johnson; Attorney General, Tom Miller.

Justices of the Supreme Court, the Judges of the Court of Appeals, and the Chief Judges of the state's judicial districts.

Lieutenant Governor Joy Corning.

Mrs. Joan McGiverin, wife of the Chief Justice; and Ed and Joan McGiverin, Chief Justice McGiverin's cousin and his wife, were escorted into the House Chamber.

Governor-elect Tom Vilsack and Lieutenant Governor-elect Sally Pederson.

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

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

President Kramer then presented Chief Justice McGiverin who delivered the following Condition of the Iowa Judiciary Message:

Madam President, Mr. Speaker, Governor Branstad and Lieutenant Governor Corning, Governor-Elect Vilsack and Lieutenant Governor-Elect Pederson, members of the General Assembly, state officials, judges, and friends:

We are honored and pleased by the opportunity each year to review the significant activities of the court system and make recommendations aimed at providing the highest quality of justice to the people of Iowa. We sincerely thank the General Assembly for the kind invitation to speak here today.

Let me begin by extending a warm welcome to the new legislators and state officials. I also want to welcome Governor-Elect Vilsack and Lieutenant Governor-Elect Pederson. We look forward to working with all of you on issues involving the administration of justice.

I would like to acknowledge Justice Mark Cady, the newest member of the supreme court, and Judge Van Zimmer who joined the court of appeals last week.

Before I begin my main remarks, I would like to recognize and thank Governor Branstad for his strong support of the judicial branch over the years. His leadership was crucial in bringing about the landmark Court Reorganization Act in the 1980s, which secured state funding for the court system. As a result of this far-sighted reform, our courts operate more efficiently and resources flow where they are most needed. Today, Iowans in all counties enjoy more equal access to court services than was possible under the previous county funding structure.

Governor Branstad has always said that appointing judges is a governor's most important job. He has appointed nearly eighty percent of Iowa's judges. However, it is the quality of the appointments he has made rather than the quantity for which he will be remembered. He took great care to appoint hardworking, fair minded and highly principled judges, without regard to partisan political pressures. Because I am among the twenty percent he did not appoint, it is appropriate for me to say this.

Governor Branstad, we thank you and wish you well.

After my address, we hope all of you will join us for coffee and conversation downstairs in the courtroom. During the reception, I will present our Child Advocate of the Year Award. This award is given to recognize an individual who has made an extraordinary personal commitment to helping Iowa's troubled children.

The focus of my address will be about the primary work of the courts — deciding cases. However, I would be remiss if I did not mention a few of the many activities we have underway to help shape the future of the court system.

Last session, we agreed to move judicial branch operations into a new building which will house both appellate courts and our administrative offices. If everything goes as planned, we will move into the new judicial building in the summer of 2002.

We look forward to the challenge of creating a building that will serve as a monument to justice. We envision a building which conveys a sense of timelessness and dignity; a building equipped with state-of-the-art communications technology; and a building which reflects Iowans' respect for the rule of law. Though no building could

ever rival the splendor of our majestic Capitol, we hope that the new judicial branch building will, like the Capitol, be a source of lasting pride for all Iowans.

Shaping the ideal judicial branch for the year 2020 was the basic premise of our Commission on Planning for the 21st Century. You will remember that the commission, which was composed of over seventy Iowans from diverse backgrounds, conducted the first comprehensive, long-range study of the Iowa court system. Much has been said about the careful report of the commission since it was submitted to our court. Rather than attempt to summarize the report, I will briefly discuss some of the steps we are taking to achieve the commission's vision of the ideal court system for the 21st Century and beyond.

Recognizing that we could not simultaneously respond to all 89 of the commission's recommendations, we selected twelve priorities to address during the next two years. You will find a summary of those twelve priorities attached to my remarks. I want to briefly mention five of them.

The first priority concerns safety. Of all public institutions, the courthouse should be a safe haven. We are taking steps to ensure the safety of all court participants — not just court personnel but all people who come to court.

Another priority involves public service. The courts are here to serve the people — not the system. With that in mind, we are placing more emphasis on customer service to make our courts more "user-friendly."

A third priority is information. Information is the key to effective decision-making. It is key, not only for deciding cases, but also for management and public policy decisions. We are expanding our statistical reports to cover a broad spectrum of detailed information about cases — for your benefit as well as for our own.

Another priority involves education. The vitality of the judicial branch depends upon the confidence and understanding of the public. We are establishing a comprehensive public education program which will include developing law-related education programs for schools and promoting public understanding of the courts.

The last priority concerns technology. Information technology is rapidly changing the way people communicate and conduct business, including that of the courts. We are exploring technological advances such as electronic filing of court papers and electronic data management for storage and retrieval of court records.

As with most plans to enhance the effective administration of justice, successful implementation of our priorities will require broad public support. We ask for yours.

Much of the court system's ability to remain effective in the 21st Century hinges on the use of technology. Someone once said: "Technology is like a steamroller. If you are not the steamroller, then you are destined to become part of the road." I am pleased to report that we are not part of the road. In fact, Iowa has one of the most technologically advanced state court systems in the nation.

Although computer technology offers the promise of a bright future, it is not problem free. Predictions of global disaster abound because of the infamous Y2K bug. Those of you who know of my love affair with computers will understand my

assessment of the situation when I say, "I have seen the future and it does not compute." But I assure you that we are prepared. Our critical software applications have been upgraded to understand the year 2000. And if that does not work, I have a large stockpile of sharpened pencils!

We are preparing our courts to meet the challenges of the future. But we must not overlook the challenges of today, for they will not simply disappear come January 1, 2000. Only with your assistance can we overcome our most immediate challenge — coping with high caseloads.

This is not a new development. Indeed, a few years ago, I reported to you about the court system's struggle with rising caseloads. You helped ease the situation temporarily by providing some new judgeships throughout the state over a period of three years and we greatly appreciate that assistance. Nonetheless, as the tide of cases rises, the demand for judges continues to exceed our supply.

As in the past, our criminal and juvenile caseloads are the most demanding. Caseload statistics, however, do not illustrate the problems as well as personal accounts from our trial judges who are on the front lines. So rather than recite statistics, I ask that you carefully study the information provided with these remarks.

Swift court action is one of the most effective deterrents to crime. Long time lags between conviction or plea of guilty and sentencing undermine the effectiveness of the punishment and ultimately the effectiveness of the criminal justice system. Here are some examples of sentencing delays around the state.

In the district associate court in Black Hawk County, criminal cases are so backed up at times that it takes three months after conviction or entry of a guilty plea before a defendant can be sentenced.

A similar situation exists in Johnson County district associate court where there is a six to eight week delay from entry of a guilty plea until sentencing.

In Polk County district court, the state's busiest courthouse, the number of felony drug cases and class "A" felony cases have quadrupled since 1990. Because of the high felony caseload, there is an eight to nine week delay from entry of a guilty verdict until sentence in these most serious cases.

This session as you consider tougher penalties or sentencing options, please understand that due, in part, to a shortage of judges we cannot carry out sentencing in as timely a manner as basic justice clearly demands.

Like the criminal caseload, our trial courts are also struggling with a burdensome juvenile caseload. And we anticipate more pressure on the juvenile docket in the near future as we implement new state and federal time lines to move children out of foster care faster and into permanent homes.

There are special problems in the juvenile court.

In Benton County, for example, where a judge is available for juvenile cases a little more than two days per month, juvenile hearings are scheduled every fifteen minutes. According to Judge Susan Flaherty who hears cases in Benton County and

surrounding counties, "We have attempted to deal with the increase by improving efficiency in scheduling and reducing hearing time allotted to each case and doing more reviews on paper. . . . I am always concerned that by spending less time on individual cases, we are shortchanging the kids and families."

Judge Flaherty's concern is well taken. Imagine how the families must feel, when, because of inadequate resources, their day in court is reduced to minutes. We simply must provide a climate in which justice is not rationed by use of a stopwatch.

Although present difficulties in the criminal and juvenile dockets take priority, we certainly cannot ignore civil cases. Nearly one-half of the trial courts' civil docket is composed of domestic relations cases, which include dissolution of marriage, contempt, modification of dissolution, and uniform child support cases. These are important cases. But because criminal and juvenile cases must be given highest priority, domestic relations cases must wait in line. Other segments of the civil docket such as property disputes, personal injury suits, and business litigation, must wait longer.

To keep criminal and juvenile cases moving in Polk County, two district court judges are being moved from the general trial assignment. One judge is being assigned to juvenile cases and the other is being assigned to criminal cases. This shift will have a ripple effect on the civil docket. Previously, parties in dissolution of marriage cases had to wait about nine months for a trial. Now, they will have to wait even longer.

We have no control over the number of cases presented. Nor should we. To limit the number of cases would be to limit the ability of Iowans to have meaningful access to justice.

Some might suggest we can temporarily relieve the pressure in the criminal and juvenile dockets by shifting judges here and there. But this is simply reorganizing the deck chairs. It is not even an effective temporary solution, much less a long term solution. Efficiency measures and aggressive case management have been implemented, but can only do so much, because even the most productive judges can carefully decide only a certain number of cases each day. There is no escape from simple arithmetic: As long as the demand for justice grows, we will need more judges. The details of our specific recommendations are contained in our budget request which we have submitted to you.

Alexis de Toqueville observed more than 160 years ago that in America, all public issues are eventually resolved in the courts. That observation is as true today as it was in the early 19th Century. And surely one of the most challenging issues permeating our courts in the late 20th Century is drug abuse.

Many of the cases pouring into the court system today involve drug abuse in one way or another. Its impact is not confined to prosecutions for possession or distribution of illicit drugs. Our judges see drug abuse as a major contributing cause in many child in need of assistance cases, juvenile delinquency cases, dissolution of marriage cases, termination of parental rights cases and domestic violence cases. The implications are profound. The following information was provided to me by judges from around the state who have witnessed the destruction caused by drug abuse.

Drug addiction is not isolated to one area of the state, one race or one age group. Our judges see addicts, who are, or were, professional people, homeless people, single

parents and married couples, college students, factory workers, homemakers and teenagers. Drug addiction exists in rural Iowa as well as urban Iowa.

Drug addiction overlaps with child abuse and neglect. Children often end up in foster care or with relatives because they have been abused by their drug addicted parents or by others in the household while the parents are in a drug induced haze. Nor is it unusual for children to be neglected while their parents feed their drug addiction. In many cases, parental rights are eventually terminated.

Drug addiction is the root of many violent crimes. One of our judges told me of a sixteen-year-old boy who was a normal, good natured child until he became hooked on meth. When his mother confronted him about the drug, he threatened to douse her with lighter fluid and set her on fire. Later, he did.

Drug addiction is linked to domestic violence. A judge in eastern Iowa told me of four children whose meth addicted father rammed his vehicle into a car carrying them, their mother and a domestic abuse advocate. The children were traumatized. Despite the dangerous situation, the mother later reunited with her husband and the children eventually had to be placed in foster care.

When dealing with drug addicts, our traditional punitive measures tend to be ineffective. A judge in southern Iowa told me that meth is so addictive that probationers routinely fail drug testing even when they are given ten days advance notice of the test. Many addicts return to their addiction as soon as they are released from jail or prison. Many addicts commit more crimes to support their habits. And many addicts end up back in court again and again.

There is obviously no single solution to the problem. Some judges are exploring innovative approaches which strike at the heart of the problem—the addiction. For instance, Judge Linda Reade in Polk County emphasizes treatment of drug-addicted defendants in addition to punitive measures. Judge Reade says that this therapeutic approach is a better way to deal with drug-addicted defendants because it focuses on ending the addiction.

The criminal justice system cannot be the exclusive vehicle for ending drug addiction. The entire community must join forces to end this scourge.

As you search for solutions to the drug problem and other problems, please bear in mind that new laws, tougher criminal penalties, and more resources for law enforcement will add to the existing bottleneck in the courts through which all cases must flow. We will do our part to deliver justice as effectively as we can under the circumstances. But without sufficient resources to match the high demand for court services, justice will continue to lag behind the public's rightful expectations.

Our system of government calls on all three branches, in differing roles but working together, to contribute to the administration of justice. Our role is to decide cases according to the law, promptly and equally to all people. But we must rely on the other branches for the resources required to carry out this enormously important responsibility. I am confident that by working in unison, we can overcome the grave problems that threaten to impede the delivery of justice — today and in the future.

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

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

Representative Siegrist moved that the joint convention be dissolved at 10:34 a.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: January 12, 1999, 2:10 p.m.

Members Present: Jensen, Chair; Maddox, Vice Chair; Deluhery, Ranking Member; Bolkcom, Flynn, Gronstal, Hansen, Johnson, King, Lamberti, Lundby, McCoy, and Redwine.

Members Absent: Redfern and Schuerer (both excused).

Committee Business: Organizational meeting. Adopted rules, as amended.

Adjourned: 2:25 p.m.

WAYS AND MEANS

Convened: January 13, 1999, 11:35 a.m.

Members Present: Johnson, Chair; McKibben, Vice Chair; Harper, Ranking Member; Bartz, Bolkcom, Connolly, Deluhery, Drake, Flynn, Hedge, Lamberti, McLaren, Redwine, and Soukup.

Members Absent: Maddox (excused).

Committee Business: Subcommittee assignments.

Adjourned: 11:45 a.m.

COMMITTEE CHANGES

Senator Iverson announced the following changes in Senate committee memberships:

Senator Jerry Behn will be added to the Business and Labor Relations Committee
Senator Mary Lou Freeman will become the vice chair of the Business and Labor Relations Committee

Senator JoAnn Johnson will leave the Transportation Committee and be added to the Natural Resources and Environment Committee

Senator Andy McKean will leave the Natural Resources and Environment Committee and be added to the Transportation Committee

Senator Ken Veenstra will leave the Business and Labor Relations Committee

STUDY BILL RECEIVED**SSB 1006 Judiciary**

Relating to the form of a name used after marriage.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Michael T. Gacioch, III, Dubuque – For achieving the rank of Eagle Scout. Senator Connolly (1/19/99).

Scott Kilgore, Dubuque – For achieving the rank of Eagle Scout. Senator Connolly (1/13/99).

Dan Kleinschrodt, Dubuque – For achieving the rank of Eagle Scout. Senator Connolly (1/13/99).

Brett Runde, Dubuque – For achieving the rank of Eagle Scout. Senator Connolly (1/13/99).

SUBCOMMITTEE ASSIGNMENTS**Senate Joint Resolution 1**

WAYS AND MEANS: McKibben, Chair; Drake and Flynn

Senate File 2

WAYS AND MEANS: Drake, Chair; Bolckcom and Redwine

Senate File 6

WAYS AND MEANS: Hedge, Chair; Bartz and Deluhery

Senate File 8

COMMERCE: Maddox, Chair; Deluhery and Jensen

SSB 1006

JUDICIARY: Miller, Chair; Hammond and McKean

COMMITTEE REPORT

NATURAL RESOURCES AND ENVIRONMENT

Final Bill Action: *SENATE FILE 10 (SSB 1002), a bill for an act relating to the issuance of nonresident hunting licenses, to the maximum number of deer and wild turkey hunting licenses issued to nonresidents, and to certain allocations of nonresident licenses, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Bartz, King, Fink, Black, Bolkom, Dearden, Deluhery, Drake, Freeman, Gaskill, Kibbie, McKean, Miller, Rehberg, and Rife. 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 and Environment Committee on Senate File 10, and they were attached to the committee report.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 10:34 a.m., until 9:00 a.m., Thursday, January 14, 1999.

JOURNAL OF THE SENATE

FOURTH CALENDAR DAY
FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 14, 1999

The Senate met in regular session at 9:04 a.m., Senator Lundby presiding.

Prayer was offered by the Honorable H. Kay Hedge, member of the Senate from Mahaska County, Fremont, Iowa.

The Journal of Wednesday, January 13, 1999, was approved.

INTRODUCTION OF BILLS

Senate Joint Resolution 2, by Maddox and Harper, a joint resolution relating to the designation of the Old State Historical Building as the Ola Babcock Miller State Office Building.

Read first time and referred to committee on **State Government**.

Senate File 11, by McKean, a bill for an act adopting the uniform statutory rule against perpetuities.

Read first time and referred to committee on **Judiciary**.

Senate File 12, by McKean, a bill for an act establishing a uniform standard for determination of death.

Read first time and referred to committee on **Judiciary**.

Senate File 13, by Angelo, a bill for an act relating to the issuance of deer and wild turkey hunting licenses to a nonresident owning a farm in this state.

Read first time and referred to committee on **Natural Resources and Environment.**

Senate File 14, by Angelo, a bill for an act providing for an additional income tax deduction for the hiring of individuals with impairments by any sized business or corporation and including effective and retroactive applicability date provisions.

Read first time and referred to committee on **Ways and Means.**

Senate File 15, by Rehberg, Behn, Redwine, Zieman, King, Freeman, Jensen, Boettger, Johnson, McKibben, Rife, Bartz, Veenstra, Angelo, and Schuerer, a bill for an act eliminating the state inheritance tax and providing for the Act's applicability.

Read first time and referred to committee on **Ways and Means.**

RECESS

On motion of Senator Iverson, the Senate recessed at 9:09 a.m., until 2:30 p.m.

AFTERNOON SESSION

The Senate resumed session at 2:57 p.m., President Kramer presiding.

INTRODUCTION OF BILLS

Senate File 16, by Connolly, a bill for an act relating to windshield wiper operation and lighted headlamps and making a penalty applicable.

Read first time and referred to committee on **Transportation.**

Senate File 17, by Maddox, a bill for an act relating to mandatory motor vehicle proof of financial responsibility by requiring such proof wherever a motor vehicle may be operated.

Read first time and referred to committee on **Transportation.**

Senate File 18, by Angelo, a bill for an act providing for the establishment of a school energy conservation measure program.

Read first time and referred to committee on **Education**.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****AGRICULTURE**

Convened: January 13, 1999, 4:02 p.m.

Members Present: Gaskill, Chair; Miller, Vice Chair; Fraise, Ranking Member; Angelo, Bartz, Behn, Black, Hedge, Kibbie, Sexton, Shearer, Soukup, Veenstra, and Zieman.

Members Absent: Dearden (excused).

Committee Business: Presentations from Deputy Secretary of Agriculture, State's Attorney General Office, Farmers Union, and Iowa Pork Producers.

Adjourned: 6:08 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: January 14, 1999, 10:08 a.m.

Members Present: Redwine, Chair; Bartz, Vice Chair; Flynn and Sexton.

Members Absent: McCoy, Ranking Member (excused).

Committee Business: Adoption of rules. Presentation by the Legislative Fiscal Bureau.

Adjourned: 10:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: January 14, 1999, 10:05 a.m.

Members Present: Behn, Chair; Hedge, Vice Chair; Black, Ranking Member; Fink and Gaskill.

Members Absent: None.

Committee Business: Organizational meeting, introductions, and distribution of rules.

Adjourned: 10:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 14, 1999, 10:15 a.m.

Members Present: Schuerer, Chair; Boettger, Vice Chair; Soukup, Ranking Member; Hansen and Lamberti.

Members Absent: None.

Committee Business: Organizational meeting and distribution of committee rules.

Adjourned: 10:41 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 14, 1999, 10:10 a.m.

Members Present: Rehberg, Chair; Redfern, Vice Chair; Horn, Ranking Member; and Kibbie.

Members Absent: McLaren (excused).

Committee Business: Introductions and discussion of possible future agenda topics.

Adjourned: 10:48 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 14, 1999, 10:03 a.m.

Members Present: Rife, Chair; Zieman, Vice Chair; Bolkom, Ranking Member; Dearden and McKibben.

Members Absent: None.

Committee Business: Introductions and organizational meeting.

Adjourned: 10:33 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 14, 1999, 10:55 a.m.

Members Present: Tinsman, Chair; Veenstra, Vice Chair; Hammond, Ranking Member; Miller and Szymoniak.

Members Absent: None.

Committee Business: Adoption of rules.

Adjourned: 12:00 p.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 14, 1999, 10:48 a.m.

Members Present: Maddox, Chair; Angelo, Vice Chair; Dvorsky, Ranking Member; Fraise and McKean.

Members Absent: None.

Committee Business: Introductions and adoption of rules.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT AND COMMUNICATIONS

Convened: January 14, 1999, 10:50 a.m.

Members Present: King, Chair; Lundby, Vice Chair; Deluhery, Ranking Member; Harper and Rittmer.

Members Absent: None.

Committee Business: Organizational meeting and adoption of rules.

Adjourned: 12:00 p.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

Convened: January 14, 1999, 10:49 a.m.

Members Present: Freeman, Chair; Jensen, Vice Chair; Connolly, Ranking Member; Johnson and Shearer.

Members Absent: None.

Committee Business: Introductions and organizational meeting.

Adjourned: 11:00 a.m.

BUSINESS AND LABOR RELATIONS

Convened: January 14, 1999, 1:02 p.m.

Members Present: McKibben, Chair; Freeman, Vice Chair; Dearden, Ranking Member; Behn, Fraise, Hansen, Horn, King, Rife, and Schuerer.

Members Absent: Sexton (excused).

Committee Business: Introductions and adoption of rules.

Adjourned: 1:15 p.m.

EDUCATION

Convened: January 14, 1999, 1:05 p.m.

Members Present: Redfern, Chair; Rehberg, Vice Chair; Connolly, Ranking Member; Angelo, Boettger, Dvorsky, Fink, Gaskill, Harper, Redwine, Sexton, Shearer, Szymoniak, Tinsman, and Veenstra.

Members Absent: None.

Committee Business: Adoption of rules.

Adjourned: 1:25 p.m.

JUDICIARY

Convened: January 14, 1999, 2:02 p.m.

Members Present: McKean, Chair; Lamberti, Vice Chair; Hansen, Ranking Member; Angelo, Boettger, Dvorsky, Fraise, Hammond, Horn, Maddox, McCoy, McKibben, Miller, Redfern, and Tinsman.

Members Absent: None.

Committee Business: Introductions.

Adjourned: 2:40 p.m.

LOCAL GOVERNMENT

Convened: January 14, 1999, 1:30 p.m.

Members Present: Angelo, Chair; Bartz, Vice Chair; Bolkcom, Ranking Member; Fraise, Gaskill, Hammond, McCoy, McKean, McKibben, Miller, Rife, and Zieman.

Members Absent: Hansen (excused).

Committee Business: Adoption of rules and assignment of SSBs.

Adjourned: 1:40 p.m.

STATE GOVERNMENT

Convened: January 14, 1999, 1:30 p.m.

Members Present: Rittmer, Chair; Lamberti, Vice Chair; Kibbie, Ranking member; Connolly, Dearden, Deluhery, Drake, Fink, King, Lundby, Maddox, McLaren, Redfern, Schuerer, and Szymoniak.

Members Absent: None.

Committee Business: Introductions, adoption of committee rules, and subcommittee assignments.

Adjourned: 1:50 p.m.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Nathan Williams, Creston – For achieving the rank of Eagle Scout. Senator Angelo (1/30/99).

STUDY BILLS RECEIVED

SSB 1007 State Government

Relating to hospital clinical privileges of a physician assistant or advanced registered nurse practitioner.

SSB 1008 State Government

Relating to the records of nonprofit corporations licensed to conduct pari-mutuel wagering and nonprofit corporations licensed to conduct gambling games.

SSB 1009 Natural Resources and Environment

Eliminating a report of land acquisitions and exchanges by a county conservation board.

SUBCOMMITTEE ASSIGNMENTS

Senate File 3

STATE GOVERNMENT: Drake, Chair; Kibbie and Maddox

Senate File 9

WAYS AND MEANS: McKibben, Chair; Harper and McLaren

Senate File 13

NATURAL RESOURCES AND ENVIRONMENT: Black, Chair; Freeman and Rehberg

SSB 1007

STATE GOVERNMENT: Lamberti, Chair; Connolly and Maddox

SSB 1008

STATE GOVERNMENT: Schuerer, Chair; Deluhery and King

SSB 1009

NATURAL RESOURCES AND ENVIRONMENT: Miller, Chair; Bolkcom and Rife

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 3:00 p.m., until 8:45 a.m., Friday, January 15, 1999.

JOURNAL OF THE SENATE

FIFTH CALENDAR DAY
FIFTH SESSION DAY

North Gaskell Room
Veterans Memorial Auditorium
Des Moines, Iowa, Friday, January 15, 1999

The Senate met in regular session at 8:50 a.m., President Kramer presiding.

Prayer was offered by the Honorable Mary Kramer, President of the Senate from Polk County, West Des Moines, Iowa.

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

The Senate resumed session, President Kramer presiding.

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 3, duly adopted, the Senate proceeded to the joint convention with the House in the South Gaskell Room.

JOINT CONVENTION

The joint convention was called to order at 8:58 a.m., President Kramer presiding.

Senator Iverson 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 Kramer declared a quorum present and the joint convention duly organized.

REPORT OF CANVASS OF VOTE

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

MADAM 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 3, 1998, beg leave to make the following report of the total vote cast for Governor:

Thomas J. Vilsack	500,231
Jim Ross Lightfoot	444,787
Jim Hennager.....	5,606
Jim Schaefer.....	3,144
Mark Kennis.....	2,006
Scattering	644

And the total vote cast for Lieutenant Governor at the election, held November 3, 1998:

Sally Pederson.....	500,231
Almo Hawkins.....	444,787
Sue Atkinson	5,606
Lynn Waters.....	3,144
Lois Kennis.....	2,006
Scattering	644

All of which is most respectfully submitted.

MARGARET N. TINSMAN

Teller of the Senate

ANDREW J. McKEAN

Assistant Teller

ELAINE E. SZYMONIAK

Assistant Teller

ELIZABETH A. ISAACSON

Secretary of the Joint Convention

SANDRA H. GREINER

Teller of the House

DAVID E. HEATON

Assistant Teller

RICHARD L. LARKIN

Assistant Teller

Senator Tinsman moved the adoption of the report.

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

President Kramer announced that the Honorable Tom Vilsack, 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 Sally Pederson, 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

GREETING:

This is to certify that upon a canvass in Joint Convention of the two Houses of the Seventy-eighth General Assembly of the State of Iowa, of all the votes cast at the general election held November 3, 1998, for the office of Governor of the State of Iowa, it appeared that Tom Vilsack 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 his successor is duly elected and qualified.

Signed in the presence of the Joint Convention this fifteenth day of January, A.D., 1999.

RON J. CORBETT
Speaker of the House
MARGARET N. TINSMAN
Teller of the Senate
SANDRA H. GREINER
Teller of the House

ELIZABETH A. ISAACSON
Clerk of the House and
Secretary of the Joint Convention
MARY KRAMER
Presiding Officer of
the Joint Convention

CERTIFICATE OF ELECTION
STATE OF IOWA
GENERAL ASSEMBLY

GREETING:

This is to certify that upon a canvass in Joint Convention of the two Houses of the Seventy-eighth General Assembly of the State of Iowa, of all the votes cast at the general election held November 3, 1998, for the office of Lieutenant Governor of the state of Iowa, it appeared that Sally Pederson 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 her successor is duly elected and qualified.

Signed in the presence of the Joint Convention this fifteenth day of January, A.D., 1999.

RON J. CORBETT
Speaker of the House
MARGARET N. TINSMAN
Teller of the Senate
SANDRA H. GREINER
Teller of the House

ELIZABETH A. ISAACSON
Clerk of the House and
Secretary of the Joint Convention
MARY KRAMER
Presiding Office of the
Joint Convention

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

Senator Iverson moved that a committee of six, three members from the Senate and three members from the House, be appointed to notify Governor-elect Vilsack and Lieutenant Governor-elect Pederson of the official result of the canvass of votes.

The motion prevailed by a voice vote and President Kramer announced the appointment of Senators Maddox, Johnson and Szymoniak, on the part of the Senate, and Representatives Hoffman, Arnold and Warnstadt, on the part of the House.

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

The joint convention resumed session, President Kramer presiding.

REPORT OF COMMITTEE

Senator Iverson moved adoption of the report by the joint committee appointed to notify Tom Vilsack and Sally Pederson of their election to the office of Governor and Lt. Governor.

MADAM PRESIDENT: As a committee appointed at the joint convention to notify the Honorable Tom Vilsack and the Honorable Sally Pederson of their election to the office of Governor and Lieutenant Governor of Iowa, respectively, we beg leave to report that we have performed the duty assigned to us and that they stand ready to assume the duties of the offices to which they were elected.

Respectively submitted,

O. GENE MADDOX
JOANN JOHNSON
ELAINE SZYMONIAK
Senate

CLARENCE HOFFMAN
RICHARD ARNOLD
STEVEN WARNSTADT
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 at 10:01 a.m., President Kramer presiding.

The committee to escort Governor-elect Vilsack and Lieutenant Governor-elect Pederson were escorted to their seats.

Chief Justice Arthur A. McGiverin was escorted to his seat.

Governor Terry E. Branstad and Lieutenant Governor Joy Corning were escorted to their seats.

Lieutenant Governor-elect Pederson, her husband Jim Autry, and their son Ronald, were escorted to their seats.

Governor-elect Vilsack, his wife Christie, and their sons, Doug and Jess, were escorted to their seats.

The colors were advanced by the Iowa National Guard.

The Pledge of Allegiance was led by Reed Woodford, Eagle Scout, of Sergeant Bluffs, Iowa.

The National Anthem was sung by Simon Estes, native of Centerville, Iowa.

The invocation was delivered by Sister Marlene McDonnell of Cascade, Iowa.

Excerpts from Dr. Martin Luther King, Jr.'s, "I Have a Dream," speech were read by Brittany Rideout and Jordan Landau of Waterloo, Iowa.

The oath of office was administered to Lieutenant Governor-elect Pederson by Chief Justice Arthur A. McGiverin of the Supreme Court of Iowa, assisted by Jim Autry, husband of Lieutenant Governor-elect Pederson.

President Kramer then presented Lieutenant Governor Sally Pederson who delivered the following remarks:

Thank you.

It's wonderful to be here.

Beyond the pride I have taken in my family, this is the proudest and at the same time most humbling moment of my life.

I'm proud to have been selected by Tom Vilsack and the citizens of this state to help lead Iowa into the 21st century. And I am humbled by the trust and faith all of you have placed in me.

And I want to tell you something.

As unbelievable as it may seem, I never doubted for a minute — from the moment I was nominated — that Tom and I would be standing here today.

I never doubted it because I'm an optimist. You see, my parents are optimists and they raised all five of their children to be optimists.

The reason my parents are optimists is that they — like you and many of your parents — learned from watching their ancestors that nothing was impossible.

This state was settled by people who brought with them little more than ingenuity and determination. No problems were unsolvable. Nothing dulled their spirit for this beautiful, fertile land.

What would they say to Iowans today? What would they say to us? We tell pollsters we are generally satisfied with our lives, but are watching in dismay as we:

- *see our students' test scores slip
- *see many schools in need of repair
- *see streams and rivers fouled by pollution
- *and see methamphetamine tearing at families and communities.

These problems strike at our soul. For Iowans have always known that while we couldn't provide ocean views, mountain ranges, and the bright lights of the biggest cities, we could provide the things that really mattered: the highest standards in education, a clean environment, and wonderful communities to raise our families. When these are threatened, Iowa's very sense of self is threatened.

Our ancestors, those sturdy pioneers, would tell us to roll up our sleeves and get to work as a community.

"Every member of the community is important," they would tell us. "Civic responsibility is important," they would tell us. And they would tell us something else: "Don't leave anybody out. Cast a big net and draw in everyone, those new to politics, those who've just arrived in our state, those who have not traditionally had a voice in government."

Here's an amazing fact: Iowa has more small communities than any other state in the nation. This means that more of our people have the opportunity to serve, and be involved in the running of this state.

Iowa must make use of all its people. Civic responsibility cannot be left to a few. For civic responsibility isn't reserved for those of one background, or one gender, or one age.

Tom Vilsack gave me, an outsider to politics, an extraordinary opportunity to run for office, and you the citizens have given me an extraordinary opportunity to serve. I'd like this spirit of inclusion to spread to make this a better state for all of our citizens.

This shouldn't be hard, because Iowa has a proud history of reaching out to others. Whether it was welcoming Vietnamese refugees in the 1970s or piling sandbags during the flood of 1993, neighbor helping neighbor has been the very soul of our state. One writer called it "the casserole reflex" — Iowans automatically give to others in need.

The Vilsack-Pederson administration wants to build on this generous spirit to create opportunities for all Iowans.

It is my deepest hope that our administration will, more than anything else, stand for opportunity.

Opportunity for Iowa — all Iowa — to prosper.

Opportunity for Iowans — all Iowans, no matter what their background, their economic status, or their special circumstances — to thrive.

I am confident this is what the Vilsack-Pederson administration will bring to Iowa: A government of optimism in a land of opportunity. And add one other thing: Commitment, because optimism without commitment won't get the job done.

It is my most fervent hope that in this state of opportunity, the government of optimism will rebuild our hopes, rekindle our dreams, reinvigorate our lives.

But you can't solve problems if you can't see them.

You can't help people if you don't know them.

So I am pledging today to do volunteer service somewhere in our state each week, and I challenge others to do the same. I plan to help school children with their reading, to serve meals at a homeless shelter, to help a neighborhood clean-up project, or any other task that will help me learn about the problems and the people working to solve them throughout this great state. I know there are many needs, but I know also that Iowa has many willing hands.

I come here this morning, a small-town Iowan who has always loved Iowa, a businesswoman who chose to stay in Iowa, a mother, grandmother, and aunt who wants her children, grandchildren, nieces and nephews to have opportunities in Iowa. I come here this morning to ask just one thing of you.

Please join us.

Please join us in this government of optimism in this lovely, rich land blessed by God and nurtured by our ancestors. Please join us in this government of optimism in this great state of opportunity.

Together, we can create the Iowa of our dreams.

Thank you.

The Mount Pleasant High School Chorus performed "Battle Hymn of the Republic."

The oath of office was administered to Governor-elect Vilsack by Chief Justice Arthur A. McGiverin, with Mrs. Christie Vilsack assisting.

President Kramer then presented Governor Tom Vilsack, who delivered the following inaugural address.

Governors Fulton, Ray, and Branstad, Lt. Governors Pederson, Corning, and Zimmerman, Chief Justice McGiverin and distinguished members of the court and judiciary, honorable members of the general assembly – past and present, executive counsel members, and ladies and gentlemen:

Today is a day of passages in the state of Iowa, as we inaugurate a new administration and look forward to the dawning of a new millennium.

It is a day to look forward to the challenges and opportunities before us, to take stock of who we are and where we are, and to take aim at where we want to go.

Before I speak of the future, let me say a word about Governor Branstad and Lt. Governor Corning and their families. Governor and Lt. Governor – you have led us during the best of times and through some of the worst of times. You have worked tirelessly to improve the management of state government and to diversify and strengthen the state's economy. You have worked for over two decades for the state and the people that you love – to make Iowa a better place to live – and you leave office having done so. On behalf of a grateful people, I extend our deepest appreciation to you and to your families for the sacrifices you have made on our behalf.

Twenty-three years ago, I followed my heart to Iowa. My wife, Christie, and I settled in her hometown of Mt. Pleasant. We wanted to be close to family. Our hopes and dreams were simple. We wished to raise our own family in a caring, warm, and

nurturing community. Our two sons, Jess and Doug, benefited by that decision. Each day they give us reason to be proud.

During those twenty-three years, I've learned of Iowa's greatness. It starts with its bountiful natural resources, acres of rich black soil and miles of meandering streams and rivers. But its real greatness lies in its most enduring quality – its goodness. Iowa is great because Iowa is good. Let me repeat that, Iowa is great because Iowa is good. Our goodness arises from the fundamental goodness of our people – caring, hard-working, well-educated, and decent. From child care providers to direct care staff at nursing homes, from teachers to social workers, from farmers to factory workers, from veterans to volunteers – caring, hard-working, well-educated and decent. Nowhere is our goodness, and therefore our greatness, better displayed than in our dedication to family and community.

Family and community is how and where we raise our children and care for each other. Family and community is how and where we teach our values, how and where we mold our ambitions and our aspirations, and how and where today's dreams become tomorrow's Iowa.

Family and community – more than genetics and geography – they are our collective frame of mind, our way of living, and our shared vision of how we want to be.

At the outset, I spoke of the dawning of the new millennium and of challenge and opportunity. Stated simply, our challenge at the close of this century and at the beginning of a new century is to preserve what is best about Iowa and to make it better. We must dedicate ourselves to preserving our natural resources – our land, water, and air and to preserving the best of family and community while adapting each to the changing world that surrounds us.

Making our best – better will not be easy. We will be challenged to change.

To preserve and to enhance our natural resources, we must rethink what we do with our land, our water, and our air. We must be good stewards and rededicate ourselves to restoring and conserving the land, to cleaning up the water, and to protecting the air. It is our natural resources that hold the key to a stronger, more prosperous Iowa. If we are able to mix good old Iowa common sense with changing science, we can enrich our natural resources and secure a better today and decades of better tomorrows.

Constant and unrelenting change challenges our notion of family. For many of us, family is not simply defined. Step families, foster families, adopted families, single parent families and other arrangements today redefine family. We live life at an ever-accelerating pace as we incorporate technology into everyday life. Adapting to changing lifestyles and managing the hectic pace of life while preserving what is best about family will require information, knowledge and wisdom. One of the keys to successful family life is a good education.

Iowa has had a long-standing tradition of excellence in education. To maintain that tradition and to build upon it for stronger Iowa families, will require us to think differently about education and to be prepared to invest in it.

In the face of growing research, we can no longer accept that an education starts with kindergarten. An education begins at birth. With new jobs being created every day, and new skills being required every day, we can no longer afford to allow graduation to signal the end of an Iowan's education. In Iowa, an education never ends – it is lifelong.

We must create a lifelong learning system. We must be willing to help equip parents to be their child's first and best teachers. We must invest in early childhood education so all of our children start school ready to learn. We must reduce class sizes in the early grades and improve teacher training to ensure that the basics are taught well – to lay a strong foundation for future learning. We must instill in each student the knowledge they will individually need to become productive citizens. Our children must have access to technology and master its use. We must always be sure that what we teach is what we need to learn. In short, we must create an educational system that embodies excellence and that enables everyone to learn well. Let us strive for a world class education system from pre-school to graduate school that is the envy of the nation and the world. Nothing short of that commitment will enable us to hold true to the traditions of our past and insure the security of our future.

With a real commitment from all of us, today's dream of a quality education will build stronger families for Iowa's tomorrow.

At the heart of our sense of community is a shared concern for each other. Today we face stern challenges to that sense of community.

Every day dangerous drugs are shipped into our state, grown in our fields, or made in our neighborhoods. Each decade, the drugs become more dangerous, more addicting, and more devastating.

The time has come for each of us to recognize a personal duty. The time has come for each of us to send a strong and clear signal that we have had enough.

While we will and we must do all we can do to stop the supply of these drugs – we will never succeed until we stop the demand for these drugs. Every adult in this state that works with or cares for the children of this state should accept personal responsibility to educate our children about the dangers of drugs of all kinds – cigarettes, alcohol, marijuana, and the most dangerous of all meth. To help those young people that make the mistake of taking drugs and become addicted to them, we must dedicate adequate resources to their successful treatment. And for those who fail to heed our community's warning about dealing in drugs, we should be prepared to respond with swift, sure, and appropriate punishment.

Whether we provide quality health care for our most vulnerable populations – our young children, our frail elderly, and those with disabilities will determine the level of our dedication to community. Every day tens of thousands of our children go without basic health care because their working parents cannot afford the cost of health insurance. Countless times I have seen communities respond when a child was in need. Why – because we are a people – a community with a tradition of helping those in need. Let us strengthen our community by extending access to quality health care to all of our children. At the same time, let us recognize the same responsibility to reach out to protect our frail elderly and to assist those with disabilities.

With a real commitment from all of us, today's dream of a drug-free Iowa where our most vulnerable have access to basic and quality health care will build stronger communities for tomorrow's Iowa.

Today in Iowa, hundreds of Iowa's best farmers and Iowa's best workers face a tomorrow of real uncertainty. Let us promise today that we will not forget their struggle. Let us pledge today that we will act swiftly and decisively to help when and where help is needed most.

Changes in agriculture and expanding opportunities in our commercial centers creates an economic development challenge and opportunity.

We often speak as if there were two Iowas – one rural and one urban. If we are to thrive we must do so as one and we will do so as one. Combining our rich soil, our strong work ethic, and quality education system we can unleash the economic power of every kernel of corn and every soybean grown in our fields.

As the food capital of the world, we can add real value to our crops and open up new markets in the state giving hope to our farmers. At the same time, with each new product comes the need for research and development, for processing and manufacturing, and for marketing that creates the opportunity for high-tech – high-paying jobs in commercial centers and surrounding communities.

With a real commitment from all of us, today's dream of Iowa as the food capital will build a brighter economic future in tomorrow's Iowa.

With a sense of hope and excitement, we enter a new century with the development of a new economy not built solely on the strength of our bodies but more on the power of our intellect. Iowa is poised to take real advantage of that new economy and to offer businesses and industries that locate here the promise of long-term profitability built on the quality of our workers and our long-term investment in their continued education.

Our population is stable, but to realize the promise of the future we must be able to retain and to attract young people to our state. Let me start by inviting my own sons to make Iowa their lifetime home and to encourage you to invite the children of our state to be a part of its future. To Jess and Doug, and to all the young people of this state, I say we need you. Our state's future depends upon your intellect, your creativity, your energy.

I realize that if young people are to stay or come back home, we must do our part before we ask them to do their part. We must invest in schools. We must support the arts. We must expand cultural diversity and opportunity. We must recognize the importance of recreation. Let us seal that bargain today for a better Iowa tomorrow.

To the members of the general assembly, let me repeat what Governor Harold Hughes said in his first inaugural address, and I quote:

"As we meet, the question uppermost in the minds of the citizens we represent is whether or not you of the legislature with a substantial majority and I the democratic governor can work together to develop a constructive legislative program for the good

of the state. As I see it, we have no choice – if we are to keep faith with our oaths of office.”

He went on to say on that day:

“our constitution states that all political power is inherent in the people. The people of Iowa elected a democratic governor. They elected a large republican majority in both houses of the assembly. They expect us to do our jobs regardless of party labels. Yet now the campaign is over and we proceed to the constructive tasks of legislation and administration, it is worth noting that the differences that divide us as partisans are small by comparison with the common ground that unites us a fellow Iowans. We want a better, more progressive, more prosperous Iowa. To attain it, we must seek both unity and continuity in government.”

I believe Governor Hughes said it as well as it could be said.

A better – more progressive – more prosperous Iowa will not evolve by and through government alone. We must have a clear vision of the Iowa of the future. How would each of us answer the question – what should Iowa be in the year 2020? What kind of state do we want and need? We must ask those questions now – and, we answer them thoughtfully now – for a better Iowa. We must strategically plan our future.

Future success will require a partnership with the private sector and the non-profit sector to achieve our common goal. Building and creating these relationships and partnerships can make all the difference. Lt. Governor Pederson knows how to build such partnerships. We will work together – drawing on our collective experiences to move Iowa forward.

Twenty-three years ago I followed my heart to Iowa – now my heart and my soul belong to our state. As someone for whom life started in an orphanage in Pennsylvania, I have been privileged to be a husband, a father, a lawyer, a mayor, and a state senator. It is an extraordinary honor to stand here as your governor – embraced by the family and the community we call Iowa.

Let us work together for a better Iowa. Let us not forget that Iowa is great because Iowa is good. Let us make today's dreams tomorrow's Iowa. If we do, we say again what was said by Samuel Kirkwood more than 100 years ago, “Iowa – our eyes have been permitted to behold only the beginnings of her glory.”

Thank you and may god bless you.

“America the Beautiful” was performed by the Children's Chorus of Des Moines, Iowa.

The benediction was offered by Rabbi Neil Sandler of Des Moines, Iowa.

Representative Siegrist moved that the joint convention be dissolved.

The motion prevailed by a voice vote and the joint convention was dissolved at 11:16 a.m.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 11:16 a.m., until Tuesday, January 19, 1999, at 1:00 p.m.

JOURNAL OF THE SENATE

NINTH CALENDAR DAY
SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 19, 1999

The Senate met in regular session at 1:09 p.m., President Kramer presiding.

Prayer was offered by the Honorable John Jensen, member of the Senate from Bremer County, Plainfield, Iowa.

The Journal of Friday, January 15, 1999, was approved.

SPECIAL GUEST

Senator Tinsman presented Lisa Solinger, Miss Iowa, from the Quad Cities. Ms. Solinger addressed the Senate with brief remarks.

INTRODUCTION OF BILLS

Senate File 19, by Black, a bill for an act providing for a regular program foundation base per pupil increase for the portion of weighted enrollment that is additional enrollment because of special education, and a special education support services foundation base increase, and including an effective date and applicability provision.

Read first time and referred to committee on **Education**.

Senate File 20, by Black, a bill for an act relating to the duties of a county conservation commission to file acquisitions or exchanges of land with the natural resource commission.

Read first time and referred to committee on **Natural Resources and Environment**.

Senate File 21, by Black, a bill for an act providing for the elimination of special education deficits incurred by school districts, making an appropriation, and including an effective date and applicability provision.

Read first time and referred to committee on **Education**.

Senate File 22, by Black, a bill for an act relating to the eligibility of nonresident landowners and their family members for free deer hunting licenses.

Read first time and referred to committee on **Natural Resources and Environment**.

Senate File 23, by Black, a bill for an act authorizing a county conservation board to cooperate with private, not-for-profit organizations to carry out conservation and recreation programs.

Read first time and referred to committee on **Natural Resources and Environment**.

Senate File 24, by Black, a bill for an act relating to the imposition of civil damages for the illegal taking, injuring, selling, or possessing of a protected swan or crane.

Read first time and referred to committee on **Judiciary**.

Senate File 25, by Black, a bill for an act increasing the tuition assistance eligible national guard members receive under the national guard tuition aid program.

Read first time and referred to committee on **Education**.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: January 19, 1999, 2:30 p.m.

Members Present: McKean, Chair; Lamberti, Vice Chair; Hansen, Ranking Member; Angelo, Boettger, Dvorsky, Fraise, Hammond, Horn, McCoy, McKibben, Miller, and Redfern.

Members Absent: Maddox and Tinsman (both excused).

Committee Business: Subcommittee assignments.

Adjourned: 2:35 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: January 19, 1999, 2:01 p.m.

Members Present: Bartz, Chair; King, Vice Chair; Fink, Ranking Member; Black, Bolkom, Dearden, Deluhery, Drake, Freeman, Gaskill, Johnson, Kibbie, Miller, Rehberg, and Rife.

Members Absent: None.

Committee Business: Approved SSB 1009.

Adjourned: 2:29 p.m.

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM

Convened: January 19, 1999, 2:00 p.m.

Members Present: Lundby, Chair; Behn, Vice Chair; Shearer, Ranking Member; Boettger, Dvorsky, Hansen, Sexton, Soukup, Tinsman, Veenstra, and Zieman.

Members Absent: Flynn and Rittmer (both excused).

Committee Business: Study of proposed DED legislation.

Adjourned: 2:08 p.m.

STATE GOVERNMENT

Convened: January 19, 1999, 2:30 p.m.

Members Present: Rittmer, Chair; Lamberti, Vice Chair; Kibbie, Ranking Member; Connolly, Dearden, Deluhery, Drake, Fink, King, Lundby, Maddox, Schuerer, Sexton, and Szymoniak.

Members Absent: McLaren (excused).

Committee Business: Subcommittee assignments. Presentation by IDOP.

Adjourned: 3:28 p.m.

WAYS AND MEANS

Convened: January 19, 1999, 4:05 p.m.

Members Present: Johnson, Chair; McKibben, Vice Chair; Harper, Ranking Member; Bartz, Bolkom, Connolly, Deluhery, Drake, Hedge, Lamberti, Maddox, McLaren, Redwine, and Soukup.

Members Absent: Flynn (excused).

Committee Business: Passed SJR 1.

Adjourned: 4:52 p.m.

COMMITTEE CHANGES

Senator Iverson announced the following changes in Senate committee memberships:

Senator Sexton will leave the Business and Labor Relations Committee and be added to the State Government Committee.

Senator Redfern will leave the State Government Committee.

Senator Hedge will be added to the Business and Labor Relations Committee.

INTRODUCTION OF BILLS

Senate File 26, by McKean, a bill for an act relating to uniform prudent investor guidelines for trustees and providing an applicability date.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 27, by, Maddox, a bill for an act relating to use of a professional designation by an audiologist.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 28, by committee on Natural Resources and Environment, a bill for an act eliminating a report of land acquisitions and exchanges by a county conservation board.

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

STUDY BILLS RECEIVED

SSB 1010 Natural Resources and Environment

Relating to the hunting of mourning doves and subjecting violators to a penalty.

SSB 1011 Natural Resources and Environment

Repealing reporting requirements for real estate conveyances relating to the identification of wells, disposal sites for solid waste, underground storage tanks, and hazardous waste.

SSB 1012 State Government

Relating to the establishment of the Iowa propane education and research council, providing for the development of propane-related programs and projects, providing for the levy of an assessment on odorized propane, and providing penalties.

SSB 1013 State Government

Relating to the establishment of flammability standards for furniture and providing a penalty.

SSB 1014 Commerce

Relating to transfers of structured settlement payment rights for tort and workers' compensation claims and providing an effective date.

SSB 1015 Commerce

Relating to the classification of funding agreements issued by a life insurance company for purposes of the prioritization of claims against the assets of an insurer subject to supervision, rehabilitation, and liquidation, and including an effective date and a retroactive applicability provision.

SSB 1016 Judiciary

Relating to the establishment of an automatic temporary financial protective order against the parties to a dissolution of marriage, separate maintenance, or annulment action, limiting certain actions relating to assets and income of the parties.

SSB 1017 Judiciary

Relating to certain property of a debtor which is exempt from execution.

SUBCOMMITTEE ASSIGNMENTS**Senate File 11**

JUDICIARY: Lamberti, Chair; Hansen and Redfern

Senate File 12

JUDICIARY: McKibben, Chair; Fraise and Lamberti

Senate File 14

WAYS AND MEANS: Maddox, Chair; Connolly and Johnson

Senate File 15

WAYS AND MEANS: Johnson, Chair; Bolcom and Redwine

Senate File 24

JUDICIARY: Miller, Chair; Angelo and Horn

SSB 1010

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Kibbie and King

SSB 1011

NATURAL RESOURCES AND ENVIRONMENT: Kibbie, Chair; Deluhery and Johnson

SSB 1012

STATE GOVERNMENT: Rittmer, Chair; Dearden and McLaren

SSB 1013

STATE GOVERNMENT: King, Chair; Connolly and Sexton

SSB 1014

COMMERCE: Lundby, Chair; Hansen and Maddox

SSB 1015

COMMERCE: Gronstal, Chair; Lamberti and Schuerer

SSB 1016

JUDICIARY: Lamberti, Chair; Boettger and Dvorsky

SSB 1017

JUDICIARY: McKibben, Chair; McCoy and Redfern

COMMITTEE REPORTS**NATURAL RESOURCES AND ENVIRONMENT**

Final Bill Action: SENATE FILE 28 (SSB 1009), a bill for an act eliminating a report of land acquisitions and exchanges by a county conservation board.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Bartz, King, Fink, Black, Bolkom, Dearden, Deluhery, Drake, Freeman, Gaskill, Johnson, Kibbie, Miller, Rehberg, and Rife. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE JOINT RESOLUTION 1, a joint resolution proposing amendments to the Constitution of the State of Iowa relating to the state budget by limiting state general fund expenditures and restricting certain state tax revenue changes.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Johnson, McKibben, Bartz, Drake, Hedge, Lamberti, Maddox, McLaren, and Redwine. Nays, 5: Harper, Bolkcom, Connolly, Deluhery, and Soukup. Absent or not voting, 1: Flynn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 1:17 p.m., until 9:00 a.m., Wednesday, January 20, 1999.

JOURNAL OF THE SENATE

TENTH CALENDAR DAY
SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 20, 1999

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

Prayer was offered by the Reverend Jerry Miller of the Grimes United Methodist Church, Grimes, Iowa.

The Journal of Tuesday, January 19, 1999, was approved.

RECESS

On motion of Senator Iverson, the Senate recessed at 9:07 a.m., until 4:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: January 20, 1999, 9:43 a.m.

Members Present: Redwine, Chair; Bartz, Vice Chair; McCoy, Ranking Member; and Sexton.

Members Absent: Flynn (excused).

Committee Business: Presentations by State Auditor, Richard Johnson; State Treasurer, Michael Fitzgerald; and the Department of Commerce.

Adjourned: 11:07 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 20, 1999, 9:45 a.m.

Members Present: Schuerer, Chair; Boettger, Vice Chair; Soukup, Ranking Member; and Lamberti.

Members Absent: Hansen (excused).

Committee Business: Adoption of committee rules. Presentation by LFB.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 20, 1999, 9:35 a.m.

Members Present: Rehberg, Chair; Redfern, Vice Chair; Horn, Ranking Member; and Kibbie.

Members Absent: McLaren.

Committee Business: Adoption of committee rules. Presentation by LFB.

Adjourned: 10:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 20, 1999, 9:45 a.m.

Members Present: Rife, Chair; Zieman, Vice Chair; Bolkom, Ranking Member; Dearden and McKibben.

Members Absent: None.

Committee Business: Presentations by LFB and Iowa Department of Public Health.

Adjourned: 10:41 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 20, 1999, 9:45 a.m.

Members Present: Tinsman, Chair; Veenstra, Vice Chair; Hammond, Ranking Member; Miller and Szymoniak.

Members Absent: None.

Committee Business: Presentation by DHS.

Adjourned: 12:04 p.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 20, 1999, 9:45 a.m.

Members Present: Maddox, Chair; Angelo, Vice Chair; Dvorsky, Ranking Member; Fraise and McKean.

Members Absent: None.

Committee Business: Presentation on judicial branch budget.

Adjourned: 10:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT AND COMMUNICATIONS

Convened: January 20, 1999, 9:45 a.m.

Members Present: King, Chair; Lundby, Vice Chair; Deluhery, Ranking Member; Harper and Rittmer.

Members Absent: None.

Committee Business: Presentation by Ultrapro International, Inc.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

Convened: January 20, 1999, 9:45 a.m.

Members Present: Freeman, Chair; Jensen, Vice Chair; Connolly, Ranking Member; Johnson and Shearer.

Members Absent: None.

Committee Business: Presentations by LFB and DOT.

Adjourned: 11:15 a.m.

AGRICULTURE

Convened: January 20, 1999, 8:02 a.m.

Members Present: Gaskill, Chair; Miller, Vice Chair; Fraise, Ranking Member; Angelo, Bartz, Behn, Hedge, Kibbie, Sexton, Shearer, Soukup, Veenstra, and Zieman.

Members Absent: Black and Dearden (both excused).

Committee Business: Presentations by the Iowa Farm Bureau and DED.

Adjourned: 9:04 a.m.

SUBCOMMITTEE ASSIGNMENTS

Senate File 4

TRANSPORTATION: Drake, Chair; Fraise and Sexton

Senate File 5

EDUCATION: Rehberg, Chair; Dvorsky and Gaskill

Senate File 7

TRANSPORTATION: Drake, Chair; Fraise and Sexton

Senate File 16

TRANSPORTATION: Jensen, Chair; Freeman and McCoy

Senate File 18

EDUCATION: Angelo, Chair; Boettger and Szymoniak

Senate File 19

EDUCATION: Veenstra, Chair; Boettger and Fink

Senate File 20

NATURAL RESOURCES AND ENVIRONMENT: Miller, Chair; Bolcom and Rife

Senate File 21

EDUCATION: Boettger, Chair; Sexton and Shearer

Senate File 22

NATURAL RESOURCES AND ENVIRONMENT: Drake, Chair; Black and Rehberg

Senate File 23

NATURAL RESOURCES AND ENVIRONMENT: Fink, Chair; Freeman and Rife

Senate File 25

EDUCATION: Gaskill, Chair; Angelo and Connolly

AFTERNOON SESSION

The Senate reconvened at 4:07 p.m., Senator Lundby presiding.

QUORUM CALL

Senator Iverson 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:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on January 20, 1999, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 5, a concurrent resolution relating to joint rules of the Senate and House of Representatives for the Seventy-eighth General Assembly.

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

INTRODUCTION OF BILLS

Senate File 29, by Rehberg, a bill for an act relating to forestry and forest resource support and making appropriations.

Read first time and referred to committee on **Appropriations**.

Senate File 30, by Lamberti, a bill for an act relating to the rescission of an administrative license revocation for an operating while intoxicated offense, and providing an effective date.

Read first time and referred to committee on **Transportation**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hansen for the remainder, of the day on request of Senator Gronstal.

CONSIDERATION OF BILL (Ways and Means Calendar)

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

Senate Joint Resolution 1

On motion of Senator McKibben, Senate Joint Resolution 1, a joint resolution proposing amendments to the Constitution of the State of Iowa relating to the state budget by limiting state general fund expenditures and restricting certain state tax revenue changes, was taken up for consideration.

The Senate stood at ease at 4:27 p.m. until the fall of the gavel for the purposes of party caucuses

The Senate resumed session at 5:06 p.m., President Kramer presiding.

Senator Connolly offered amendment S-3001 filed by him from the floor to page 4 of the resolution, moved its adoption, and requested a record roll call.

On the question "Shall amendment S-3001 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, 20:

Black
Deluhery
Fraise
Horn
Rife

Bolkcom
Dvorsky
Gronstal
Kibbie
Shearer

Connolly
Fink
Hammond
Lundby
Soukup

Dearden
Flynn
Harper
McCoy
Szymoniak

Nays, 28:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Jensen	Johnson	King
Kramer	Lamberti	Maddox	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rittmer	Schuerer
Sexton	Tinsman	Veenstra	Zieman

Absent or not voting, 1:

Hansen

Amendment S-3001 lost.

Senator Bolkcom offered amendment S-3002 filed by Senators Bolkcom, et al. from the floor to page 4 of the resolution, moved its adoption, and requested a record roll call.

On the question "Shall amendment S-3002 be adopted?" (S.J.R. 1), the vote was:

Ayes, 18:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gronstal	Hammond	Harper
Horn	Kibbie	McCoy	Shearer
Soukup	Szymoniak		

Nays, 30:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Jensen	Johnson	King
Kramer	Lamberti	Lundby	Maddox
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Sexton	Tinsman
Veenstra	Zieman		

Absent or not voting, 1:

Hansen

Amendment S-3002 lost.

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

Senate Joint Resolution 1, a joint resolution proposing amendments to the Constitution of the State of Iowa relating to the state budget by limiting state general fund expenditures and restricting certain state tax revenue changes.

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

The Constitution of the State of Iowa is amended by adding the following new section to new Article XIII:

ARTICLE XIII

EXPENDITURE LIMITATION

GENERAL FUND EXPENDITURE LIMITATION. Section 1.

1. For the purpose of this section:

a. "Adjusted revenue estimate" means the most recent revenue estimate determined before January 1, or a later and lesser revenue estimate determined before adjournment of the regular session of the General Assembly, for the general fund for the following fiscal year as determined by a revenue estimating conference which shall be established by the General Assembly by law, adjusted by subtracting estimated refunds payable from that estimated revenue and adding any available surplus in accordance with subsection 5.

b. "General fund" means the principal operating fund of the state which shall be established by the General Assembly by law.

c. "New revenues" means moneys which are received by the state due to increased tax rates or fees or newly created taxes or fees over and above those moneys which are received due to state taxes or fees which are in effect as of January 1 following the most recent state revenue estimating conference. "New revenues" also includes moneys received by the general fund due to new transfers over and above those moneys received by the general fund due to transfers which are in effect as of January 1 following the most recent state revenue estimating conference. The state revenue estimating conference shall determine the eligibility of transfers to the general fund which are to be considered as new revenue in determining the state general fund expenditure limitation.

2. A state general fund expenditure limitation is created and calculated in subsection 3, for each fiscal year beginning on or after July 1 following the effective date of this section.

3. Except as otherwise provided in this section, the state general fund expenditure limitation for a fiscal year shall be ninety-nine percent of the adjusted revenue estimate.

4. The state general fund expenditure limitation shall be used by the Governor in the preparation of the budget and by the General Assembly in the budget process. If a new revenue is proposed, the budget revenue projection used for that new revenue source for the period beginning on the effective date of the new revenue source and ending in the fiscal year in which the source is included in the adjusted revenue estimate shall be ninety-five percent of the amount remaining after subtracting estimated refunds payable from the projected revenue from that source. If a new revenue source is established and implemented, the original state general fund expenditure limitation amount provided for in subsection 3 shall be readjusted to include ninety-five percent of the estimated revenue from that source.

5. Any surplus existing at the end of a fiscal year which exceeds ten percent of the adjusted revenue estimate of that fiscal year shall be included in the adjusted revenue estimate for the following fiscal year. Any surplus equal to ten percent or less of the adjusted revenue estimate of the fiscal year may be included in the adjusted revenue estimate for the following fiscal year if approved in a bill receiving the affirmative votes of at least three-fifths of the whole membership of each house of the General Assembly. For purposes of this section, "surplus" means the cumulative excess of revenues and other financing sources over expenditures and other financing uses for the general fund at the end of a fiscal year.

6. The scope of the expenditure limitation under subsection 3 shall not include federal funds, donations, constitutionally dedicated moneys, and moneys in expenditures from a state retirement system.

7. The Governor shall submit and the General Assembly shall pass a budget which does not exceed the state general fund expenditure limitation.

8. The Governor shall not submit and the General Assembly shall not pass a budget which in order to balance assumes reversion of any part of the total of the appropriations included in the budget.

9. The state shall use consistent standards, in accordance with generally accepted accounting principles, for all state budgeting and accounting purposes.

10. The General Assembly shall enact laws to implement this section.

Sec. 2. The following amendment to the Constitution of the State of Iowa is proposed:

The Constitution of the State of Iowa is amended by adding the following new sections to new Article XIII:

ARTICLE XIII.

THREE-FIFTHS MAJORITY FOR TAX LAW CHANGES

THREE-FIFTHS MAJORITY TO INCREASE TAXES. Section 1. A bill containing provisions enacting, amending, or repealing the state income tax or enacting, amending, or repealing the state sales and use taxes, in which the aggregate fiscal impact of those provisions relating to those taxes results in a net increase in state tax revenue, as determined by the General Assembly, shall require the affirmative votes of at least three-fifths of the whole membership of each house of the General Assembly for passage. This section does not apply to income tax or sales and use taxes imposed at the option of a local government.

THREE-FIFTHS MAJORITY TO ENACT NEW STATE TAX. Sec. 2. A bill that establishes a new state tax to be imposed by the state shall require the affirmative votes of at least three-fifths of the whole membership of each house of the General Assembly for passage.

ENFORCEMENT OF THREE-FIFTHS MAJORITY REQUIREMENT. Sec. 3. A lawsuit challenging the proper enactment of a bill pursuant to section 1 or 2 shall be filed no later than one year following enactment. Failure to file such a lawsuit within the one-year time limit shall negate the three-fifths majority requirement as it applies to the bill.

Each bill to which section 1 or 2 applies shall include a separate provision describing the requirements for enactment prescribed by section 1 or 2.

IMPLEMENTATION. Sec. 4. The General Assembly shall enact laws to implement sections 1 through 3.

Sec. 3. The foregoing proposed amendments to the Constitution of the State of Iowa, having been adopted and agreed to by the Seventy-seventh General Assembly, 1998 Session, thereafter duly published, and now adopted and agreed to by the Seventy-eighth General Assembly in this joint resolution, shall be submitted to the people of the State of Iowa at a special election called for that purpose to be held on Tuesday, the 29th of June of the year 1999, 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 pass?" (S.J.R. 1), the vote was:

Yeas, 32:

Angelo	Bartz	Behn	Black
Boettger	Drake	Freeman	Gaskill
Hedge	Horn	Iverson	Jensen
Johnson	King	Kramer	Lamberti
Lundby	Maddox	McKean	McKibben
McLaren	Miller	Redfern	Redwine
Rehberg	Rife	Rittmer	Schuerer
Sexton	Tinsman	Veenstra	Zieman

Nays, 16:

Bolkcom	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gronstal	Hammond	Harper	Kibbie
McCoy	Shearer	Soukup	Szymoniak

Absent or not voting, 1:

Hansen

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

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

INTRODUCTION OF BILLS

Senate Joint Resolution 3, by Rittmer, a joint resolution proposing an amendment to the Constitution of the State of Iowa to limit the years of service for Governor and Lieutenant Governor.

Read first time and referred to committee on **State Government**.

Senate File 31, by Angelo, Lundby, and Dearden, a bill for an act establishing an age ceiling for hiring fire fighters and peace officers.

Read first time and referred to committee on **State Government**.

Senate File 32, by Rittmer, Lundby, and Gronstal, a bill for an act concerning employment rights of fire fighters under civil service who are elected as officers in certain professional fire fighters organizations, and providing an effective date.

Read first time and referred to committee on **State Government**.

Senate File 33, by McCoy and Dvorsky, a bill for an act relating to the termination of a rental agreement of a residential or a mobile home tenant.

Read first time and referred to committee on **State Government**.

Senate File 34, by Black, a bill for an act relating to and making appropriations to the property tax relief fund for county mental health, mental retardation, and developmental disability expenditures and including an effective date and applicability provision.

Read first time and referred to committee on **Appropriations**.

Senate File 35, by Maddox and Szymoniak, a bill for an act relating to the practice of hypnotherapy and providing penalties.

Read first time and referred to committee on **State Government**.

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

Convened: January 20, 1999, 9:45 a.m.

Members Present: Behn, Chair; Hedge, Vice Chair; Fink and Gaskill.

Members Absent: Black, Ranking Member (excused).

Committee Business: Presentations by the Iowa Department of Agriculture and Land Stewardship and the Department of Plant Pathology at ISU.

Adjourned: 11:19 a.m.

COMMERCE

Convened: January 20, 1999, 3:00 p.m.

Members Present: Jensen, Chair; Maddox, Vice Chair; Deluhery, Ranking Member; Bolcom, Flynn, Gronstal, Johnson, King, Lamberti, Lundby, McCoy, Redfern, Redwine, and Schuerer.

Members Absent: Hansen (excused).

Committee Business: Passed SF 8.

Adjourned: 3:17 p.m.

EDUCATION

Convened: January 20, 1999, 1:00 p.m.

Members Present: Redfern, Chair; Rehberg, Vice Chair; Connolly, Ranking Member; Angelo, Boettger, Dvorsky, Fink, Gaskill, Harper, Redwine, Sexton, Shearer, Szymoniak, Tinsman, and Veenstra.

Members Absent: None.

Committee Business: Subcommittee assignments. Presentation by State Auditor, Richard Johnson.

Adjourned: 1:50 p.m.

ETHICS

Convened: January 20, 1999, 3:12 p.m.

Members Present: Hedge, Chair; Drake, Vice Chair; Szymoniak, Ranking Member; Connolly, Hammond, and McKean.

Members Absent: None.

Committee Business: Discussion of potentially significant differences between House and Senate Rules governing Lobbyists and House and Senate Ethics Codes.

Adjourned: 3:30 p.m.

HUMAN RESOURCES

Convened: January 20, 1999, 2:05 p.m.

Members Present: Boettger, Chair; Redwine, Vice Chair; Szymoniak, Ranking Member; Bartz, Behn, Hammond, Harper, Miller, Schuerer, Shearer, Tinsman, and Veenstra.

Members Absent: Horn (excused).

Committee Business: Presentation by the SHAUN program.

Adjourned: 2:55 p.m.

TRANSPORTATION

Convened: January 20, 1999, 2:05 p.m.

Members Present: Drake, Chair; Sexton, Vice Chair; McCoy, Ranking Member; Black, Fink, Fraise, Freeman, Jensen, Kibbie, McKean, McKibben, Rittmer, and Zieman.

Members Absent: None.

Committee Business: Subcommittee assignments. Presentation by Department of Public Safety.

Adjourned: 2:23 p.m.

STUDY BILL RECEIVED

SSB 1018 State Government

Requiring the installation of automatic sprinkler systems in certain new public and nonpublic school building construction.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Kate Becker, Drexler Middle School – For her heroic acts in helping injured students at the scene of a school bus accident. Senator Flynn (01/20/99).

Heather Greenwood, Drexler Middle School – For her heroic acts in helping injured students at the scene of a school bus accident. Senator Flynn (01/20/99).

Megan Greenwood, Drexler Middle School – For her heroic acts in helping injured students at the scene of a school bus accident. Senator Flynn (01/20/99).

Lindsay McQuillen, Drexler Middle School – For her heroic acts in helping injured students at the scene of a school bus accident. Senator Flynn (01/20/99).

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 2

STATE GOVERNMENT: Lundby, Chair; Maddox and Szymoniak

Senate File 27

STATE GOVERNMENT: Maddox, Chair; Schuerer and Szymoniak

SSB 1018

STATE GOVERNMENT: Sexton, Chair; Connolly and King

COMMITTEE REPORT

COMMERCE

Final Bill Action: SENATE FILE 8, a bill for an act relating to coverage under a policy or contract providing for third-party payment or prepayment of health or medical expenses by providing coverage for costs associated with equipment, supplies, and education for the treatment of diabetes.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Jensen, Maddox, Deluhery, Bolkcom, Flynn, Gronstal, Johnson, Lamberti, Lundby, McCoy, Redfern, and Schuerer. Nays, 2: King and Redwine. Absent or not voting, 1: Hansen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3001	S.J.R. 1	Mike Connolly
S-3002	S.J.R. 1	Joe Bolkcom
		Patricia M. Harper
		Michael E. Connolly
		Johnnie Hammond
		Betty Soukup
		Patrick J. Deluhery
		Elaine Szymoniak
		Tom Flynn
		Mark Shearer
		Bill Fink
		Robert E. Dvorsky
		Eugene Fraise
		Michael E. Gronstal
		Dennis H. Black
		John P. Kibbie
		Dick L. Dearden
		Wally E. Horn

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 6:52 p.m., until 9:00 a.m., Thursday, January 21, 1999.

JOURNAL OF THE SENATE

ELEVENTH CALENDAR DAY
EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 21, 1999

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

Prayer was offered by Father Vorwald, of St. John's Catholic Church, Independence, Iowa.

The Journal of Wednesday, January 20, 1999, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hansen for the day, on request of Senator Gronstal.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: January 21, 1999, 9:47 a.m.

Members Present: Redwine, Chair; Bartz, Vice Chair; McCoy, Ranking Member; Flynn and Sexton.

Members Absent: None.

Committee Business: Presentation by the Iowa Ethics and Campaign Disclosure Board.

Adjourned: 10:32 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: January 21, 1999, 9:48 a.m.

Members Present: Behn, Chair; Hedge, Vice Chair; and Gaskill.

Members Absent: Black, Ranking Member; and Fink (both excused).

Committee Business: Presentation on the earthen waste storage project by ISU.

Adjourned: 10:36 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 21, 1999, 9:46 a.m.

Members Present: Schuerer, Chair; Soukup, Ranking Member; and Lamberti.

Members Absent: Boettger, Vice Chair; and Hansen (both excused).

Committee Business: Presentations by State Economist and Workforce Development Economist.

Adjourned: 11:02 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 21, 1999, 9:40 a.m.

Members Present: Tinsman, Chair; Veenstra, Vice Chair; Hammond, Ranking Member; Miller and Szymoniak.

Members Absent: None.

Committee Business: Committee attended the ICN meeting on Empowerment.

Adjourned: 12:20 p.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 21, 1999, 9:45 a.m.

Members Present: Maddox, Chair; Angelo, Vice Chair; Dvorsky, Ranking Member; Fraise and McKean.

Members Absent: None.

Committee Business: Presentation by Judicial Branch.

Adjourned: 10:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT AND COMMUNICATIONS

Convened: January 21, 1999, 9:40 a.m.

Members Present: King, Chair; Lundby, Vice Chair; Deluhery, Ranking Member; Harper and Rittmer.

Members Absent: None.

Committee Business: Update on Embedded Chip Report. State Contingency Planning for Y2K by Disaster Services. Presentations on Iowa Electric Utility Industry Y2K Efforts by MidAmerican Energy, Alliant, Iowa Assn. of Municipal Utilities, Iowa Assn. of Electric Cooperatives, and Iowa Utilities Board.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

Convened: January 21, 1999, 9:40 a.m.

Members Present: Freeman, Chair; Jensen, Vice Chair; Connolly, Ranking Member; Johnson and Shearer.

Members Absent: None.

Committee Business: Presentation by DOT.

Adjourned: 11:02 a.m.

JUDICIARY

Convened: January 21, 1999, 1:00 p.m.

Members Present: McKean, Chair; Lamberti, Vice Chair; Angelo, Hammond, Horn, Maddox, McCoy, McKibben, Miller, and Redfern.

Members Absent: Hansen, Ranking Member; Boettger, Dvorsky, Fraise, and Tinsman (all excused).

Committee Business: Subcommittee assignments.

Adjourned: 1:02 p.m.

LOCAL GOVERNMENT

Convened: January 21, 1999, 2:06 p.m.

Members Present: Angelo, Chair; Bartz, Vice Chair; Bolkom, Ranking Member; Gaskill, Hammond, McCoy, McKibben, Miller, Rife, and Ziemann.

Members Absent: Fraise, Hansen, and McKean (all excused).

Committee Business: Approved SSB 1004.

Adjourned: 2:16 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: January 21, 1999, 1:04 p.m.

Members Present: Bartz, Chair; King, Vice Chair; Fink, Ranking Member; Black, Bolkom, Dearden, Deluhery, Drake, Freeman, Gaskill, Johnson, Kibbie, Miller, Rehberg, and Rife.

Members Absent: None.

Committee Business: Approved SSB 1010.

Adjourned: 1:17 p.m.

INTRODUCTION OF BILLS

Senate File 36, by Fink and McKean, a bill for an act relating to the voter approval of annexation and severance of territory to or from a city and including effective date and applicability provisions.

Read first time under Rule 28 and referred to committee on **Local Government**.

Senate File 37, by committee on Natural Resources and Environment, a bill for an act relating to the hunting of mourning doves and subjecting violators to a penalty.

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

Senate File 38, by Kibbie and Lundby, a bill for an act forming a bipartisan commission to recommend reforms in the laws relating to the financing of political campaigns.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 39, by Angelo, a bill for an act relating to an exemption from property taxation for mobile, manufactured, and modular home access devices for persons with disabilities and providing an applicability date.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 40, by Angelo, a bill for an act relating to the establishment of a beginning teacher induction program.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 41, by committee on Local Government, a bill for an act relating to the duties and meetings of the county agricultural extension councils.

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

STUDY BILLS RECEIVED

SSB 1019 Local Government

Relating to the exercise of the power of eminent domain and to condemnation proceedings and including effective and applicability date provisions.

SSB 1020 Judiciary

Establishing the offense of promoting or possessing contraband in prisons, jails, and juvenile facilities and establishing penalties.

SSB 1021 Judiciary

Changing the criminal offenses that require registration as provided in the sex offender registry law and providing an effective date.

SSB 1022 Judiciary

Relating to notification of forfeited and cancelled mechanic's liens, challenging a mechanic's lien, and providing a remedy.

SSB 1023 Judiciary

Relating to presentation of evidence in civil commitment proceedings for chronic substance abusers, and including an implementation provision.

SSB 1024 Judiciary

Eliminating the limitation on the reduction in damages awarded to plaintiffs who fail to wear a safety belt or safety harness.

SSB 1025 Natural Resources and Environment

Eliminating certain requirements relating to the regulation of infectious waste.

SSB 1026 Natural Resources and Environment

Relating to rulemaking duties of the department of natural resources regarding baled solid waste.

SSB 1027 Natural Resources and Environment

Relating to the operation, regulation, and equipment of watercraft, establishing watercraft safety courses, and subjecting violators to a penalty.

SSB 1028 Natural Resources and Environment

Eliminating requirements for a pollution hotline.

SSB 1029 Natural Resources and Environment

Relating to operating watercraft while intoxicated, and providing penalties.

SSB 1030 Natural Resources and Environment

Eliminating requirements relating to the department of natural resources adopting rules requiring public water systems to test source water.

SSB 1031 Natural Resources and Environment

Relating to the designation of endangered and threatened species of fish, plants, or wildlife and providing civil and criminal penalties for illegal acts affecting endangered or threatened species of fish, plants, or wildlife.

SSB 1032 Natural Resources and Environment

Eliminating requirements for pesticide-contaminated and fertilizer-contaminated sites classification.

SSB 1033 Natural Resources and Environment

Relating to the assessment of civil damages for the illegal taking of a swan or a crane.

PETITION

The following petition was presented and placed on file by:

Senator Flynn from 308 residents of Dubuque and Jackson Counties favoring guard rails be installed on U.S. Highway 52 south of Dubuque at St. Catherine Road, as a matter of public safety by the Iowa Department of Transportation.

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 3

STATE GOVERNMENT: Rittmer, Chair; Kibbie and McLaren

Senate File 26

JUDICIARY: Redfern, Chair; McCoy and Tinsman

Senate File 30

TRANSPORTATION: McKean, Chair; Fraise and Ziemann

Senate File 31

STATE GOVERNMENT: Dearden, Chair; Lundby and Maddox

Senate File 32

STATE GOVERNMENT: Rittmer, Chair; Dearden and Lundby

Senate File 33

STATE GOVERNMENT: Lamberti, Chair; Fink and Schuerer

Senate File 35

STATE GOVERNMENT: Maddox, Chair; Sexton and Szymoniak

SSB 1019

LOCAL GOVERNMENT: Angelo, Chair; Bartz, Hansen, McCoy, and Rife

SSB 1020

JUDICIARY: McKean, Chair; Fraise and Maddox

SSB 1021

JUDICIARY: Angelo, Chair; Dvorsky and Tinsman

SSB 1022

JUDICIARY: Lamberti, Chair; Boettger and Fraise

SSB 1023

JUDICIARY: Miller, Chair; Hammond and Tinsman

SSB 1024

JUDICIARY: McKibben, Chair; Dvorsky and Lamberti

SSB 1025

NATURAL RESOURCES AND ENVIRONMENT: Rife, Chair; Bolkcom and Drake

SSB 1026

NATURAL RESOURCES AND ENVIRONMENT: Bartz, Chair; Bolkcom and Gaskill

SSB 1027

NATURAL RESOURCES AND ENVIRONMENT: Freeman, Chair; Johnson and Kibbie

SSB 1028

NATURAL RESOURCES AND ENVIRONMENT: Fink, Chair; Bartz and Deluhery

SSB 1029

NATURAL RESOURCES AND ENVIRONMENT: Freeman, Chair; Dearden and Drake

SSB 1030

NATURAL RESOURCES AND ENVIRONMENT: Fink, Chair; Freeman and Johnson

SSB 1031

NATURAL RESOURCES AND ENVIRONMENT: King, Chair; Black and Miller

SSB 1032

NATURAL RESOURCES AND ENVIRONMENT: King, Chair; Fink and Rife

SSB 1033

NATURAL RESOURCES AND ENVIRONMENT: Gaskill, Chair; Black and Rehberg

COMMITTEE REPORTS**LOCAL GOVERNMENT**

Final Bill Action: SENATE FILE 41 (SSB 1004), a bill for an act relating to the duties and meetings of the county agricultural extension councils.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Angelo, Bartz, Bolcom, Gaskill, Hammond, McCoy, McKibben, Miller, Rife, and Zieman. Nays, none. Absent or not voting, 3: Fraise, Hansen, and McKean.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Final Bill Action: SENATE FILE 37 (SSB 1010), a bill for an act relating to the hunting of mourning doves and subjecting violators to a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Bartz, King, Black, Dearden, Gaskill, Johnson, Kibbie, Miller, and Rife. Nays, 6: Fink, Bolcom, Deluhery, Drake, Freeman, and Rehberg.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Andrew Johnson, Boy Scout Troop 216 – For achieving the rank of Eagle Scout.
Senator Dvorsky (01/21/99).

Ben Zimmerman, Boy Scout Troop 216 – For achieving the rank of Eagle Scout.
Senator Dvorsky (01/21/99).

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 9:17 a.m., until 1:00 p.m., Monday, January, 25, 1999.

JOURNAL OF THE SENATE

FIFTEENTH CALENDAR DAY
NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 25, 1999

The Senate met in regular session at 1:14 p.m., President Kramer presiding.

Prayer was offered by the Reverend Howard Chapman, pastor of the First Presbyterian Church, Marion, Iowa.

The Journal of Thursday, January 21, 1999, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Gaskill until he arrives, on request of Senator Schuerer.

ANNOUNCEMENT OF VACANCY

President Kramer announced that notification had been received from the office of Governor Branstad of the following vacancy in the Senate:

District 46 – Patty Judge, resignation effective December 13, 1998.

COMMITTEE ON CREDENTIALS

Senator Iverson moved that a committee on Credentials be appointed to examine and report on the election in Senate District 46.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Johnson, Chair; Rehberg, Drake, Flynn, and Kibbie.

The Senate stood at ease at 1:20 p.m., until the fall of the gavel.

The Senate resumed session at 1:22 p.m., President Kramer presiding.

REPORT OF THE COMMITTEE ON CREDENTIALS

MADAM PRESIDENT: We, your committee on credentials, respectively report that we find the person named in the attached copy of the certification of the Secretary of State duly elected to and entitled to a seat in the Senate for the 1999 Session of the Seventy-eighth General Assembly.

JOANN JOHNSON, Chair
KITTY REHBERG
RICHARD F. DRAKE
TOM FLYNN
JOHN P. KIBBIE

CERTIFICATION—STATE OF IOWA OFFICE OF THE SECRETARY OF THE STATE

To the Honorable, the Secretary of Senate:

I, CHESTER J. CULVER, Secretary of the State of Iowa; custodian of the files and records pertaining to the elections in the state, do hereby certify that the State Canvassing Board has declared that at a special election held on January 12, 1999, John Judge was elected to fill a vacancy in the office of the State Senator of the Forty Sixth District, for the balance of the term which began on January 2, 1997.

(SEAL)

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Secretary of State at the Statehouse, in Des Moines, this 25th day of January, 1999.

CHESTER J. CULVER, Secretary of State

Senator Johnson moved the adoption of the Report of the Committee on Credentials, which motion prevailed by a voice vote.

Senator John Judge was escorted to the bar of the Senate by Senators Gronstal and Szymoniak, was duly sworn, and subscribed his name to the oath of office.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

BUSINESS AND LABOR RELATIONS

Convened: January 25, 1999, 2:05 p.m.

Members Present: McKibben, Chair; Freeman, Vice Chair; Dearden, Ranking Member; Behn, Fraise, Hansen, Hedge, Horn, King, Rife, and Schuerer.

Members Absent: None.

Committee Business: Subcommittee assignments. Presentation by Iowa Workforce Development.

Adjourned: 2:25 p.m.

EDUCATION

Convened: January 25, 1999, 2:05 p.m.

Members Present: Redfern, Chair; Rehberg, Vice Chair; Connolly, Ranking Member; Angelo, Boettger, Dvorsky, Fink, Harper, Redwine, Sexton, Shearer, Szymoniak, Tinsman, and Veenstra.

Members Absent: Gaskill (excused).

Committee Business: Presentation by the Department of Education.

Adjourned: 2:50 p.m.

TRANSPORTATION

Convened: January 25, 1999, 2:40 p.m.

Members Present: Drake, Chair; Fraise, Freeman, Jensen, Judge, Kibbie, McKean, McKibben, Rittmer, and Zieman.

Members Absent: Sexton, Vice Chair; McCoy, Ranking Member; and Fink.

Committee Business: Subcommittee assignments.

Adjourned: 2:47 p.m.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Ellainy Karaboitis, Anamosa – For coordinating activities of the Pen Pal Program.
Senator McKean (01/22/99).

COMMITTEE CHANGES

Senator Gronstal announced the following changes in Senate committee memberships:

Senator Judge will replace Senator Dearden on the Agriculture Committee.

Senator Judge will replace Senator Hansen on the Local Government Committee.

Senator Judge will replace Senator Dvorsky on the Small Business, Economic Development and Tourism Committee.

Senator Judge will replace Senator Black on the Transportation Committee.

Senator Judge will replace Senator Hansen on the Appropriations Subcommittee on Economic Development.

INTRODUCTION OF BILLS

Senate File 42, by Dvorsky, a bill for an act providing supplementary weighting for determining enrollment in school districts involved in district to district, or district to community college, sharing programs, and providing an effective date.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 43, by Dvorsky, a bill for an act relating to interest on rental deposits being held by landlords.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 44, by Miller, a bill for an act establishing a tax credit for certain contributions to political committees.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 45, by Connolly, a bill for an act relating to advanced placement award programs and providing for appropriations.

Read first time under Rule 28 and referred to committee on **Education**.

STUDY BILLS RECEIVED**SSB 1034 Human Resources**

Relating to the notice provisions for transfer of assets which create a medical assistance debt.

SSB 1035 Business and Labor Relations

Concerning unemployment insurance by providing for the distribution of certain moneys in the unemployment trust fund and the transfer of experience for unemployment insurance tax purposes.

SUBCOMMITTEE ASSIGNMENTS**Senate File 29**

APPROPRIATIONS: Behn, Chair; Black and Hedge

Senate File 34

APPROPRIATIONS: Johnson, Chair; McCoy and Rife

SSB 1034

HUMAN RESOURCES: Behn, Chair; Bartz and Harper

SSB 1035

BUSINESS AND LABOR RELATIONS: Schuerer, Chair; Behn and Horn

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 1:28 p.m., until 9:00 a.m., Tuesday, January 26, 1999.

JOURNAL OF THE SENATE

SIXTEENTH CALENDAR DAY
TENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 26, 1999

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

Prayer was offered by Gary Rosberg, head of Cross Trainers Ministries, West Des Moines, Iowa.

The Journal of Monday, January 25, 1999, was approved.

INTRODUCTION OF BILLS

Senate File 46, by Fraise, a bill for an act relating to the conduct of meetings of a compensation commission under the eminent domain law.

Read first time and referred to committee on **State Government**.

Senate File 47, by committee on Commerce, a bill for an act relating to the classification of funding agreements issued by a life insurance company for purposes of the prioritization of claims against the assets of an insurer subject to supervision, rehabilitation, and liquidation, and including an effective date and a retroactive applicability provision.

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

RECESS

On motion of Senator Iverson, the Senate recessed at 9:08 a.m., until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:20 p.m., President Kramer presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on January 25, 1999, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 6, a concurrent resolution relating to a joint convention on Thursday, January 28, 1999, at 10:00 a.m. for Governor Vilsack to present his State of the Budget Message.

ADOPTION OF RESOLUTION
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration House Concurrent Resolution 6.

House Concurrent Resolution 6

On motion of Senator Iverson, House Concurrent Resolution 6, a concurrent resolution relating to a joint convention on Thursday, January 28, 1999, at 10:00 a.m., for Governor Vilsack to present his State of the Budget Message, was taken up for consideration.

Senator Iverson moved adoption of House Concurrent Resolution 6, which motion prevailed by a voice vote and the resolution was adopted.

INTRODUCTION OF RESOLUTIONS

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

Read first time and placed on calendar.

Senate Concurrent Resolution 1, by Fink, a concurrent resolution encouraging the federal government to ease restrictions on the immediate removal from the classroom of students behaving violently or disruptively and requesting an appropriation increase to assist in establishing alternative education programs.

Read first time and referred to committee on **Education**.

Senate Concurrent Resolution 2, by committee on Rules and Administration, a concurrent resolution relating to the compensation of chaplains, officers and employees of the seventy-eighth general assembly.

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

IMMEDIATELY MESSAGED

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

APPENDIX

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: January 25, 1999, 3:32 p.m.

Members Present: Jensen, Chair; Maddox, Vice Chair; Deluhery, Ranking Member; Bolckcom, Flynn, Gronstal, Hansen, Johnson, King, Lamberti, McCoy, Redfern, Redwine, and Schuerer.

Members Absent: Lundby (excused).

Committee Business: Approved SSB 1015.

Adjourned: 4:10 p.m.

HUMAN RESOURCES

Convened: January 25, 1999, 2:58 p.m.

Members Present: Boettger, Chair; Redwine, Vice chair; Szymoniak, Ranking Member, Bartz, Behn, Hammond, Harper, Miller, Schuerer, Shearer, Tinsman, and Veenstra.

Members Absent: Horn (excused).

Committee Business: Discussion on Empowerment Areas and propositions.

Adjourned: 3:30 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: January 26, 1999, 9:40 a.m.

Members Present: Redwine, Chair; Bartz, Vice Chair; McCoy, Ranking Member; Flynn and Sexton.

Members Absent: None.

Committee Business: Presentations by the Iowa Department of Inspections and Appeals, DOM, and IDPH.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: January 26, 1999, 9:36 a.m.

Members Present: Behn, Chair; Hedge, Vice Chair; Fink and Gaskill.

Members Absent: Black, Ranking Member (excused).

Committee Business: Presentation by ISU on fin pak. Presentation by the Iowa Concern Manager regarding the Iowa Concern Hotline.

Adjourned: 9:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 26, 1999, 9:40 a.m.

Members Present: Rehberg, Chair; Redfern, Vice Chair; Horn, Ranking Member; Kibbie and McLaren.

Members Absent: None.

Committee Business: Presentations by Iowa's community colleges and the Iowa Department of Education.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 26, 1999, 9:51 a.m.

Members Present: Rife, Chair; Zieman, Vice Chair; and Bolkom, Ranking Member.

Members Absent: Dearden and McKibben (both excused).

Committee Business: Presentation by the Iowa Department for the Blind.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 26, 1999, 9:35 a.m.

Members Present: Tinsman, Chair; Veenstra, Vice Chair; Hammond, Ranking Member; Miller and Szymoniak.

Members Absent: None.

Committee Business: Empowerment panel discussion.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 26, 1999, 9:37 a.m.

Members Present: Maddox, Chair; Angelo, Vice Chair; Fraise and McKean.

Members Absent: Dvorsky, Ranking Member.

Committee Business: Presentations by Parole Board and Iowa Law Enforcement Academy.

Adjourned: 10:58 a.m.

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT AND COMMUNICATIONS

Convened: January 26, 1999, 9:40 a.m.

Members Present: King, Chair; Deluhery, Ranking Member; Harper and Rittmer.

Members Absent: Lundby, Vice Chair (excused).

Committee Business: Update on Hitachi progress audit on executive year 2000 efforts; ICN feedback on Ultrapro evaluation; review of legislation related to ICN; review of historical ICN appropriations and related issues; review of historical ITS appropriations and Y2K related issues.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

Convened: January 26, 1999, 9:40 a.m.

Members Present: Freeman, Chair; Jensen, Vice Chair; Connolly, Ranking Member; Johnson and Shearer.

Members Absent: None.

Committee Business: Review of Infrastructure Fund and Projects and presentation on the Iowa Judicial Branch building.

Adjourned: 11:10 a.m.

AGRICULTURE

Convened: January 26, 1999, 8:02 a.m.

Members Present: Gaskill, Chair; Miller, Vice Chair; Fraise, Ranking Member; Angelo, Bartz, Behn, Black, Hedge, Kibbie, Sexton, Shearer, Soukup, Judge, Veenstra, and Zieman.

Members Absent: None.

Committee Business: Presentation by the Iowa Cattlemen's Assn.

Adjourned: 8:59 a.m.

EDUCATION

Convened: January 26, 1999, 4:00 p.m.

Members Present: Redfern, Chair; Rehberg, Vice Chair; Connolly, Ranking Member; Angelo, Boettger, Dvorsky, Fink, Gaskill, Harper, Redwine, Sexton, Shearer, Szymoniak, Tinsman, and Veenstra.

Members Absent: None.

Committee Business: Approved SSB 1036 and SSB 1037.

Adjourned: 4:14 p.m.

LOCAL GOVERNMENT

Convened: January 26, 1999, 2:34 p.m.

Members Present: Angelo, Chair; Bartz, Vice Chair; Bolkcom, Ranking Member; Fraise, Gaskill, Hammond, Judge, McKean, McKibben, Miller, Rife, and Zieman.

Members Absent: McCoy (excused).

Committee Business: Approved SSB 1005.

Adjourned: 3:26 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: January 26, 1999, 1:35 p.m.

Members Present: Bartz, Chair; King, Vice Chair; Fink, Ranking Member; Black, Bolkcom, Dearden, Drake, Freeman, Gaskill, Johnson, Kibbie, Miller, Rehberg, and Rife.

Members Absent: Deluhery (excused).

Committee Business: Passed SF 23. Presentation by state climatologist.

Adjourned: 1:45 p.m.

RULES AND ADMINISTRATION

Convened: January 26, 1999, 8:34 a.m.

Members Present: Iverson, Chair; Kramer, Vice Chair; Gronstal, Ranking Member; Fink, Harper, Jensen, Redfern, and Rittmer.

Members Absent: Dvorsky, Lundby, and Rehberg (all excused).

Committee Business: Passed HCR 5, SCR 2, and SR 1.

Adjourned: 8:38 a.m.

STATE GOVERNMENT

Convened: January 26, 1999, 2:35 p.m.

Members Present: Rittmer, Chair; Lamberti, Vice Chair; Kibbie, Ranking Member; Connolly, Dearden, Deluhery, Drake, Fink, King, Lundby, Maddox, McLaren, Schuerer, and Szymoniak.

Members Absent: Sexton (excused).

Committee Business: Subcommittee assignments. Passed SJR 2.

Adjourned: 2:44 p.m.

INTRODUCTION OF BILLS

Senate Joint Resolution 4, by Zieman and Hedge, a joint resolution proposing an amendment to the Constitution of the State of Iowa to change the length of term of office for members of the Iowa House of Representatives.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate Joint Resolution 5, by Zieman, Schuerer, King, Gaskill and Hedge, a joint resolution proposing an amendment to the Constitution of the State of Iowa to limit the years of service for members of the Senate and the House of Representatives, and to limit the years of service for Governor, Lieutenant Governor, Attorney General, Secretary of State, Auditor of State, and Treasurer of State.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 48, by Zieman, King, Gaskill, Schuerer, and Hedge, a bill for an act limiting the number of terms and years of service a person may serve as Iowa secretary of agriculture and including applicability and effective date provisions.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 49, by committee on Education, a bill for an act relating to the establishment of the state percent of growth for purposes of the state school foundation program, and providing an applicability date.

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

Senate File 50, by committee on Education, a bill for an act providing additional funding for certain school districts that have either decreasing or increasing enrollments by extending the regular program district cost guarantee and by providing on-time funding, making an appropriation, and providing effective and applicability dates.

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

Senate File 51, by committee on Natural Resources and Environment, a bill for an act authorizing a county conservation board to cooperate with private, not-for-profit organizations to carry out conservation and recreation programs.

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

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Daniel Case, Villisca – For achieving the rank of Eagle Scout. Senator McLaren (01/26/99).

STUDY BILLS RECEIVED

SSB 1036 Education

Relating to the establishment of the state percent of growth for purposes of the state school foundation program, and providing applicability date.

SSB 1037 Education

Providing additional funding for certain school districts that have either decreasing or increasing enrollments by extending the regular program district cost guarantee and by providing on-time funding, making an appropriation, and providing effective and applicability dates.

**ANNOUNCEMENT OF APPOINTMENTS
BY THE PRESIDENT OF THE SENATE**

The President of the Senate announced the following legislative appointments:

LEGISLATIVE COUNCIL

Senators Deluhery and Dvorsky are appointed to the Council. Senator Hammond is reappointed.

**LEGISLATIVE COUNCIL
ADMINISTRATION COMMITTEE**

Senator Dvorsky is appointed to the Administration Committee.

**LEGISLATIVE COUNCIL
CAPITAL PROJECTS COMMITTEE**

Senators Deluhery and Flynn are appointed to the Capital Projects Committee.

**LEGISLATIVE COUNCIL
FISCAL COMMITTEE**

Senator Kramer replaces Senator Iverson. Senator Harper is appointed and Senator Flynn is reappointed to the Fiscal Committee.

**LEGISLATIVE COUNCIL
INTERNATIONAL RELATIONS COMMITTEE**

Senator Fraise is appointed and Senators Black, Fink, and Szymoniak are reappointed to the International Relations Committee.

**LEGISLATIVE COUNCIL
STUDIES COMMITTEE**

Senator Hammond is reappointed to the Studies Committee.

INTERSTATE COOPERATION COMMISSION

Senator Drake replaces Senator Borlaug. Senators Hansen and McCoy are reappointed to the Interstate Cooperation Commission.

RURAL HEALTH & PRIMARY CARE ADVISORY COMMITTEE

Senator Veenstra replaces Senator Rensink. Senator Soukup is appointed to the Rural Health Care Advisory Committee.

ADMINISTRATIVE RULES REVIEW COMMITTEE

Senator Harper replaces Senator Palmer.

SUBCOMMITTEE ASSIGNMENTS**Senate File 17**

TRANSPORTATION: Sexton, Chair; Drake and McCoy

Senate File 36

LOCAL GOVERNMENT: Angelo, Chair; McCoy and McKean

**SSB 1019
(Reassignment)**

LOCAL GOVERNMENT: Angelo, Chair; Bartz, Judge, McCoy, and Rife

COMMITTEE REPORTS**COMMERCE**

Final Bill Action: SENATE FILE 47 (SSB 1015), a bill for an act relating to the classification of funding agreements issued by a life insurance company for purposes of the prioritization of claims against the assets of an insurer subject to supervision, rehabilitation, and liquidation, and including an effective date and a retroactive applicability provision.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Jensen, Maddox, Deluhery, Bolkcom, Flynn, Gronstal, Hansen, Johnson, King, Lamberti, McCoy, Redfern, Redwine, and Schuerer. Nays, none. Absent or not voting, 1: Lundby.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 49 (SSB 1036), a bill for an act relating to the establishment of the state percent of growth for purposes of the state school foundation program, and providing an applicability date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Redfern, Rehberg, Connolly, Angelo, Boettger, Dvorsky, Fink, Gaskill, Harper, Redwine, Sexton, Shearer, Szymoniak, Tinsman, and Veenstra. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 50 (SSB 1037), a bill for an act providing additional funding for certain school districts that have either decreasing or increasing enrollments by extending the regular program district cost guarantee and by providing on-time funding, making an appropriation, and providing effective and applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Redfern, Rehberg, Connolly, Angelo, Boettger, Dvorsky, Fink, Gaskill, Harper, Redwine, Sexton, Shearer, Szymoniak, Tinsman, and Veenstra. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Final Bill Action: SENATE FILE 51 (Formerly SF 23), a bill for an act authorizing a county conservation board to cooperate with private, not-for-profit organizations to carry out conservation and recreation programs.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Bartz, King, Fink, Black, Bolkcom, Dearden, Drake, Freeman, Gaskill, Johnson, Kibbie, Miller, Rehberg, and Rife. Nays, none. Absent or not voting, 1: Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 2, by committee on Rules and Administration, a concurrent resolution relating to the compensation of chaplains, officers and employees of the seventy-eighth general assembly.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Iverson, Kramer, Gronstal, Fink, Harper, Jensen, Redfern, and Rittmer. Nays, none. Absent or not voting, 3: Dvorsky, Lundby, and Rehberg.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

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

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Iverson, Kramer, Gronstal, Fink, Harper, Jensen, Redfern, and Rittmer. Nays, none. Absent or not voting, 3: Dvorsky, Lundby, and Rehberg.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE CONCURRENT RESOLUTION 5, a concurrent resolution relating to joint rules of the Senate and House of Representatives for the Seventy-eighth General Assembly.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Iverson, Kramer, Gronstal, Fink, Harper, Jensen, Redfern, and Rittmer. Nays, none. Absent or not voting, 3: Dvorsky, Lundby, and Rehberg.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE JOINT RESOLUTION 2, a joint resolution relating to the designation of the Old State Historical Building as the Ola Babcock Miller State Office Building.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Rittmer, Lamberti, Kibbie, Connolly, Dearden, Deluhery, Drake, Fink, King, Lundby, Maddox, McLaren, Schuerer, and Szymoniak. Nays, none. Absent or not voting, 1: Sexton.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3003	S.R. 1	Mike Connolly
S-3004	S.R. 1	Mike Connolly

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 1:24 p.m., until 9:00 a.m., Wednesday, January 27, 1999.

JOURNAL OF THE SENATE

SEVENTEENTH CALENDAR DAY
ELEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 27, 1999

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

Prayer was offered by Iman AKO Abdul-Samad, of the Islamic Center of Des Moines, Iowa.

The Journal of Tuesday, January 26, 1999, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on January 26, 1999, passed the following bills in which the concurrence of the Senate is asked:

House File 146, by committee on Education, a bill for an act relating to the establishment of the state percent of growth for purposes of the state school foundation program, and providing an applicability date.

House File 147, by committee on Education, a bill for an act providing additional funding for certain school districts that have either decreasing or increasing enrollments by extending the regular program district cost guarantee and by providing on-time funding, making an appropriation, and providing effective and applicability dates.

COMPANION BILLS RECEIVED

On January 27, 1999, **House File 146** was received and attached to companion **Senate File 49** on the calendar and **House File 147** was received and attached to companion **Senate File 50** on the calendar.

RECESS

On motion of Senator Iverson, the Senate recessed at 9:07 a.m., until 4:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:23 p.m., President Kramer presiding.

QUORUM CALL

Senator Freeman 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 BILLS

Senate File 52, by Redfern, Harper, and Fraise, a bill for an act establishing the new criminal offense of interference with a peace officer's service horse, and applying a penalty.

Read first time and referred to committee on **Judiciary**.

Senate File 53, by committee on Local Government, a bill for an act relating to the date of the annual sale of parcels with delinquent property taxes and providing an effective and applicability date.

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

CONSIDERATION OF BILL
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 10.

Senate File 10

On motion of Senator Bartz, Senate File 10, a bill for an act relating to the issuance of nonresident hunting licenses, to the maximum number of deer and wild turkey hunting licenses issued to nonresidents, and to certain allocations of nonresident licenses, and providing an effective date, was taken up for consideration.

Senator Bartz moved that the bill be read the last time now and placed upon its passage, 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, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Sexton	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

McCoy

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 McCoy for the day, on request of Senator Dearden.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Iverson asked and received unanimous to take up for consideration Senate File 47.

Senate File 47

On motion of Senator Gronstal, Senate File 47, a bill for an act relating to the classification of funding agreements issued by a life insurance company for purposes of the prioritization of claims against the assets of an insurer subject to supervision, rehabilitation, and liquidation, and including an effective date and a retroactive applicability provision, 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. 47), the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Sexton	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

McCoy

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

ADOPTION OF RESOLUTIONS

Senator Iverson asked and received unanimous consent to take up for consideration House Concurrent Resolution 5, Senate Concurrent Resolution 2 and Senate Resolution 1.

House Concurrent Resolution 5

On motion of Senator Iverson, House Concurrent Resolution 5, a concurrent resolution relating to joint rules of the Senate and House of Representatives for the Seventy-eighth General Assembly, with report of committee recommending passage, was taken up for consideration.

Senator Iverson moved the adoption of House Concurrent Resolution 5, which motion prevailed by a voice vote.

Senate Concurrent Resolution 2

On motion of Senator Iverson, Senate Concurrent Resolution 2, a resolution relating to the compensation of chaplains, officers and employees of the seventy-eighth general assembly, was taken up for consideration.

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

Senate Resolution 1

On motion of Senator Iverson, Senate Resolution 1, a resolution relating to permanent rules of the Senate for the Seventy-eighth general assembly, was taken up for consideration.

Senator Bartz offered amendment S-3006 filed by him from the floor to page 25 of the resolution and moved its adoption.

Amendment S-3006 was adopted by a voice vote.

Senator Connolly offered amendment S-3003 filed by him on January 26, 1999, to page 37 of the resolution and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3003 be adopted?" (S.R 1), the vote was:

Ayes, 23:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Flynn	Fraise
Gaskill	Gronstal	Hammond	Hansen
Harper	Horn	Judge	Kibbie
Maddox	McKean	Redwine	Shearer
Soukup	Szymoniak	Zieman	

Nays, 26:

Angelo	Bartz	Behn	Boettger
Drake	Fink	Freeman	Hedge
Iverson	Jensen	Johnson	King
Kramer	Lamberti	Lundby	McKibben
McLaren	Miller	Redfern	Rehberg
Rife	Rittmer	Schuerer	Sexton
Tinsman	Veenstra		

Absent or not voting, 1:

McCoy

Amendment S-3003 lost.

Senator Connolly asked and received unanimous consent to withdraw amendment S-3004 filed by him on January 26, 1999, to page 37 of the resolution.

Senator Iverson moved adoption of Senate Resolution 1, which motion prevailed by a voice vote and the resolution was adopted.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 51, 37, and 49.

Senate File 51

On motion of Senator Fink, Senate File 51, a bill for an act authorizing a county conservation board to cooperate with private, not-for-profit organizations to carry out conservation and recreation programs, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 51), the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Sexton	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

McCoy

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

Senate File 37

On motion of Senator Dearden, Senate File 37, a bill for an act relating to the hunting of mourning doves and subjecting violators to a penalty, was taken up for consideration, was taken up for consideration.

Senator Hansen offered amendment S-3005 filed by him from the floor to page 1 of the bill.

Senator Bartz raised the point of order that amendment S-3005 was not germane to the bill.

Senator Bartz withdrew his point of order.

Senator Hansen moved adoption of amendment S-3005 which motion lost by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 37), the vote was:

Ayes, 26:

Angelo	Bartz	Behn	Boettger
Dearden	Flynn	Fraise	Gaskill
Gronstal	Horn	Iverson	Johnson
Judge	Kibbie	King	Kramer
Lamberti	McLaren	Miller	Redwine
Rife	Rittmer	Sexton	Shearer
Szymoniak	Veenstra		

Nays, 23:

Black	Bolkcom	Connolly	Deluhery
Drake	Dvorsky	Fink	Freeman
Hammond	Hansen	Harper	Hedge
Jensen	Lundby	Maddox	McKean
McKibben	Redfern	Rehberg	Schuerer
Soukup	Tinsman	Zieman	

Absent or not voting, 1:

- McCoy

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

Senate File 49

On motion of Senator Redfern, Senate File 49, a bill for an act relating to the establishment of the state percent of growth for purposes of the state school foundation program, and providing an applicability date, was taken up for consideration.

Senator Redfern asked and received unanimous consent that House File 146 be substituted for Senate File 49.

House File 146

On motion of Senator Redfern, House File 146, a bill for an act relating to the establishment of the state percent of growth for purposes of the state school foundation program, and providing an applicability date, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 146), the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Sexton	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

McCoy

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

WITHDRAWN

Senator Redfern asked and received unanimous consent that **Senate File 49** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILL (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 50.

Senate File 50

On motion of Senator Angeló, Senate File 50, a bill for an act providing additional funding for certain school districts that have either decreasing or increasing enrollments by extending the regular program district cost guarantee and by providing on-time funding, making an appropriation, and providing effective and applicability dates, was taken up for consideration.

Senator Angelo asked and received unanimous consent that **House File 147** be **substituted** for **Senate File 50**.

House File 147

On motion of Senator Angelo, House File 147, a bill for an act providing additional funding for certain school districts that have either decreasing or increasing enrollments by extending the regular program district cost guarantee and by providing on-time funding, making an appropriation, and providing effective and applicability dates, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 147), the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Sexton	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

McCoy

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

WITHDRAWN

Senator Angelo asked and received unanimous consent that Senate File 50 be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that Senate Files 10, 37, 47, 51, Senate Concurrent Resolution 2, House Files 146, 147, and House Concurrent Resolution 5 be immediately messaged to the House.

INTRODUCTION OF BILLS

Senate File 54, by King, a bill for an act establishing English as the official language of the state.

Read first time and referred to committee on **State Government**.

Senate File 55, by Rehberg, a bill for an act to legalize the transfer of certain property by the joint county system of Black Hawk and Buchanan counties to the Independence community school district, and providing an effective date.

Read first time and referred to committee on **Judiciary**.

Senate File 56, by Hansen, a bill for an act relating to the time and the criteria for filing of claims for refund under the state individual income tax by retired federal employees as a result of the unconstitutional taxation of federal pensions and providing an effective date.

Read first time and referred to committee on **Ways and Means**.

Senate File 57, by Maddox, a bill for an act relating to the distribution of funds allocated to the county conservation account and the cities' parks and open space account of the resources enhancement and protection fund to city utility boards, and providing an effective date.

Read first time and referred to committee on **Local Government**.

Senate File 58, by Bolkcom and Miller, a bill for an act relating to the definition of political party.

Read first time and referred to committee on **State Government**.

Senate File 59, by Lundby, a bill for an act changing the definition of political party.

Read first time and referred to committee on **State Government**.

APPENDIX

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

MADAM PRESIDENT: Pursuant to Senate Concurrent Resolution 2, your committee on rules and administration submits the following names of officers and employees of the Senate for the Seventy-eighth General Assembly, 1999 Session, and their respective classifications, grades and steps:

		<u>CLASS</u>	<u>GRADE</u>	<u>STEP</u>
Secretary of the Senate	Mike Marshall	P-FT	\$74,260 annual	
Sr. Assistant Secretary of the Senate	Cynthia A. Clingan	P-FT	41	3
Administrative Assistant to Leader III	Tom Cope	P-FT	35	5
Administrative Assistant to Leader I	Sara Deeny	P-FT	29	1
Administrative Assistant to President III	Kaye Lozier	P-FT	35	3
Administrative Assistant to President III	Becky Beach	P-FT	35	3
Administrative Assistant to Leader II	Melissa Watson	P-FT	32	1
Administrative Assistant to Leader II	Jo Ann Hanover	P-FT	32	3
Caucus Staff Director	Chris Hull	P-FT	38	3
Sr. Legislative Research Analyst	James Boose	P-FT	38	6
Sr. Legislative Research Analyst	Carolann Jensen	P-FT	38	5
Sr. Legislative Research Analyst	Pamela Dugdale	P-FT	38	2
Legislative Research Analyst II	Michael Savala	P-FT	32	2
Legislative Research Analyst	Michael St. Clair	P-FT	27	3
Legislative Research Analyst	Petricia Ward	P-FT	27	3
Legislative Research Analyst	Angela Dorsey	P-FT	27	1
Legislative Research Analyst	Jim Friedrich	P-FT	27	1
Sr. Caucus Staff Director	Debbie O'Leary	P-FT	41	3
Sr. Legislative Research Analyst	Theresa Kehoe	P-FT	38	5
Sr. Legislative Research Analyst	Steve T. Conway	P-FT	38	5
Legislative Research Analyst	James Fitzgerald	P-FT	27	2

Legislative Research Analyst	Julie Simon	P-FT	27	2
Legislative Research Analyst	Jeff Lake	P-FT	27	1
Legislative Research Analyst	Kerry Wright	P-FT	27	1
Caucus Secretary	Anissa Cowley	P-FT	21	1
Secretary to Leader	Jeanine Iverson	S-O	19	3
Confidential Secretary to Secretary II	Lori Bristol	P-FT	32	4
Administrative Secretary to Secretary	LuAnn Randleman	S-O	21	2
Journal Editor II	Julie Elder	P-FT	25	5
Journal Editor II	K'Ann Brandt	P-FT	25	4
Asst. Journal Editor	Megan Thompson	S-O	19	1
Sr. Finance Officer	Linda Laurenzo	P-FT	31	6
Finance Officer I	Lois Brownell	P-FT	24	4
Assistant to Legal Counsel	Stephanie Cox	S-O	19	1
Indexer I	Kathy Olah	P-FT	22	4
Indexer/Records & Supply	Kathleen Curoe	P-FT	22	6
Switchboard Operator	Jacki Souer	S-O	14	1
Switchboard Operator	Kimberly Russell	S-O	14	2
Legislative Secretary	Heather Judge	S-O	15	1
Legislative Secretary	Stephanie Goodhue	S-O	16	1
Legislative Secretary	Joan Brauer	S-O	17	5
Legislative Secretary	Jan Veenstra	S-O	16	2
Legislative Secretary	Faye Fraise	S-O	18	5
Legislative Secretary	Connie Follett	S-O	16	2
Legislative Secretary	Sandy Althomsons	S-O	18	1
Legislative Secretary	Leslie Pitt	S-O	18	1
Legislative Secretary	Nancy Frank	S-O	16	3
Legislative Secretary	Sara Wisgerhof	S-O	17	1
Legislative Secretary	Rebel Saffold	S-O	16	1
Legislative Secretary	Tony Funderburk	S-O	17	1
Legislative Secretary	Kay Kibbie	S-O	16	3
Legislative Secretary	Jean Goudy	S-O	16	5
Legislative Secretary	Anne Marie Burnett	S-O	18	2
Legislative Secretary	Jean Nelson	S-O	16	4
Legislative Secretary	Madonna Hauge	S-O	16	2
Legislative Secretary	Linda Svoboda	S-O	16	2
Legislative Secretary	Jeff Chavannes	S-O	17	1
Legislative Secretary	Nancy Wayman	S-O	18	2
Legislative Secretary	Joanne Wengert	S-O	16	5
Legislative Secretary	Jo Ann West	S-O	17	6+2
Legislative Secretary	Stacy Walshire	S-O	16	1
Legislative Committee Secretary	Mary Lou Aspengren	S-O	18	3
Legislative Committee Secretary	Juliet Bliss	S-O	18	2
Legislative Committee Secretary	Jeri Brokaw	S-O	18	1

Legislative Committee Secretary	Marce Huhn	S-O	18	1
Legislative Committee Secretary	James Rice	S-O	18	1
Legislative Committee Secretary	Martha Ullem	S-O	18	2
Legislative Committee Secretary	Diane Schrage	S-O	17	3
Legislative Committee Secretary	David Boettger	S-O	18	2
Legislative Committee Secretary	Susan Cowden	S-O	18	2
Legislative Committee Secretary	Vicki Davis	S-O	17	6
Legislative Committee Secretary	Vicki Bortell	S-O	17	1
Legislative Committee Secretary	Alleen Hedge	S-O	18	4
Legislative Committee Secretary	Susan Betsinger	S-O	18	2
Legislative Committee Secretary	Virginia Sourbeer	S-O	17	1
Legislative Committee Secretary	Sarah Henderson	S-O	18	1
Legislative Committee Secretary	LeAnn Jesina	S-O	18	1
Legislative Committee Secretary	Myrtle Jensen	S-O	18	5
Legislative Committee Secretary	Camille Gjovig	S-O	17	1
Legislative Committee Secretary	Marlene Martens	S-O	18	2
Legislative Committee Secretary	Elaine Rittmer	S-O	17	2
Legislative Committee Secretary	Thomas Joaquin	S-O	17	1
Legislative Committee Secretary	Marc Lowe	S-O	18	1
Legislative Committee Secretary	Betty Wise	S-O	17	6+2
Legislative Committee Secretary	Beverly Zieman	S-O	16	3
Bill Clerk	Jay Mosher	S-O	14	3
Postmaster	Eleanor Hesseling	S-O	12	3
Sergeant-at-Arms	Bill Krieg	S-O	17	1
Assistant Sergeant-at-Arms	Tom Sheldahl	S-O	14	1
Doorkeeper	Kermit Tannatt	S-O	11	2
Doorkeeper	Svend Christensen	S-O	11	4
Doorkeeper	George Finkenauer	S-O	11	3
Doorkeeper	Arnold Boyum	S-O	11	2
Doorkeeper	Jim Olmsted	S-O	11	2
Doorkeeper	Paul Underhill	S-O	11	2

Doorkeeper	Robert Langbehn	S-O	11	2
Doorkeeper	E. A. Samuelson	S-O	11	5
Page	John Bazal	S-O	Minimum Wage	
Page	Noelle DeBoef	S-O	Minimum Wage	
Page	Joe Earle	S-O	Minimum Wage	
Page	Sara Eighmey	S-O	Minimum Wage	
Page	Tyson Fast	S-O	Minimum Wage	
Page	Mary Jo Hommer	S-O	Minimum Wage	
Page	Scott Iverson	S-O	Minimum Wage	
Page	Lizzie Jenkins	S-O	Minimum Wage	
Page	Jennifer Johnson	S-O	Minimum Wage	
Page	Emily Kinser	S-O	Minimum Wage	
Page	Erin Leonard	S-O	Minimum Wage	
Page	Staci Lowman	S-O	Minimum Wage	
Page	Keturah Moretz	S-O	Minimum Wage	
Page	Paul Nichols	S-O	Minimum Wage	
Page	Chas Olson	S-O	Minimum Wage	
Page	Kyle Palmer	S-O	Minimum Wage	
Page	Audey Veach	S-O	Minimum Wage	
Page	Jaqui Waddell	S-O	Minimum Wage	
Page	Kara Wilber	S-O	Minimum Wage	

STEWART E. IVERSON, JR., Chair

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Kayla Ficus, Sioux City – For being inducted into the Iowa African American Hall of Fame. Senator Redwine (01/27/99).

Nick Krueger, Walnut – For achieving the rank of Eagle Scout. Senator Boettger (01/27/99).

Brian Williams, Walnut – For achieving the rank of Eagle Scout. Senator Boettger (01/27/99).

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: January 27, 1999, 9:35 a.m.

Members Present: Behn, Chair; Hedge, Vice Chair; Black, Ranking Member; Fink and Gaskill.

Members Absent: None.

Committee Business: Presentation by the Iowa Department of Agriculture and Land Stewardship.

Adjourned: 10:14 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 27, 1999, 9:35 a.m.

Members Present: Schuerer, Chair; Boettger, Vice Chair; Soukup, Ranking Member; Judge and Lamberti.

Members Absent: None.

Committee Business: Senator Judge replaced Senator Hansen as a committee member. Presentation by the Department of Workforce Development.

Adjourned: 10:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 27, 1999, 9:38 a.m.

Members Present: Rehberg, Chair; Redfern, Vice Chair; Horn, Ranking Member; and Kibbie.

Members Absent: McLaren.

Committee Business: Presentations on state and regional libraries, vocational rehabilitation, and creative employment options.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 27, 1999, 9:38 a.m.

Members Present: Rife, Chair; Zieman, Vice Chair; Bolkcom, Ranking Member; and Dearden.

Members Absent: McKibben.

Committee Business: Presentation by the Department of Public Health.

Adjourned: 10:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 27, 1999, 9:39 a.m.

Members Present: Tinsman, Chair; Veenstra, Vice Chair; Hammond, Ranking Member; Miller and Szymoniak.

Members Absent: None.

Committee Business: Presentations by DHS and LFB.

Adjourned: 11:53 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 27, 1999, 9:40 a.m.

Members Present: Maddox, Chair; Angelo, Vice Chair; Dvorsky, Ranking Member; Fraise and McKean.

Members Absent: None.

Committee Business: Presentations by the Emergency Management Division DPD, Attorney General, and Fire Marshall.

Adjourned: 11:44 a.m.

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT AND COMMUNICATIONS

Convened: January 27, 1999, 9:40 a.m.

Members Present: King, Chair; Deluhery, Ranking Member; Harper and Rittmer.

Members Absent: Lundby, Vice Chair (excused).

Committee Business: Update on FY99 technology initiatives.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

Convened: January 27, 1999, 9:38 a.m.

Members Present: Freeman, Chair; Jensen, Vice Chair; Connolly, Ranking Member; Johnson and Shearer.

Members Absent: None.

Committee Business: Presentations by Department of Cultural Affairs and Department of Natural Resources.

Adjourned: 11:15 a.m.

BUSINESS AND LABOR RELATIONS

Convened: January 27, 1999, 1:00 p.m.

Members Present: McKibben, Chair; Freeman, Vice Chair; Dearden, Ranking Member; Behn, Fraise, Hansen, Hedge, Horn, King, and Rife.

Members Absent: Schuerer (excused).

Committee Business: Presentation by Iowa Workforce Development.

Adjourned: 1:58 p.m.

COMMERCE

Convened: January 27, 1999, 3:35 p.m.

Members Present: Jensen, Chair; Maddox, Vice Chair; Deluhery, Ranking Member; Bolkcom, Flynn, Gronstal, Hansen, King, Redfern, Redwine, and Schuerer.

Members Absent: Johnson, Lamberti, Lundby, and McCoy (all excused).

Committee Business: Chairman announced bills that will soon be coming before the committee.

Adjourned: 3:37 p.m.

EDUCATION

Convened: January 27, 1999, 1:00 p.m.

Members Present: Redfern, Chair; Rehberg, Vice Chair; Connolly, Ranking Member; Angelo, Boettger, Dvorsky, Fink, Gaskill, Redwine, Sexton, Shearer, and Veenstra.

Members Absent: Harper, Szymoniak, and Tinsman.

Committee Business: None.

Adjourned: 1:02 p.m.

HUMAN RESOURCES

Convened: January 27, 1999, 2:05 p.m.

Members Present: Boettger, Chair; Redwine, Vice Chair; Szymoniak, Ranking Member; Behn, Hammond, Harper, Miller, Shearer, Tinsman, and Veenstra.

Members Absent: Bartz, Horn, and Schuerer (all excused).

Committee Business: Discussion was held on Empowerment Areas.

Adjourned: 3:05 p.m.

TRANSPORTATION

Convened: January 27, 1999, 2:07 p.m.

Members Present: Drake, Chair; Sexton, Vice Chair; Fink, Fraise, Kibbie, McKean, McKibben, Rittmer, Judge, and Zieman.

Members Absent: McCoy, Ranking Member; Freeman and Jensen (all excused).

Committee Business: Subcommittee assignments. Presentation by DOT.

Adjourned: 2:33 p.m.

WAYS AND MEANS

Convened: January 27, 1999, 2:40 p.m.

Members Present: Johnson, Chair; McKibben, Vice Chair; Harper, Ranking Member; Bartz, Bolkcom, Connolly, Deluhery, Drake, Flynn, Hedge, Lamberti, Maddox, Redwine, and Soukup.

Members Absent: McLaren (excused).

Committee Business: Subcommittee assignments.

Adjourned: 3:32 p.m.

STUDY BILLS RECEIVED

SSB 1038 Transportation

Relating to the administration of the state department of transportation by allowing the reversion of operating funds for training and technology, making a standing appropriation, revision road construction review procedures, and providing for the nonreversion of certain railroad funds.

SSB 1039 Appropriations

Relating to energy conservation including making appropriations of petroleum overcharge funds.

SUBCOMMITTEE ASSIGNMENTS

Senate File 39

WAYS AND MEANS: Hedge, Chair; Bolkcom and Redwine

Senate File 44

WAYS AND MEANS: Drake, Chair; Harper and Johnson

SSB 1038

TRANSPORTATION: Jensen, Chair; Drake and McCoy

SSB 1039

APPROPRIATIONS: Freeman, Chair; Behn and Soukup

COMMITTEE REPORT**LOCAL GOVERNMENT**

Final Bill Action: *SENATE FILE 53 (SSB 1005), a bill for an act relating to the date of the annual sale of parcels with delinquent property taxes and providing an effective and applicability date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Angelo, Bartz, Bolcom, Fraise, Gaskill, Hammond, McKean, McKibben, Miller, Rife, Judge, and Zieman. Nays, none. Absent or not voting, 1: McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Local Government Committee on Senate File 53, and they were attached to the committee report.

AMENDMENTS FILED

S-3005	S.F. 37	Steven D. Hansen
S-3006	S.R. 1	Merlin E. Bartz

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 5:56 p.m., until 9:00 a.m., Thursday, January 28, 1999.

JOURNAL OF THE SENATE

EIGHTEENTH CALENDAR DAY
TWELFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 28, 1999

The Senate met in regular session at 9:15 a.m., President Kramer presiding.

Prayer was offered by Reverend Paul Akin, pastor of First United Methodist Church, Indianola, Iowa.

The Journal of Wednesday, January 27, 1999, was approved.

The Senate stood at ease while waiting for the House committee.

COMMITTEE FROM THE HOUSE

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

Senator Iverson moved that upon dissolution of the joint convention, the Senate recess until 1:00 p.m.

JOINT CONVENTION

In accordance with law and House Concurrent Resolution 6, duly adopted, the joint convention was called to order at 9:49 a.m., President Kramer presiding.

Senator Iverson 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 Kramer declared a quorum present and the joint convention duly organized.

Senator Iverson moved that a committee of twelve, consisting of six members from the Senate and six members from the House, be appointed to notify Governor Vilsack that the joint convention was ready to receive him.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Hedge, Boettger, Rife, Dearden, Dvorsky, and Fraise on the part of the Senate, and Representatives Lord, Larson, Heaton, Foege, Ford, and Mascher, on the part of the House.

The following guests were escorted into the House Chamber:

Secretary of State Chester J. Culver, Treasurer of State Michael Fitzgerald, Secretary of Agriculture and Land Stewardship Patty Judge, Auditor of State Richard Johnson, and Attorney General Tom Miller.

Chief Justice McGiverin and the Justices of the Supreme Court; Chief Judge Sackett and the judges of the Court of Appeals.

Lieutenant Governor Sally Pederson.

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

President Kramer presented Governor Vilsack, who delivered the following Budget Message:

Madam President, Mr. Speaker, Honorable Members of the General Assembly, Chief Justice McGiverin and Distinguished Members of the Judiciary, Lieutenant Governor Pederson, Esteemed Statewide Elected Officials, Special Guests, My Fellow Citizens of Iowa.

Let me begin by reading a letter from a very important person in Iowa. She wrote to me:

"Dear Governor Vilsack,

What are you going to do about pollution? I would tell the people not to! I don't like pollution. Do you? So what are you going to do about schools? I really like my school. Can we have more time to read? So what are you going to do?"

No one is more important to me than Iowa's children. So when Alexandra Swanson, a third-grader from Beaver Creek Elementary School in Johnston, wrote to me I paid attention, and so should we all.

Let me rephrase her question for the benefit of the assembled body, "What are we going to do?"

I come here to the General Assembly for the first time. It is a time filled with excitement and a little concern. Concern that I do the right thing. I've never done this before. When you do something for the first time, you prepare as best you can to get the best information and advice that you can, you make our best judgments, then the moment comes. You do something for the first time.

I can't help but reflect today on the significance and importance of "firsts" in our lives. First steps. Our first day of school. Our first experience with faith. That first job. Our first love. The first time that we look into the eyes of a newborn child. They are memorable experiences. They open doorways to new worlds that we have never even dreamed of. And they all mark new beginnings.

Here in America and here in Iowa, first has another meaning to us as well. We have an innate drive to be the best we can be – to finish first in everything we attempt. We see it as a duty; as a responsibility. Finishing first marks the culmination of our best efforts and of our dreams. In a sense it marks both an ending and at the same time a new beginning.

As I present my budget to you for the first time, I urge you to join me in a pursuit of a prairie full of firsts. What must we do together to ensure that Iowa will be first in education for our children; first in environmental quality; first in health care for our citizens; first in the fight against methamphetamine; first in workforce development and economic development, and first in the future?

The answer, it seems to me, is to begin by taking bold first steps into the future. We have a strong and proud educational heritage in Iowa, and we have identified ourselves, rightfully so, as the Education State. So I ask you, members of the General Assembly, isn't it time that we again assume our rightful position in this nation as first in education?

We are blessed with a core of committed educators, some of who are with us today. Let me introduce you to four of them. On sabbatical from her position as a teacher of Theatre at East High School, currently performing in the Des Moines Playhouse production of *Having Our Say*, we welcome and salute the 1998 Iowa Teacher of the Year, Ruth Ann Gaines. We are also proud to have the dedicated Moulton School mentor of inner city students who was chosen to represent our state at the 1997 President's Summit for America's Future, Aaron Smith. We welcome today to the Capitol the southern Iowa native who refused to allow his cerebral palsy to prevent him from doing hundreds of classroom presentations as the Energy Wizard, winning the Governor's Very Special Arts Service Award and the Iowa Energy Educator of the Year Award, Erik Anderson. And finally, we introduce the classroom teacher of Alexandra Swanson and her classmates from the Beaver Creek Elementary School, Ms. Shannon Smith. Join me in greeting these four uniquely excellent Iowa educators and in welcoming Alexandra and her classmates.

In the first years of life the responsibility for teaching properly belongs to the parents of each child. All parents must be their child's first and best teacher. But few of us know where to begin or how to start. We can help. By doubling our investment in newly-created empowerment communities, we can give these parents looking for help the information, the tools, and the assistance they need to prepare their children for school. By taking this first step today we will make sure that when our children take their first steps to school, they will be ready to learn.

When they start their first years in school, they must learn the basics well. That's why, ladies and gentlemen of the General Assembly... That's why teachers must be better prepared. Schools must monitor student achievement and be held accountable for results. So let us begin today by committing 10 million dollars in the first year and increasing that amount by 10 million dollars for each year in the next four years, so we can provide our schools with the resources necessary to reduce class sizes, to improve teacher skills, and to hold schools accountable. Our goal is simply stated - we must guarantee that every child in this state is reading well by the time he or she enters fourth grade.

But if we are to do our first job well... more is needed. For the first time, we should commit state aid to make sure our schools are safe and free from fire and safety hazards and to provide more classroom space. Over the next five years we propose building a fund of 50 million dollars to help local school districts meet their building needs, while at the same time providing relief for property taxpayers. Our goal, again simply stated... is adequate class space for each child and each educator in this state.

As we attempt to make our students first in the nation in education, we must continue our commitment to technology by making permanent our current investment of 30 million dollars per year, and enable its use not only for hardware and software purchases, but also staff development. Our goal is to keep Iowa students on the cutting edge of technology.

I applaud the members of the General Assembly in addressing the critical issue of school funding early in the session. Together we will improve our commitment to local schools by increasing allowable growth, by providing state-funded budget guarantees for those schools struggling with declining enrollments and by providing accelerated funding for schools that have to cope with rapidly rising student numbers. Our goal should always be to adequately fund schools with each student being treated fairly and equitably.

At the same time, we must support our educators in their fight to make Iowa schools drug and violence free. We will take the first steps of intervention at the first signs of trouble in junior high and middle schools. So we need to expand the successful program of juvenile court liaisons by adding 76 new schools to the 107 schools that currently exist to aid our at-risk student population and to return discipline to the classroom and to the hallways of each and every school in this state. Our goal is to provide a safer, better learning environment in which all of our students can learn well without fear or intimidation.

Lorenzo Luis Sandoval left college early in the 1970s. He served the Hispanic migrant workers of Iowa for over 20 years and earned the League of United Latin American Citizens Iowa Man of the Year award. With the aid of an Iowa Tuition Grant, he fulfilled his lifetime dream of graduating from Grand View College in 1992.

He later received his Master of Fine Arts from the prestigious University of Iowa Playwrights Workshop last year. Dramatic Publishing calls Lorenzo "the exciting new Latino voice in America today." Ladies and gentlemen of the assembly, please say hello to another Iowan — Lorenzo Luis Sandoval.

I understand what it means to be close to your dream but to have concerns about whether there will be finances to make it become a reality. Twenty-five years ago this year, I spoke with my father for the last time on the phone. I called him to tell him that I had been admitted to law school. In a tired and weary voice he said to me, "That's great. I don't know where the money will come from but we'll find it some place." Several days after that call he passed away. The money came from a variety of government loans, programs, and my own work. I understand the struggle of many in this state today are going through to try to realize their educational dreams.

We need to make higher education more affordable and accessible. To do so, we need to look at a package of increased funding measures. We need to increase funding for the State of Iowa Scholarship program; we need to continue to increase funding for the Iowa Tuition Grant program; we need to support vocational and technical tuition grants; we need to send a message to those who serve in the National Guard that we care about them by extending educational opportunities to them as well. For those community college students who are here today, we need to keep the faith with their dream by fully funding the community college formula and continue our strong and traditional support for the Regents Universities. Our collective goal should be that no one wishing a higher education will ever be denied that opportunity in our state simply for lack of money.

Finally, as we approach a comprehensive look at education we should not and must not neglect the important role of libraries. Iowa is one of the few states that provides no direct assistance to libraries. Let us join the rest of the nation in improving the communication centers of many of our communities. Let us enrich ourselves by enriching Iowa. We should begin funding the Enrich Iowa initiative now.

Our goal is to be first in the nation in education. Let it be said that here in Iowa we put our money where our children are.

We have in Iowa a truly amazing array of natural grace. When Albert Lea first explored Iowa in 1835 he wrote: "The general appearance of the country is one of great beauty. . . one grand rolling prairie, along one side of which flows the mightiest river in the world. . . (For) water, fuel and timber; for richness of soil; for beauty of appearance . . . it surpasses any portion of the United States."

Too often today, there is a difficult playing field for Iowa farmers who want to protect our land and water. But it is our farmers who have the greatest immediate stake in the environment. It is their families who are first to drink the water, breathe the air, and eat the food raised in the soil. So David and Corrine Williams and their children Steve and Wendy operate a fifth-generation farm near the Montgomery and Page County line. They do so with respect and diligence. By using minimum and no-till technology, rotational grazing, alternative watering for their cattle, they were recently honored with the National Cattlemen's Association Environmental Stewardship Award for "protecting the environment while making their business more profitable." Join me in congratulating the Williams family for showing us that we can make sound environmental decisions that are also sound economic decisions.

It is our natural resources that hold the key to a stronger, more prosperous Iowa. But to be first in the nation in Environmental Quality and especially to have the cleanest water in America, we must take difficult first steps.

When a body of water with the name of Clear Lake had levels of E. coli which spiked over safe limits, when its beaches were closed, when its community lost thousands of dollars of much-needed tourist revenue, isn't it a signal that we need to be better stewards?

But it is not just our lakes that need care. Our Department of Natural Resources has not had the resources to conduct even baseline water quality analyses. As Dave Moeller, the DNR's Fisheries Supervisor for the Northeast District, said, "We can't do anything about it until we see dead fish."

Members of the General Assembly, we can and we must do something about it! We must carefully assess the condition of our groundwater and surface water, and then we must create a comprehensive groundwater and surface water monitoring program.

The budget I propose provides resources to do just that and more. It provides funds to establish an Iowa watershed protection program, attend to our wetlands and enforce the Federal Safe Drinking Water Act.

Our environmental proposals, however, do not start or stop at the water's edge. We are committed to enhancing our soil and to protecting our air.

That's why we advocate a Fuel Quality Standard for Iowa supported by the Iowa Corn Growers Association which includes ethanol and which will provide both environmental and value-added economic benefits.

We propose more resources to better implement our current manure management program. And as we consider the interdependence of agriculture and the environment, we are asking the legislature to consider empowering the people of Iowa with some degree of local control operated within a statewide framework for livestock production.

We will protect our natural heritage for the present and future citizens of our state. We will be good stewards and rededicate ourselves to restoring and conserving the land, protecting our water, and cleaning up the air. Let it be said that here in Iowa, we put our money where the environment is.

To be first in the nation in health care, we have specific goals. We propose to expand HAWK-I, Iowa's child health care initiative, to cover all children in families with incomes of up to 200% of the poverty level. Imagine the frustration of parents working hard to support a family, struggling to lift themselves out of poverty, and beginning to succeed, only to discover that their efforts disqualify their children from access to basic health care. Is this a small problem? Hardly. Our initiative will offer basic health care for the first time to an additional 12,000 of Iowa's children!

Next, we cannot be first in health care and sit idly by and watch people hurt and neglected by the excesses of managed care. We've all seen and read about those excesses in the news. But in Iowa we believe that people are more important than the process! Let us working together ensure fairer access to medical services for all of Iowa's people. Let us guarantee that Iowans will receive coverage for pre-existing

conditions by reducing the waiting period to six months. Let us stop insurance companies from "gagging" doctors so that they are prevented from telling us the information we need to know. Let us make sure that the information we receive about a health plan's record is accurate; that it promotes good medical practices and let us above all else require a fair and legitimate appeal process to resolve managed care disputes. Children in this state, specifically, are at risk and for that reason we will propose a specific and targeted set of proposals and protections designed to provide these opportunities for Iowa's children as well.

But we acknowledge the best way to be first in health is through good preventive care. We have, therefore, proposed initiatives for women over 50, addressing the increased risks of breast cancer, osteoporosis, and heart disease; we will launch a public awareness campaign; strengthen local health systems and promote community health and public education.

Beyond that initiative it is our commitment to enhance child dental care and child nutrition programs and perhaps the boldest stroke of all - we are recommending over one million dollars of support to establish a new School of Public Health at the University of Iowa. We take these steps because we know prevention works. We know prevention saves money. And most important of all, we know prevention saves lives!

Finally, our health care program includes protection for Iowa's seniors. They are those who farmed our land, who taught our children, who worked in our factories and businesses - and as such they deserve to live their last years in quiet dignity. If we restructure Medicaid funding, we can increase direct care staff salaries and improve the quality of care in nursing homes. If we establish an annual "Governor's Award for Quality Care" we can recognize outstanding nursing facilities. If we create additional long-term care ombudsman positions we can work together to correct nursing home deficiencies. And, if we stiffen fines for repeat violators and focus health facility inspections on those chronic violators we will enhance the good reputation of the vast majority of nursing homes and facilities in our state today.

Our goal is improved and fairer health care for all. Let it be said that here in Iowa, we put our money where our most vulnerable populations are.

The safety, security and well-being of Iowans is the responsibility of each of us. But nowhere, perhaps, is that responsibility accepted with more courage and more dedication than in the selfless service provided by our peace officers. Today, we, as a grateful people, salute and thank every peace officer who puts his or her life on the line every day for our families and ourselves. With us this morning are two men who are living proof of that dedication and courage.

When the time finally came, after four intense days in the middle of a hostage crisis, a distraught and dangerous father, charged with numerous crimes including attempted murder and kidnapping brought his two sons out into the Indianola sunlight. As he began to pull a loaded hand-gun from his pocket, Ken Haut rushed in and flung his body in harm's way, tackling and subduing the prisoner. Serving with him were his fellow troopers and other peace officers.

Without thinking of his personal safety, this humble Lamoni Chief of Police pursued two suspected murderers and bank robbers. In an instant his life changed forever. His sacrifice was great. He lost an eye and might have lost his life. But Dale

Killpack acted without hesitation on our behalf, and today he and Ken are with us. These two gentlemen represent the daily Iowa heroes who are our peace officers.

There is a specific crossroads where public health, public education and public safety meet. And it is at that crossroads that we stand today. We will NOT, simply because we happen to be in a convenient location in the heartland of America, be first in the nation in the creation and delivery of methamphetamine. We WILL, however, make it one of our first priorities to eradicate this deadly threat.

To protect our people we must strangle the meth lifeline by controlling both supply and demand. To protect our people we will seek life sentences for the manufacture or sale of meth to minors. To protect our people we will hire more narcotics agents to increase interdiction efforts. To protect our people we will hire additional lab technicians to help in the timely prosecution of cases, and to protect our people we will hire more state troopers, DCI agents and fire marshals to aid in safely closing down these meth labs. At the same time, to help our people we will expand the number of drug courts. To help our people we will provide additional resources for treatment to lengthen the time that Iowans addicted to this powerful drug can receive treatment and also expand treatment opportunities at Eldora. And to educate our people we will support and create educational programs to prevent the use of meth before it starts.

Now I do not want to leave this subject without speaking directly to those who manufacture and sell this drug. Here is my message: Do not come here. Do not hurt our children. We will find you. We will prosecute you. We will imprison you. Our goal is to win this war against meth. Let it be said in Iowa, we put our money where the safety of each of our citizens is.

Let us today also invite the whole world to help make our state the Food Capital of the World. Not just first in the nation, but first in the world. It is part of our larger commitment to workforce development and economic development.

This administration intends to make Iowa-grown, Iowa-raised and Iowa-made a brand name known throughout the world for quality. We need to promote high tech agricultural research which is why we support funding the Center of Excellence in Plant Science at Iowa State University. We need to combine Iowa's strengths in agriculture and insurance and provide innovative products to protect Iowa's farmers that use advances in biotechnology. We need to encourage the expansion of value-added opportunities in every region of this state.

And at the same time, we will not abandon those Iowans whose economic fortunes have turned. We have and will continue to strongly advocate at the federal level and state level to take immediate proactive steps to help livestock and grain producers in economic crisis. We intend to stand together with those who farm the land, and together we will make Iowa the world's food capital.

Further, we will expand the skilled workforce to help us face the needs of a new and dawning technology and millenium. We need to make Iowa more attractive to business and industry. We need to strengthen our commitment to vocational and technical programs and school-to-career opportunities. That is why we are establishing the Governor's 21st Century Workforce Council which will be chaired by Lieutenant Governor, Sally Pederson. We need to identify work skill shortage areas. To start the process of increasing the skill levels of our people and to reduce shortages,

we will create forgivable loan programs; we will offer incentives to promote skills enhancement; we will coordinate governmental efforts for skills enhancement; and we intend to increase worker safety by providing more resources for workplace inspections.

We will actively and forcefully work to attract and retain the quality of workers necessary for our mutual future. We must send a strong and unmistakable message to the children of this state, some of whom are here today – and let us start with those here today. We need you! We need your creativity, your energy and your intellect. But we must do our job if we are asking them to do their job. We must create and enhance the quality of life in this state so that it is second to none. That is why we are suggesting the creation of REACH initiative, which would provide additional resources for recreation, environment, culture and heritage – to send a strong and powerful message that something's going on in this state, and that we are responding to the needs and concerns of our young people.

Our goal is to develop our workforce, strengthen our economic growth, and keep our young people in our state. Let it be said that here in Iowa, we put our money where our tomorrow is.

And finally, we propose to be known as the first in the nation as we lead the way to the future. We will do this in two ways – through government efficiency, and by the foresight and power of a strategic plan for the next century.

We will make good on our promise of providing property tax relief by virtually eliminating property tax funding of mental health. Let us begin that process now.

We will build a more efficient administration, reduce our dependency on gaming revenues in the general fund and institute efficiency measures like offering early retirement programs and spending reforms. We're listening to the people, and we're acting on what we hear.

We face a strong set of challenges and unbridled opportunities. We will not be daunted.

Let me read from one of my very first Executive Orders which will be issued in the near future: "Now, therefore, I, Thomas J. Vilsack, Governor of Iowa, do hereby order and proclaim that there shall be an organized commitment to develop a strategic plan outlining our goal to maximize the development of human and natural resources within the state, and this commitment shall be called THE GOVERNOR'S STRATEGIC PLANNING COUNCIL."

Together, in a bi-partisan effort that includes full participation of private citizens, all levels of governmental employees, all communities, with specific emphasis on people with disabilities – we will identify the way Iowans want their state to be in the year 2020. And from that we will develop policies, programs, and procedures to carry out their vision.

We are excited by the challenge of tomorrow, and we are ready to meet it face-to-face.

Our goal is an efficient government and a powerful plan for the new millennium. Let it be said that here in Iowa, we put our money where our future is.

There is no question that it is reasonable for us to aspire to be first. And so again I ask the question posed by an Iowa child. What are we going to do together to ensure that Iowa will be first in education; first in the environment; first in health care; first in the fight against methamphetamine; first in workforce development and economic growth; and first in the future?

The answer resounds across this beautiful public room, owned by the people of our great state, and we all hear it. We must work together. We must put Iowa first, before any personal or partisan agenda, before anything that might divide us. We must make every effort to make Iowa first, working as if it were our last chance to do so.

And so, I propose yet another first for us today – the one which can make all of the others possible. Let us strive to be first in the nation in the true spirit of bipartisanship!

At a time when America is burdened by the ugliness of the Washington political scene – a scene divided by intense and sometimes angry partisanship which diverts our time, our resources, our good will, and especially the valuable work of our nation, let us learn a hard lesson: – the people must come first. How do we guarantee that when we leave here today we will walk away with a real commitment to work together?

I don't have the whole answer, but I can propose a healthy way for us to start – if you will, a healthy first step.

Soon after the end of this address today, Lieutenant Governor Sally Pederson and I will be embarking on separate visits across the state to meet with the people of this state face-to-face to talk to them about these important budget decisions. It would be easy for us to use this opportunity and the power and means of the Governor's office to proclaim a partisan agenda from east to west and north to south. But that would be politics as usual. And it's time for a change.

Instead, I spoke yesterday with the leadership of both the House and the Senate – from both sides of the aisle – and I invited leaders from both parties and from both chambers to accompany me around Iowa. We are all Iowans. We all have the best interests of the people at heart. We can begin this process by working together in the bright light of a new day.

This is not our first day of school, but it may be our first step to tomorrow. It's not our first job, and although I hold you folks in high esteem, I can assure you that you are not my first love. But this is the first day of the remainder of our time together working for the people of Iowa. It is a memorable day, and the tasks are daunting. But the doorways can be opened to new worlds that none of us have ever dreamed of.

We all share that sense of anticipation, that sense of concern about the responsibilities we face together. But we are well-prepared. We are well committed. We love this great land and the people we represent.

So what are we going to do?

Let us mark a new beginning. Let us take these bold first steps into the future together. Let us lead Iowa to be first in everything we attempt as we reach the culmination of Today's Dreams and Tomorrow's Iowa.

Thank you. God bless you, and God bless our Great State.

Governor Vilsack was escorted from the House Chamber by the committee previously appointed.

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

AFTERNOON SESSION

The Senate reconvened at 1:14 p.m., President Kramer presiding.

INTRODUCTION OF BILLS

Senate File 60, by Fink, a bill for an act relating to reporting of the status of environmental violations by the department of natural resources.

Read first time and referred to committee on **Natural Resources and Environment**.

Senate File 61, by Kibbie, a bill for an act limiting the amount of contributions a candidate for office may accept from outside the candidate's elective district, and providing a civil penalty.

Read first time and referred to committee on **State Government**.

Senate File 62, by Kibbie and Connolly, a bill for an act permitting certain transfers of campaign funds after a candidate has not served in public office for a stated number of years.

Read first time and referred to committee on **State Government**.

Senate File 63, by Kibbie and Lundby, a bill for an act establishing voluntary expenditure and contribution limits for political campaigns for candidates for the general assembly, and applying penalties.

Read first time and referred to committee on **State Government**.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: January 28, 1999, 9:21 a.m.

Members Present: McLaren, Chair; Kramer, Vice Chair; Flynn, Ranking Member; Behn, Bolcom, Connolly, Deluhery, Dvorsky, Freeman, Hammond, Hedge, Horn, Jensen, Johnson, King, Lamberti, Maddox, Redwine, Rehberg, Rife, Schuerer, Soukup, and Tinsman.

Members Absent: Black and McCoy (both excused).

Committee Business: Approved committee rules.

Adjourned: 9:37 a.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: January 28, 1999, 2:03 p.m.

Members Present: Bartz, Chair; King, Vice Chair; Fink, Ranking Member; Bolcom, Dearden, Deluhery, Drake, Freeman, Gaskill, Johnson, Kibbie, Miller, Rehberg, and Rife.

Members Absent: Black (excused).

Committee Business: Approved SSB 1033. Presentation by DNR.

Adjourned: 2:37 p.m.

INTRODUCTION OF BILLS

Senate File 64, by Kibbie, a bill for an act relating to confinement feeding operations by providing for the siting of certain operations, imposing requirements relating to construction permits, and making penalties applicable.

Read first time under Rule 28 and referred to committee on **Agriculture**.

Senate File 65, by McCoy, a bill for an act restricting the use of campaign funds for the payment of certain services and salaries and applying a penalty.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 66, by Kibbie, a bill for an act providing for the identification of meat products processed in this state and providing penalties.

Read first time under Rule 28 and referred to committee on **Agriculture**.

Senate File 67, by committee on Natural Resources and Environment, a bill for an act relating to the assessment of civil damages for the illegal taking of a swan or a crane.

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

STUDY BILLS RECEIVED

SSB 1040 Commerce

Relating to the exclusion of certain real estate transactions involving a power of attorney from state licensure and regulation.

SSB 1041 Natural Resources and Environment

Relating to the issuance of a limited number of deer or wild turkey hunting licenses.

SSB 1042 Ways and Means

Updating the Iowa Code references to the Internal Revenue Code, extending the loss carryback period for farm net operating losses, providing certain tax credits to estates and trusts, and providing an effective date and a retroactive applicability date.

SSB 1043 Ways and Means

Relating to the administration of the tax and related laws by the department of revenue and finance, including administration of state individual income, corporate income, franchise, sales and use, motor fuel, cigarette and tobacco, local option, inheritance and estate, and

property taxes, and the livestock production credit; providing penalties; and including effective and retroactive applicability date provisions.

SSB 1044 Ways and Means

Relating to the administration of the state individual income tax, corporate income tax, sales and use taxes, franchise tax, motor fuel taxes, inheritance and estate taxes, property taxes, collection of taxes and debts owed to or collected by the state, and including effective and retroactive applicability date provisions.

SSB 1045 Judiciary

Providing for a .08 blood alcohol concentration standard for operating while intoxicated offenses.

SSB 1046 Judiciary

Relating to open containers in motor vehicles and providing a penalty.

SSB 1047 Judiciary

Establishing the crime of identity theft, providing for the recovery of civil damages, relating to the reporting of identity theft to a consumer reporting agency, and providing and applying penalties.

SSB 1048 Judiciary

To restrict the posting of bond for the offense of felony stalking.

SSB 1049 Judiciary

Relating to crime victim rights.

SSB 1050 Judiciary

Relating to the fingerprinting of persons or juveniles who have been arrested or taken into custody and changing the procedures for the collection of a criminal disposition report.

SSB 1051 State Government

Relating to the emergency management division of the department of public defense by authorizing fees for radiological detection equipment maintenance services, by providing for the appointment of county emergency management officers, by authorizing financial assistance to local governments for emergency management purposes, and by providing an effective date.

SSB 1052 State Government

Relating to violations of nursing home requirements and including penalties for such violations.

SSB 1053 State Government

Relating to confidentiality of voter registration information.

SSB 1054 State Government

Relating to release of certain information on claimants of the extraordinary property tax credit or rent reimbursement to the department of inspections and appeals.

SSB 1055 State Government

Providing for a change in the composition requirement for nurses on the Iowa board of nursing examiners.

SSB 1056 State Government

Increasing the minimum daily pay for members of the Iowa national guard while in state active service.

SSB 1057 State Government

Concerning nonsubstantive gender-related provisions in the Code.

SSB 1058 State Government

Related to activities of bail enforcement agents that are exempt from state licensing requirements.

SSB 1059 State Government

Providing for the adoption of administrative rules related to the issuance of a license for bail enforcement agents, private investigators, and security agents who may not otherwise qualify for a license.

SUBCOMMITTEE ASSIGNMENTS**Senate Joint Resolution 4**

STATE GOVERNMENT: Drake, Chair; Fink and Rittmer

Senate Joint Resolution 5

STATE GOVERNMENT: Rittmer, Chair; Drake and Fink

Senate File 38

STATE GOVERNMENT: Rittmer, Chair; Drake and Kibbie

Senate File 43

STATE GOVERNMENT: Rittmer, Chair; Fink and Lamberti

Senate File 46

STATE GOVERNMENT: Maddox, Chair; Deluhery and Lamberti

Senate File 48

STATE GOVERNMENT: King, Chair; Fink and Schuerer

Senate File 52

JUDICIARY: Redfern, Chair; Boettger and Fraise

Senate File 54

STATE GOVERNMENT: King, Chair; Fink and Schuerer

Senate File 55

JUDICIARY: Redfern, Chair; Hansen and Tinsman

Senate File 56

WAYS AND MEANS: Drake, Chair; McLaren and Soukup

Senate File 57

LOCAL GOVERNMENT: McKibben, Chair; Bartz and Hammond

Senate File 58

STATE GOVERNMENT: Lundby, Chair; Drake and Fink

Senate File 59

STATE GOVERNMENT: Lundby, Chair; Drake and Fink

SSB 1040

COMMERCE: Lamberti, Chair; Maddox and McCoy

SSB 1041

NATURAL RESOURCES AND ENVIRONMENT: King, Chair; Johnson and Kibbie

SSB 1042

WAYS AND MEANS: Maddox, Chair; Connolly and McKibben

SSB 1043

WAYS AND MEANS: McKibben, Chair; Deluhery and Maddox

SSB 1044

WAYS AND MEANS: Lamberti, Chair; Drake and Flynn

SSB 1045

JUDICIARY: McKean, Chair; Fraise and McKibben

SSB 1046

JUDICIARY: McKean, Chair; Fraise and McKibben

SSB 1047

JUDICIARY: Redfern, Chair; Horn and Miller

SSB 1048

JUDICIARY: Tinsman, Chair; Angelo and Dvorsky

SSB 1049

JUDICIARY: Maddox, Chair; Hammond and Hansen

SSB 1050

JUDICIARY: Dvorsky, Chair; Maddox and Tinsman

SSB 1051

STATE GOVERNMENT: Kibbie, Chair; Drake and McLaren

SSB 1052

STATE GOVERNMENT: Lamberti, Chair; Deluhery and King .

SSB 1053

STATE GOVERNMENT: Szymoniak, Chair; Lundby and Maddox

SSB 1054

STATE GOVERNMENT: Sexton, Chair; Drake and Fink

SSB 1055

STATE GOVERNMENT: Szymoniak, Chair; Maddox and Schuerer

SSB 1056

STATE GOVERNMENT: McLaren, Chair; Drake and Kibbie

SSB 1057

STATE GOVERNMENT: Lundby, Chair; Schuerer and Szymoniak

SSB 1058

STATE GOVERNMENT: Lamberti, Chair; Fink and Sexton

SSB 1059

STATE GOVERNMENT: Lamberti, Chair; Fink and Sexton

COMMITTEE REPORT**NATURAL RESOURCES AND ENVIRONMENT**

Final Bill Action: SENATE FILE 67 (SSB 1033), a bill for an act relating to the assessment of civil damages for the illegal taking of a swan or a crane.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Bartz, King, Fink, Bolcom, Dearden, Deluhery, Drake, Freeman, Gaskill, Johnson, Kibbie, Miller, Rehberg, and Rife. Nays, none. Absent or not voting, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 1:16 p.m., until 1:00 p.m., Monday, February 1, 1999.

JOURNAL OF THE SENATE

TWENTY-SECOND CALENDAR DAY
THIRTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 1, 1999

The Senate met in regular session at 1:15 p.m., President Kramer presiding.

Prayer was offered by Rabbi Applebaum of Beth El Jacob Synagogue, Des Moines, Iowa.

The Journal of Thursday, January 28, 1999, was approved.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: January 28, 1999, 1:10 p.m.

Members Present: McKean, Chair; Lamberti, Vice Chair; Hansen, Ranking Member; Angelo, Boettger, Dvorsky, Fraise, Hammond, Horn, McCoy, McKibben, Miller, Redfern, and Tinsman.

Members Absent: Maddox (excused).

Committee Business: Subcommittee assignments.

Adjourned: 1:13 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 1, 1999, 10:09 a.m.

Members Present: Tinsman, Chair; Veenstra, Vice Chair; Hammond, Ranking Member; Miller and Szymoniak.

Members Absent: None.

Committee Business: Presentations from LFB, DHS, UNI, ISU, and Indian Hills Community College.

Adjourned: 12:09 p.m.

BUSINESS AND LABOR RELATIONS

Convened: February 1, 1999, 1:32 p.m.

Members Present: McKibben, Chair; Freeman, Vice Chair; Dearden, Ranking Member; Behn, Fraise, Hansen, Hedge, Horn, King, and Schuerer.

Members Absent: Rife (excused).

Committee Business: Approved SSB 1035.

Adjourned: 1:47 p.m.

COMMERCE

Convened: February 1, 1999, 3:35 p.m.

Members Present: Jensen, Chair; Maddox, Vice Chair; Bolckcom, Flynn, Gronstal, Hansen, Johnson, King, Lamberti, Lundby, Redfern, Redwine, and Schuerer.

Members Absent: Deluhery, Ranking Member; and McCoy (both excused).

Committee Business: Discussed future presentations.

Adjourned: 3:37 p.m.

EDUCATION

Convened: February 1, 1999, 1:30 p.m.

Members Present: Redfern, Chair; Rehberg, Vice Chair; Connolly, Ranking Member; Angelo, Boettger, Dvorsky, Fink, Gaskill, Harper, Redwine, Sexton, Shearer, Szymoniak, Tinsman, and Veenstra.

Members Absent: None.

Committee Business: Subcommittee assignments. Presentation by Department of Education.

Adjourned: 2:31 p.m.

HUMAN RESOURCES

Convened: February 1, 1999, 2:38 p.m.

Members Present: Boettger, Chair; Redwine, Vice Chair; Szymoniak, Ranking Member; Behn, Hammond, Harper, Miller, Schuerer, Shearer, Tinsman, and Veenstra.

Members Absent: Bartz and Horn (both excused).

Committee Business: Presentation on Child Support Recovery.

Adjourned: 3:31 p.m.

TRANSPORTATION

Convened: February 1, 1999, 2:35 p.m.

Members Present: Drake, Chair; Sexton, Vice Chair; McCoy, Ranking Member; Fink, Fraise, Freeman, Jensen, Kibbie, McKean, McKibben, Rittmer, Judge, and Zieman.

Members Absent: None.

Committee Business: Approved SSB 1038.

Adjourned: 3:29 p.m.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

John Gilbert, Davenport — For achieving the rank of Eagle Scout. Senator Tinsman (02/01/99).

INTRODUCTION OF BILLS

Senate File 68, by Shearer, Fraise, Hedge, McLaren, and Miller, a bill for an act relating to counties included in the mid-America port commission.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 69, by Connolly, a bill for an act authorizing school districts and nonpublic schools to request the performance of criminal and abuse record checks.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 70, by committee on Business and Labor Relations, a bill for an act concerning unemployment insurance by providing for the distribution of certain moneys in the unemployment trust fund and the transfer of experience for unemployment insurance tax purposes.

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

Senate File 71, by Hammond, Dvorsky, and Bolckcom, a bill for an act prohibiting discriminatory practices based upon a person's sexual orientation.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 72, by Connolly, a bill for an act relating to funding for the arts by providing an Iowa individual income tax checkoff for

the arts, making an appropriation, and providing a retroactive applicability date.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

STUDY BILLS RECEIVED

SSB 1060 State Government

Relating to the reporting periods and dates of filing annual reports of the state racing and gaming commission.

SSB 1061 State Government

Relating to veterans' benefits, veterans preference, veterans' claims, reimbursement for military service tax exemption, and providing a penalty, effective date, and applicability date.

SUBCOMMITTEE ASSIGNMENTS

SSB 1060

STATE GOVERNMENT: Fink, Chair; Lundby and Sexton

SSB 1061

STATE GOVERNMENT: Drake, Chair; Kibbie and McLaren

COMMITTEE REPORT

BUSINESS AND LABOR RELATIONS

Final Bill Action: SENATE FILE 70 (SSB 1035), a bill for an act concerning unemployment insurance by providing for the distribution of certain moneys in the unemployment trust fund and the transfer of experience for unemployment insurance tax purposes.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: McKibben, Freeman, Dearden, Behn, Fraise, Hansen, Hedge, Horn, King, and Schuerer. Nays, none. Absent or not voting, 1: Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 1:19 p.m., until 9:00 a.m., Tuesday, February 2, 1999.

JOURNAL OF THE SENATE

TWENTY-THIRD CALENDAR DAY
FOURTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 2, 1999

The Senate met in regular session at 9:04 a.m., President Kramer presiding.

Prayer was offered by Reverend Leif A. Pohl, pastor of Grace Lutheran Church, Muscatine, Iowa.

The Journal of Monday, February 1, 1999, was approved.

HOUSE MESSAGE RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 1, 1999, passed the following bill in which the **concurrence** of the Senate is asked:

House File 136, a bill for an act relating to the criminal offenses that require registration as provided in the sex offender registry law and providing an effective date.

Read first time and referred to committee on **Judiciary**.

INTRODUCTION OF BILLS

Senate File 73, by Jensen, a bill for an act relating to the preservation of the Iowa state capitol.

Read first time and referred to committee on **Local Government**.

Senate File 74, by Maddox, a bill for an act relating to enforcement of smoking prohibitions.

Read first time and referred to committee on **State Government**.

Senate File 75, by Rehberg, a bill for an act relating to pipelines, interstate natural gas pipelines, and hazardous liquid pipelines, and the restoration of agricultural lands, making penalties applicable, and providing an effective date.

Read first time and referred to committee on **Natural Resources and Environment**.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

LOCAL GOVERNMENT

Convened: January 28, 1999, 3:02 p.m.

Members Present: Angelo, Chair; Bartz, Vice Chair; Bolkcom, Ranking Member; Gaskill, Hammond, McCoy, Miller, Rife, Judge, and Zieman.

Members Absent: Fraise, McKean, and McKibben (all excused).

Committee Business: Subcommittee assignment.

Adjourned: 3:44 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: February 2, 1999, 9:39 a.m.

Members Present: Redwine, Chair; Bartz, Vice Chair; McCoy, Ranking Member; Flynn and Sexton.

Members Absent: None.

Committee Business: Presentations by IDR&F and IDP.

Adjourned: 11:37 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: February 2, 1999, 9:40 a.m.

Members Present: Behn, Chair; Hedge, Vice Chair; Black, Ranking Member; Fink and Gaskill.

Members Absent: None.

Committee Business: Presentation by Deputy Secretary of Agriculture.

Adjourned: 10:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 2, 1999, 9:40 a.m.

Members Present: Schuerer, Chair; Boettger, Vice Chair; Soukup, Ranking Member; and Lamberti.

Members Absent: Judge (excused).

Committee Business: Presentation of Governor's FY2000 budget recommendations for Economic Development.

Adjourned: 10:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 2, 1999, 9:45 a.m.

Members Present: Rehberg, Chair; Redfern, Vice Chair; Horn, Ranking Member; and Kibbie.

Members Absent: McLaren (excused).

Committee Business: Presentation by Department of Education.

Adjourned: 11:21 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 2, 1999, 9:40 a.m.

Members Present: Rife, Chair; Zieman, Vice Chair; Bolckcom, Ranking Member; Dearden and McKibben.

Members Absent: None.

Committee Business: Presentation by Dept. of Public Health.

Adjourned: 11:16 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 2, 1999, 9:42 a.m.

Members Present: Tinsman, Chair; Veenstra, Vice Chair; Hammond, Ranking Member; Miller and Szymoniak.

Members Absent: None.

Committee Business: Presentation on Treatment Component of Child Welfare Services Work Group.

Adjourned: 11:57 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 2, 1999, 9:40 a.m.

Members Present: Maddox, Chair; Angelo, Vice Chair; Dvorsky, Ranking Member; Fraise and McKean.

Members Absent: None.

Committee Business: Review of Governor's recommendations by LFB. Presentation by the Department of Public Defense, Military Division.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT AND COMMUNICATIONS

Convened: February 2, 1999, 9:40 a.m.

Members Present: King, Chair; Lundby, Vice Chair; Deluhery, Ranking Member; Harper and Rittmer.

Members Absent: None.

Committee Business: Y2K updates by the DOM, Judicial Dept., and CSB. Presentation of Governor's budget recommendations for Oversight.

Adjourned: 10:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

Convened: February 2, 1999, 9:40 a.m.

Members Present: Freeman, Chair; Jensen, Vice Chair; Connolly, Ranking Member; Johnson and Shearer.

Members Absent: None.

Committee Business: Presentations by the Toledo Juvenile Home, Department of Economics, and the Iowa State Fair.

Adjourned: 11:30 a.m.

AGRICULTURE

Convened: February 2, 1999, 8:02 a.m.

Members Present: Gaskill, Chair; Miller, Vice Chair; Fraise, Ranking Member; Angelo, Bartz, Behn, Black, Hedge, Kibbie, Sexton, Shearer, Soukup, Judge, Veenstra, and Ziemann.

Members Absent: None.

Committee Business: Presentations by the Iowa Soybean Assn. and Tank-A-Lok.

Adjourned: 8:59 a.m.

JUDICIARY

Convened: February 2, 1999, 3:00 p.m.

Members Present: McKean, Chair; Lamberti, Vice Chair; Hansen, Ranking Member; Angelo, Dvorsky, Fraise, Hammond, Horn, Maddox, McCoy, McKibben, Miller, Redfern, and Tinsman.

Members Absent: Boettger (excused).

Committee Business: Subcommittee assignments.

Adjourned: 3:05 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: February 2, 1999, 1:02 p.m.

Members Present: Bartz, Chair; King, Vice Chair; Bolkcom, Dearden, Deluhery, Freeman, Johnson, Kibbie, Miller, and Rife.

Members Absent: Fink, Ranking Member; Black, Drake, Gaskill, and Rehberg (all excused).

Committee Business: Subcommittee assignments.

Adjourned: 1:07 p.m.

STATE GOVERNMENT

Convened: February 2, 1999, 2:00 p.m.

Members Present: Rittmer, Chair; Lamberti, Vice Chair; Kibbie, Ranking Member; Dearden, Deluhery, Drake, King, Lundby, Maddox, Schuerer, and Sexton.

Members Absent: Connolly, Fink, McLaren, and Szymoniak (all excused).

Committee Business: Subcommittee assignments.

Adjourned: 2:06 p.m.

INTRODUCTION OF BILLS

Senate File 76, by committee on Transportation, a bill for an act relating to the administration of the state department of transportation by allowing the reversion of operating funds for training and technology, making a standing appropriation, and providing for the nonreversion of certain railroad funds.

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

Senate File 77, by Bartz, a bill for an act relating to the taking of muskrats by colony trap.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 78, by Connolly, a bill for an act relating to the use of a portion of state sales tax revenues for school district purposes and including effective and applicability date provisions.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 79, by Kibbie, a bill for an act prohibiting the publication of false or misleading information in political advertisements, and applying a penalty.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 80, by Kibbie, a bill for an act establishing a tax credit for certain contributions to political campaigns.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 81, by Fink, a bill for an act relating to admittance of minors to premises which permit certain nude performances, and providing a penalty.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 82, by Redwine, a bill for an act relating to the repeal of local option sales and services taxes.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 83, by Maddox, Lundby, Johnson, Dvorsky, Boettger, Zieman, Jensen, Harper, Szymoniak, Shearer, Freeman, Bolkcom, Fink, Deluhery, Tinsman, and Bartz, a bill for an act relating to third-party payment of health coverage costs for mental health and substance abuse treatment services.

Read first time under Rule 28 and referred to committee on Commerce.

Senate File 84, by Miller, a bill for an act providing for a twenty-year period to establish marketable record title.

Read first time under Rule 28 and referred to committee on Commerce.

STUDY BILLS RECEIVED

SSB 1062 Natural Resources and Environment

Resolution nullifying amendments to an administrative rule of the department of natural resources eliminating the open season for the commercial harvesting of washboard mussels and providing an effective date.

SSB 1063 Small Business, Economic Development and Tourism

Relating to the development and management of land, providing for fees, and providing an effective date.

SSB 1064 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 and providing effective dates and for retroactive applicability.

SSB 1065 Judiciary

Relating to nonsubstantive Code corrections.

SSB 1066 Business and Labor Relations

Relating to alcohol testing of private sector employees and prospective employees and providing an effective date.

SSB 1067 Business and Labor Relations

Relating to worker and public safety and protection laws administered by the labor services division of Iowa workforce development.

SUBCOMMITTEE ASSIGNMENTS**Senate File 60**

NATURAL RESOURCES AND ENVIRONMENT: Bartz, Chair; Fink and King

Senate File 68

STATE GOVERNMENT: Lundby, Chair; Connolly and McLaren

Senate File 72

WAYS AND MEANS: Connolly, Chair; Drake and Johnson

Senate File 75

NATURAL RESOURCES AND ENVIRONMENT: Rehberg, Chair; Deluhery and Rife

Senate File 77

NATURAL RESOURCES AND ENVIRONMENT: Kibbie, Chair; Johnson and Miller

SSB 1062

NATURAL RESOURCES AND ENVIRONMENT: Bartz, Chair; Fink and King

SSB 1063

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM: Lundby, Chair; Behn, and Hansen

SSB 1064

JUDICIARY: Hansen, Chair; Lamberti and McKean

SSB 1065

JUDICIARY: Hansen, Chair; Lamberti and McKean

SSB 1066

BUSINESS AND LABOR RELATIONS: King, Chair; Behn and Hansen

SSB 1067

BUSINESS AND LABOR RELATIONS: Hansen, Chair; Freeman and Hedge

COMMITTEE REPORT**TRANSPORTATION**

Final Bill Action: *SENATE FILE 76 (SSB 1038), a bill for an act relating to the administration of the state department of transportation by allowing the reversion of operating funds for training and technology, making a standing appropriation, and providing for the nonreversion of certain railroad funds.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Drake, Sexton, McCoy, Fink, Fraise, Freeman, Jensen, Kibbie, McKean, McKibben, Rittmer, Judge, and Zieman. 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 Transportation Committee on Senate File 76, and they were attached to the committee report.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 9:10 a.m., until 9:00 a.m., Wednesday, February 3, 1999.

JOURNAL OF THE SENATE

TWENTY-FOURTH CALENDAR DAY
FIFTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 3, 1999

The Senate met in regular session at 9:04 a.m., President Kramer presiding.

Prayer was offered by Reverend David Ruhe, pastor of Plymouth Congregational United Church of Christ, Des Moines, Iowa.

The Journal of Tuesday, February 2, 1999, was approved.

BILL REFERRED COMMITTEE

Senator Iverson asked and received unanimous consent that **Senate File 76** be referred from the Regular Calendar to the committee on **Appropriations**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Kibbie for today and tomorrow, on request of Senator Gronstal.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION**

Convened: February 3, 1999, 9:38 a.m.

Members Present: Redwine, Chair; Bartz, Vice Chair; McCoy, Ranking Member; Flynn and Sexton.

Members Absent: None.

Committee Business: Presentation by DOM.

Adjourned: 10:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: February 3, 1999, 9:40 a.m.

Members Present: Behn, Chair; Hedge, Vice Chair; Black, Ranking Member; Fink and Gaskill.

Members Absent: None.

Committee Business: Presentation by DNR.

Adjourned: 10:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 3, 1999, 9:30 a.m.

Members Present: Schuerer, Chair; Boettger, Vice Chair; Soukup, Ranking Member; Lamberti and Judge.

Members Absent: None.

Committee Business: Presentation by DED.

Adjourned: 10:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 3, 1999, 9:40 a.m.

Members Present: Rehberg, Chair; Redfern, Vice Chair; and Horn, Ranking Member.

Members Absent: Kibbie and McLaren.

Committee Business: Presentation by Iowa Public Television.

Adjourned: 10:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 3, 1999, 9:37 a.m.

Members Present: Rife, Chair; Zieman, Vice Chair; Bolkcom, Ranking Member; Dearden and McKibben.

Members Absent: None.

Committee Business: Budget presentation by Civil Rights Commission.

Adjourned: 9:53 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 3, 1999, 9:39 a.m.

Members Present: Tinsman, Chair; Veenstra, Vice Chair; Hammond, Ranking Member; Miller and Szymoniak.

Members Absent: None.

Committee Business: Presentation by Consultec.

Adjourned: 10:31 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 3, 1999, 9:32 a.m.

Members Present: Maddox, Chair; Angelo, Vice Chair; Dvorsky, Ranking Member; and Fraise.

Members Absent: McKean (excused).

Committee Business: Presentations by Public Defender and Indigent Defense.

Adjourned: 10:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT AND COMMUNICATIONS

Convened: February 3, 1999, 9:35 a.m.

Members Present: King, Chair; Deluhery, Ranking Member; Harper and Rittmier.

Members Absent: Lundby, Vice Chair.

Committee Business: Update and ICN budget and ITS budget for fiscal year.

Adjourned: 10:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

Convened: February 3, 1999, 9:40 a.m.

Members Present: Freeman, Chair; Jensen, Vice Chair; Connolly, Ranking Member; and Johnson.

Members Absent: Shearer.

Committee Business: Presentation by Dept. of Corrections.

Adjourned: 10:35 a.m.

BUSINESS AND LABOR RELATIONS

Convened: February 3, 1999, 1:06 p.m.

Members Present: McKibben, Chair; Freeman, Vice Chair; Dearden, Ranking Member; Behn, Fraise, Hansen, Hedge, Horn, King, Rife, and Schuerer.

Members Absent: None.

Committee Business: Subcommittee assignments. Presentations by ABI and UAW.

Adjourned: 2:00 p.m.

EDUCATION

Convened: February 3, 1999, 1:00 p.m.

Members Present: Redfern, Chair; Rehberg, Vice Chair; Connolly, Ranking Member; Angelo, Boettger, Dvorsky, Fink, Gaskill, Harper, Redwine, Sexton, Szymoniak, Tinsman, and Veenstra.

Members Absent: Shearer (excused).

Committee Business: Subcommittee assignments. Presentations by Urban Education Network and Rural Schools of Iowa.

Adjourned: 1:58 p.m.

HUMAN RESOURCES

Convened: February 3, 1999, 2:05 p.m.

Members Present: Boettger, Chair; Redwine, Vice Chair; Szymoniak, Ranking Member; Bartz, Behn, Hammond, Harper, Schuerer, Tinsman, and Veenstra.

Members Absent: Horn, Miller, and Shearer (all excused).

Committee Business: Approved SSB 1034.

Adjourned: 2:15 p.m.

TRANSPORTATION

Convened: February 3, 1999, 2:05 p.m.

Members Present: Drake, Chair; Sexton, Vice Chair; McCoy, Ranking Member; Fink, Fraise, Freeman, Jensen, McKean, McKibben, Rittmer, Judge, and Ziemann.

Members Absent: Kibbie (excused).

Committee Business: Amended and passed SF 17. Presentation by DOT.

Adjourned: 2:35 p.m.

WAYS AND MEANS

Convened: February 3, 1999, 3:05 p.m.

Members Present: Johnson, Chair; McKibben, Vice Chair; Harper, Ranking Member; Bartz, Bolckcom, Connolly, Deluhery, Flynn, Hedge, Lamberti, Maddox, Redwine, and Soukup.

Members Absent: Drake and McLaren (both excused).

Committee Business: Passed SF 9.

Adjourned: 3:15 p.m.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Maude Glines, Montrose – For celebrating your 100th birthday, March 11, 1999. Senator Shearer (02/09/99).

Matthew A. Grennan, Maynard – For achieving the rank of Eagle Scout. Senator Rehberg (02/04/99).

Hertha Lebuhn – For celebrating your 100th birthday, February 25, 1999. Senator Tinsman (02/03/99).

INTRODUCTION OF BILLS

Senate File 85, by Black and Flynn, a bill for an act relating to notification requirements associated with the perfection of mechanics' liens by a person furnishing labor or materials to a subcontractor, and providing an effective date.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 86, By Szymoniak, Dearden, Dvorsky, Maddox, Fraise, Redfern, and McCoy, a bill for an act relating to the process for restoring for certain persons the right to register to vote and to vote.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 87, by Flynn, a bill for an act relating to drug and alcohol testing by schools of students participating in extracurricular activities.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 88, by McCoy, a bill for an act related to the liability of golf course operators for damages arising from weather-related conditions and phenomena.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 89, by Lundby and Kibbie, a bill for an act to prohibit new campaign advertising within five days of an election, and applying penalties.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 90, by Jensen, a bill for an act relating to qualifications of commissioners for a city, county, or joint memorial hospital.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 91, by Rife, a bill for an act relating to the valuation of residential and agricultural property by removing the restriction that prevented each class from increasing in valuation by a greater percentage than the other and including an applicability date provision.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 92, by committee on Human Resources, a bill for an act relating to the notice provisions for transfer of assets which create a medical assistance debt.

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

Senate File 93, by Zieman, a bill for an act relating to the expenditure of surcharge moneys for certain personnel costs associated with E911 service.

Read first time under Rule 28 and referred to committee on **State Government**.

STUDY BILLS RECEIVED

SSB 1068 Commerce

Relating to the supervisory authority of the state banking division with regard to bank holding company acquisitions and the ability of state banks to make loans to any on person.

SSB 1069 Commerce

Relating to the use of net metering systems by certain facilities producing electrical energy and providing an effective date.

SSB 1070 Education

Providing for the designation of investigative information possessed by the board of educational examiners as privileged and confidential.

SSB 1071 Commerce

Relating to telecommunications systems or services which may be provided by a city utility, establishing certain requirements on such city, and including effective date and retroactive applicability provisions.

SSB 1072 Commerce

Relating to franchise agreements and the rights and responsibilities of the parties under such agreements.

SSB 1073 Human Resources

Relating to cigarettes and tobacco products by prohibiting that such products be given away and by prohibiting giving of other items as part of a sale of such cigarettes and tobacco products and making penalties applicable.

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 1**

EDUCATION: Redfern, Chair; Fink and Rehberg

Senate File 45

EDUCATION: Veenstra, Chair; Connolly and Gaskill

Senate File 64

AGRICULTURE: Gaskill, Chair; Judge and Miller

Senate File 66

AGRICULTURE: Hedge, Chair; Bartz and Shearer

Senate File 73

LOCAL GOVERNMENT: Zieman, Chair; Fraise and Gaskill

Senate File 80

WAYS AND MEANS: Drake, Chair; Harper and Johnson

Senate File 81

JUDICIARY: Maddox, Chair; Horn and Tinsman

Senate File 82

WAYS AND MEANS: Redwine, Chair; Deluhery and Lamberti

Senate File 83

COMMERCE: Maddox, Chair; Bolkcom and Schuerer

Senate File 84

COMMERCE: Lamberti, Chair; Hansen and Redfern

House File 136

JUDICIARY: Angelo, Chair; Dvorsky and Tinsman

SSB 1068

COMMERCE: Redfern, Chair; Hansen and King

SSB 1069

COMMERCE: Schuerer, Chair; Maddox and McCoy

SSB 1070

EDUCATION: Connolly, Chair; Redwine and Rehberg

SSB 1071

COMMERCE: Jensen, Chair; Flynn and King

SSB 1072

COMMERCE: Jensen, Chair; Deluhery, Gronstal, Johnson, and Redfern

SSB 1073

HUMAN RESOURCES: Tinsman, Chair; Redwine and Szymoniak

SSB 1074

HUMAN RESOURCES: Schuerer, Chair; Boettger and Shearer

SSB 1075

JUDICIARY: Angelo, Chair; Dvorsky and Tinsman

SSB 1076

JUDICIARY: Lamberti, Chair; Boettger and Fraise

COMMITTEE REPORTS**HUMAN RESOURCES**

Final Bill Action: SENATE FILE 92 (SSB 1034), a bill for an act relating to the notice provisions for transfer of assets which create a medical assistance debt.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Boettger, Redwine, Szymoniak, Bartz, Behn, Hammond, Harper, Schuerer, Tinsman, and Veenstra. Nays, none. Absent or not voting, 3: Horn, Miller, and Shearer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 9, a bill for an act relating to the exemption of the sales and use tax on building materials, supplies, or equipment of certain rural water districts, and providing retroactive applicability and effective dates.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Johnson, McKibben, Harper, Bartz, Bolcom, Connolly, Deluhery, Flynn, Hedge, Lamberti, Maddox, Redwine, and Soukup. Nays, none. Absent or not voting, 2: Drake and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 9:09 a.m., until 9:00 a.m., Thursday, February 4, 1999.

JOURNAL OF THE SENATE

TWENTY-FIFTH CALENDAR DAY
SIXTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 4, 1999

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

Prayer was offered by Pastor Doug Helton, of Calvary Baptist Church, St. Charles, Iowa.

The Journal of Wednesday, February 3, 1999, was approved.

HOUSE MESSAGES RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 3, 1999, passed the following bill in which **concurrence** of the Senate is asked:

House File 165, a bill for an act including the preparation or compounding of a controlled substance for one's own use within the definition of manufacturing a controlled substance, and providing an effective date.

Read first time and referred to committee on **Judiciary**.

ALSO: That the House has on February 3, 1999, adopted the following resolution in which the **concurrence** of the House was asked:

Senate Joint Resolution 1, a joint resolution proposing amendments to the Constitution of the State of Iowa relating to the state budget by limiting state general fund expenditures and restricting certain state tax revenue changes.

ALSO: That the House has on February 3, 1999, passed the following bill in which the concurrence of the House was asked:

Senate File 47, a bill for an act relating to the classification of funding agreements issued by a life insurance company for purposes of the prioritization of claims against the assets of an insurer subject to supervision, rehabilitation, and liquidation, and including an effective date and a retroactive applicability provision.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Zieman until his arrival, on request of Senator Rehberg.

CONSIDERATION OF BILL (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 53.

Senate File 53

On motion of Senator Miller, **Senate File 53**, a bill for an act relating to the date of the annual sale of parcels with delinquent property taxes and providing an effective and applicability date, was taken up for consideration.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Hammond, Kramer, McKibben, McLaren, Rife, and Shearer on request of Senator Iverson.

BUSINESS PENDING

Senate File 53

The Senate resumed consideration of Senate File 53.

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. 53), the vote was:

Ayes, 42:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	King	Lamberti	Lundby
Maddox	McCoy	McKean	Miller
Redfern	Redwine	Rehberg	Rittmer
Schuerer	Sexton	Soukup	Szymoniak
Tinsman	Veenstra		

Nays, none.

Absent or not voting, 8:

Hammond	Kibbie	Kramer	McKibben
McLaren	Rife	Shearer	Zieman

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

Senator Iverson asked and received unanimous consent that **Senate File 53** be **immediately messaged** to the House.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION**

Convened: February 4, 1999, 9:50 a.m.

Members Present: Redwine, Chair; Bartz, Vice Chair; Flynn and Sexton.

Members Absent: McCoy, Ranking Member (excused).

Committee Business: Review of: IA Dept. of Inspections and Appeals staff turnover and technology request; fiscal impact on Ethic and Campaign Disclosure of campaign software; IDOP; IPERS building request and possible funding for IPERS in FY 1999 and FY 2000; Dept. of Revenue and Finance specific requests; fiscal impact of employee turnover on the Secretary of State's Office; and Dept. of General Services implementation of a Client Server Procurement System.

Adjourned: 10:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: February 4, 1999, 9:45 a.m.

Members Present: Behn, Chair; Hedge, Vice Chair; Black, Ranking Member; Fink and Gaskill.

Members Absent: None.

Committee Business: Presentation by DNR.

Adjourned: 10:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 4, 1999, 9:45 a.m.

Members Present: Schuerer, Chair; Soukup, Ranking Member; Lamberti and Judge.

Members Absent: Boettger, Vice Chair (excused).

Committee Business: Presentations by U of I, ISU, and UNI.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 4, 1999, 9:40 a.m.

Members Present: Rehberg, Chair; Redfern, Vice Chair; and Horn, Ranking Member.

Members Absent: Kibbie and McLaren (both excused).

Committee Business: Presentations by the Board of Regents, Iowa School for the Deaf, and the Iowa Braille and Sight Saving School.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 4, 1999, 8:30 a.m.

Members Present: Rife, Chair; Zieman, Vice Chair; and McKibben.

Members Absent: Bolkom, Ranking Member; and Dearden (both excused).

Committee Business: Tour of Veterans Home in Marshalltown.

Adjourned: 12:30 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 4, 1999, 9:47 a.m.

Members Present: Tinsman, Chair; Veenstra, Vice Chair; Hammond, Ranking Member; Miller and Szymoniak.

Members Absent: None.

Committee Business: Presentation by DHS.

Adjourned: 11:56 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 4, 1999, 9:40 a.m.

Members Present: Maddox, Chair; Angelo, Vice Chair; Dvorsky, Ranking Member; Fraise and McKean.

Members Absent: None.

Committee Business: Presentations by the Legal Service Poverty Grant Program and the Dept. of Corrections.

Adjourned: 11:31 a.m.

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT AND COMMUNICATIONS

Convened: February 4, 1999, 9:35 a.m.

Members Present: King, Chair; Lundby, Vice Chair; Deluhery, Ranking Member; Harper and Rittmer.

Members Absent: None.

Committee Business: IPTV budget presentation, ICN usage report, and a FY 2000 requested technology initiative projects presentation.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

Convened: February 4, 1999, 9:50 a.m.

Members Present: Freeman, Chair; Jensen, Vice Chair; and Connolly, Ranking Member.

Members Absent: Shearer (absent) and Johnson (excused).

Committee Business: Presentations by IPERS, Dept. of Public Safety, and Loess Hills Development and Conservation Authority.

Adjourned: 11:20 a.m.

ETHICS

Convened: February 4, 1999, 1:08 p.m.

Members Present: Hedge, Chair; Drake, Vice Chair; Connolly, Hammond, and McKean.

Members Absent: Szymoniak, Ranking Member (excused).

Committee Business: Discussion of senate ethics and lobbyist rule changes.

Adjourned: 1:45 p.m.

JUDICIARY

Convened: February 4, 1999, 3:03 p.m.

Members Present: McKean, Chair; Lamberti, Vice Chair; Hansen, Ranking Member; Angelo, Dvorsky, Fraise, Hammond, Horn, Maddox, McCoy, Redfern, and Tinsman.

Members Absent: Boettger, McKibben, and Miller (all excused).

Committee Business: Subcommittee assignments. Approved SSBs 1020 and 1065. Passed SFs 52 and 55.

Adjourned: 3:38 p.m.

LOCAL GOVERNMENT

Convened: February 4, 1999, 2:03 p.m.

Members Present: Angelo, Chair; Bartz, Vice Chair; Fraise, Hammond, McCoy, McKean, Rife, Judge, and Ziemann.

Members Absent: McKibben, Bolkcom, Ranking Member; Gaskill, and Miller (all excused).

Committee Business: Subcommittee assignments.

Adjourned: 2:08 p.m.

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM

Convened: February 4, 1999, 1:03 p.m.

Members Present: Lundby, Chair; Behn, Vice Chair; Flynn, Hansen, Sexton, Soukup, Tinsman, Judge, Veenstra, and Ziemann.

Members Absent: Shearer, Ranking Member; Boettger, Dvorsky, and Rittmer (all excused).

Committee Business: Presentation by Iowa Dept. of Economic Development.

Adjourned: 2:04 p.m.

STATE GOVERNMENT

Convened: February 4, 1999, 2:03 p.m.

Members Present: Rittmer, Chair; Lamberti, Vice Chair; Connolly, Dearden, Deluhery, Drake, Fink, King, Lundby, Maddox, McLaren, Schuerer, Sexton, and Szymoniak.

Members Absent: Kibbie, Ranking Member (excused).

Committee Business: Subcommittee assignments. Approved SSBs 1053 and 1055.

Adjourned: 2:25 p.m.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Anya Jepson, Glidden – For being an outstanding community volunteer and for receiving a bronze Distinguished Finalist medallion from The Prudential Insurance Company of America. Senator Behn (02/4/99).

Stephanie Vinton, Glenwood – For being an outstanding community volunteer and for receiving a bronze Distinguished Finalist medallion from The Prudential Insurance Company of America. Senator McLaren (02/4/99).

COMMITTEE CHANGE

Senator Gronstal announced the following change in Senate committee memberships:

Senator Dvorsky will replace Senator Horn on the Human Resources Committee.

INTRODUCTION OF BILLS

Senate File 94, by Szymoniak, Connolly, Tinsman, Harper, and Gaskill, a bill for an act requiring school districts and accredited nonpublic schools to provide an articulated sequential guidance program for grades kindergarten through twelve, and providing for a waiver.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 95, by committee on Transportation, a bill for an act relating to mandatory motor vehicle proof of financial responsibility by requiring such proof when a motor vehicle subject to registration in this state is operated on a parking lot.

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

Senate File 96, by Harper, a bill for an act relating to a sales and use tax exemption for unassisted coin-operated motor vehicle wash, wax, and vacuum services.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 97, by McCoy, a bill for an act relating to the content on the face of commercial driver's licenses.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 98, by committee on State Government, a bill for an act relating to confidentiality of voter registration information.

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

Senate File 99, by committee on State Government, a bill for an act providing for a change in the composition requirement for nurses on the Iowa board of nursing examiners.

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

Senate File 100, by Tinsman and Rittmer; a bill for an act providing an exemption from state individual income tax for pension and retirement income and providing a retroactive applicability date.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

STUDY BILLS RECEIVED

SSB 1077 Education

Providing a one hundred one percent school district budget guarantee, and providing an effective date.

SSB 1078 Human Resources

Relating to child welfare provisions involving foster home damages, voluntary foster care placements of children with mental retardation or other developmental disability, release of child abuse information, and annual group foster care and decategorization plans, and providing a contingent effective date.

SSB 1079 Appropriations

Establishing a regional detention facility program, advisory council, and revolving loan fund; authorizing certain entities to

certify taxes to be levied; providing for a future repeal; and making an appropriation.

SSB 1080 Small Business, Economic Development and Tourism

Establishing the community attraction and tourism development program and fund, making an appropriation, and providing an effective date.

SSB 1081 Small Business, Economic Development and Tourism

Relating to the new investment tax credit under the new jobs and income program.

SUBCOMMITTEE ASSIGNMENTS

Senate File 42

EDUCATION: Redwine, Chair; Boettger and Dvorsky

Senate File 61

STATE GOVERNMENT: Rittmer, Chair; Kibbie and Lundby

Senate File 62

STATE GOVERNMENT: Rittmer, Chair; Kibbie and Lundby

Senate File 63

STATE GOVERNMENT: Rittmer, Chair; Kibbie and Lundby

Senate File 65

STATE GOVERNMENT: Rittmer, Chair; Kibbie and Lundby

Senate File 76

APPROPRIATIONS: Freeman, Chair; Black and Jensen

Senate File 79

STATE GOVERNMENT: Rittmer, Chair; Kibbie and Lundby

Senate File 86

STATE GOVERNMENT: Szymoniak, Chair; Lamberti and Maddox

Senate File 90

STATE GOVERNMENT: Drake, Chair; Kibbie and Schuerer

SSB 1077

EDUCATION: Redfern, Chair; Connolly and Rehberg

SSB 1078

HUMAN RESOURCES: Veenstra, Chair; Szymoniak and Tinsman

SSB 1079

APPROPRIATIONS: Maddox, Chair; Connolly, Flynn, Freeman, and Tinsman

SSB 1080

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM: Veenstra, Chair; Hansen and Zieman

SSB 1081

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM: Zieman, Chair; Behn, Flynn, Rittmer, and Shearer

COMMITTEE REPORTS**JUDICIARY**

Final Bill Action: SENATE FILE 52, a bill for an act establishing the new criminal offense of interference with a peace officer's service horse, and applying a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 9: McKean, Lamberti, Hansen, Angelo, Fraise, Maddox, McCoy, Redfern, and Tinsman. Nays, 1: Hammond. Present, 2: Dvorsky and Horn. Absent or not voting, 3: Boettger, McKibben and Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 55, a bill for an act to legalize the transfer of certain property by the joint county system of Black Hawk and Buchanan counties to the Independence community school district, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 12: McKean, Lamberti, Hansen, Angelo, Dvorsky, Fraise, Hammond, Horn, Maddox, McCoy, Redfern, and Tinsman. Nays, none. Absent or not voting, 3: Boettger, McKibben, and Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 98 (SSB 1053), a bill for an act relating to confidentiality of voter registration information.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Rittmer, Lamberti, Connolly, Dearden, Deluhery, Drake, Fink, Lundby, Maddox, McLaren, Sexton, and Szymoniak. Nays, 2: King and Schuerer. Absent or not voting, 1: Kibbie.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 99 (SSB 1055), a bill for an act providing for a change in the composition requirement for nurses on the Iowa board of nursing examiners.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Rittmer, Lamberti, Connolly, Dearden, Deluhery, Drake, Fink, King, Lundby, Maddox, McLaren, Schuerer, Sexton, and Szymoniak. Nays, none. Absent or not voting, 1: Kibbie.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: *SENATE FILE 95, a bill for an act relating to mandatory motor vehicle proof of financial responsibility by requiring such proof when a motor vehicle subject to registration in this state is operated on a parking lot.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Drake, Sexton, McCoy, Fink, Fraise, Freeman, Jensen, McKean, McKibben, Rittmer, Judge, and Zieman. Nays, none. Absent or not voting, 1: Kibbie.

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 95, and they were attached to the committee report.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 9:37 a.m., until 1:00 p.m., Monday, February 8, 1999.

JOURNAL OF THE SENATE

TWENTY-NINTH CALENDAR DAY
SEVENTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 8, 1999

The Senate met in regular session at 1:14 p.m., President pro tempore Redfern presiding.

Prayer was offered by Larry Prosser, pastor of the Russell Methodist Church, Russell, Iowa.

The Journal of Thursday, February 4, 1999, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Hansen, Dvorsky and Bolkom for the day, and Senator Flynn until he arrives, on request of Senator Gronstal.

Senator Gaskill until he arrives, on request of Senator Sexton.

INTRODUCTION OF BILLS

Senate File 101, by committee on Judiciary, a bill for an act establishing the offense of promoting or possessing contraband in prisons, jails, and juvenile facilities and establishing penalties.

Read first time and placed on calendar.

Senate File 102, by committee on Judiciary, a bill for an act relating to nonsubstantive Code corrections.

Read first time and placed on calendar.

Senate File 103, by Angelo, a bill for an act establishing an on-site sewage disposal system assistance program and revolving fund and making an appropriation.

Read first time and referred to committee on **Appropriations**.

Senate File 104, by Tinsman, Dvorsky, Hammond, and Miller, a bill for an act relating to the penalty applicable to persons who commit animal abuse.

Read first time and referred to committee on **Judiciary**.

Senate File 105, by Tinsman, a bill for an act relating to an exemption from execution for certain retirement plans.

Read first time and referred to committee on **State Government**.

Senate File 106, by Jensen and Kibbie, a bill for an act providing for accessibility requirements for church elevators and providing an effective date.

Read first time and referred to committee on **State Government**.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 3, by Lundby, a concurrent resolution requesting the Congress of the United States to establish a national park in the Loess Hills area of western Iowa.

Read first time and referred to committee on **Natural Resources and Environment**.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 8, 1999, 10:07 a.m.

Members Present: Tinsman, Chair; Veenstra, Vice Chair; Hammond, Ranking Member; and Szymoniak.

Members Absent: Miller (excused).

Committee Business: Presentations by DOC, DHS, and U of I.

Adjourned: 12:24 p.m.

BUSINESS AND LABOR RELATIONS

Convened: February 8, 1999, 1:33 p.m.

Members Present: McKibben, Chair; Freeman, Vice Chair; Dearden, Ranking Member; Behn, Fraise, Hedge, Horn, King, and Schuerer.

Members Absent: Hansen and Rife (both excused).

Committee Business: Approved SSB 1066.

Adjourned: 1:45 p.m.

EDUCATION

Convened: February 8, 1999, 1:30 p.m.

Members Present: Redfern, Chair; Rehberg, Vice Chair; Connolly, Ranking Member; Angelo, Boettger, Fink, Harper, Redwine, Sexton, Szymoniak, Tinsman, and Veenstra.

Members Absent: Dvorsky, Gaskill, and Shearer (all excused).

Committee Business: Subcommittee assignments. Presentation on HF 2272 (1998).

Adjourned: 2:18 p.m.

TRANSPORTATION

Convened: February 8, 1999, 2:35 p.m.

Members Present: Drake, Chair; Sexton, Vice Chair; McCoy, Ranking Member; Fink, Fraise, Freeman, Jensen, Kibbie, McKean, McKibben, Rittmer, Judge, and Zieman.

Members Absent: None.

Committee Business: Subcommittee assignments. Approved SSB 1084. Passed SF 16.

Adjourned: 2:45 p.m.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Barbara Schiefen, Hawarden – For being an outstanding community volunteer and for receiving a bronze Distinguished Finalist medallion from The Prudential Insurance Company of America. Senator Veenstra (2/8/99).

PETITION

The following petition was presented and placed on file by:

Senator Freeman from twenty-three residents of Buena Vista County opposing legislation lowering or eliminating military tax credit.

INTRODUCTION OF BILLS

Senate File 107, by Fink, a bill for an act relating to the issuance by the board of educational examiners of permanent licenses to qualified teachers.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 108, by Boettger, a bill for an act relating to the imposition of a local option sales and services tax in cities located in more than one county and providing an effective date.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 109, by Flynn, a bill for an act providing for the liability of a person with supervisory or other administrative responsibilities over an individual who the person knew or suspected committed abuse of a child.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 110, by Tinsman, a bill for an act exempting social security benefits from the state individual income tax and including a retroactive effective date provision.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 111, by Fraise and McCoy, a bill for an act prohibiting county sheriffs from inscribing deputy sheriffs' patrol vehicles with the deputies' names.

Read first time under Rule 28 and referred to committee on **Local Government**.

Senate File 112, by Hammond, Angelo, and Bolkcom, a bill for an act relating to the selection of township trustees and township clerks.

Read first time under Rule 28 and referred to committee on **Local Government**.

STUDY BILLS RECEIVED

SSB 1082 Natural Resources and Environment

Relating to material standards for steel water well casings and couplings.

SSB 1083 Natural Resources and Environment

Relating to forestry and forest resource support, sale of trees and shrubs in the state nursery stock, and making appropriations.

SSB 1084 Transportation

Allowing certain utility employees to operate all-terrain vehicles and snowmobiles on railroad rights of way.

SSB 1085 Transportation

Establishing a time limit for disallowance or reduction of motor vehicle warranty claims, relating to establishment of motor vehicle franchises, and making a penalty applicable.

SSB 1086 Commerce

Relating to the preservation of records held by financial institutions.

SUBCOMMITTEE ASSIGNMENTS**Senate File 40**

EDUCATION: Angelo, Chair; Fink and Gaskill

Senate File 69

EDUCATION: Connolly, Chair; Boettger and Tinsman

Senate File 71

STATE GOVERNMENT: Rittmer, Chair; Connolly and King

Senate File 78

EDUCATION: Redfern, Chair; Connolly and Gaskill

Senate File 87

EDUCATION: Redfern, Chair; Harper and Sexton

Senate File 91

WAYS AND MEANS: Lamberti, Chair; Hedge and Soukup

Senate File 106

STATE GOVERNMENT: Kibbie, Chair; Rittmer and Schuerer

SSB 1082

NATURAL RESOURCES AND ENVIRONMENT: Bartz, Chair; Dearden and Miller

SSB 1083

NATURAL RESOURCES AND ENVIRONMENT: Rehberg, Chair; Black and Drake

SSB 1084

TRANSPORTATION: Kibbie, Chair; Drake and Jensen

SSB 1085

TRANSPORTATION: McKibben, Chair; Drake and McCoy

SSB 1086

COMMERCE: Jensen, Chair; Bolkcom and King

COMMITTEE REPORTS**JUDICIARY**

Final Bill Action: *SENATE FILE 101 (SSB 1020), a bill for an act establishing the offense of promoting or possessing contraband in prisons, jails, and juvenile facilities and establishing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: McKean, Lamberti, Hansen, Angelo, Dvorsky, Fraise, Hammond, Horn, Maddox, McCoy, Redfern, and Tinsman. Nays, none. Absent or not voting, 3: Boettger, McKibben, and Miller.

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 101, and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 102 (SSB 1065), a bill for an act relating to nonsubstantive Code corrections.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: McKean, Lamberti, Hansen, Angelo, Dvorsky, Fraise, Hammond, Horn, Maddox, McCoy, Redfern, and Tinsman. Nays, none. Absent or not voting, 3: Boettger, McKibben, and Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ADJOURNMENT

On motion of Senator Hedge, the Senate adjourned at 1:19 p.m., until 9:00 a.m., Tuesday, February 9, 1999.

JOURNAL OF THE SENATE

THIRTIETH CALENDAR DAY
EIGHTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 9, 1999

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

Prayer was offered by Father Paul A. Monahan, of Holy Rosary Church, Glenwood, Iowa.

The Journal of Monday, February 8, 1999, was approved.

HOUSE MESSAGES RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 8, 1999, passed the following bill in which the **concurrence** of the **Senate** is asked:

House File 38, a bill for an act eliminating references to an obsolete federal requirement relating to the attachment of an adoption information form to an adoption petition and decree.

Read first time and referred to committee on **Human Resources**.

ALSO: That the House has on February 8, 1999, passed the following bill in which the concurrence of the House was asked:

Senate File 53, a bill for an act relating to the date of the annual sale of parcels with delinquent property taxes and providing an effective and applicability date.

ALSO: That the House has on February 8, 1999, adopted the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 2, a concurrent resolution relating to the compensation of chaplains, officers and employees of the seventy-eighth general assembly.

INTRODUCTION OF BILLS

Senate File 113, by committee on Transportation, a bill for an act relating to windshield wiper operation and lighted headlamps and making a penalty applicable.

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

Senate File 114, by committee on Transportation, a bill for an act allowing certain utility employees to operate all-terrain vehicles and snowmobiles on railroad rights of way.

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

Senate File 115, by committee on Business and Labor Relations, a bill for an act relating to alcohol testing of private sector employees and prospective employees and providing an effective date.

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

RECESS

On motion of Senator Iverson, the Senate recessed at 9:23 a.m., until 1:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: February 8, 1999, 3:28 p.m.

Members Present: Jensen, Chair; Maddox, Vice Chair; Deluhery, Ranking Member; Flynn, Gronstal, Johnson, King, Lamberti, Redfern, Redwine, and Schuerer.

Members Absent: Bolkcom, Hansen, Lundby, and McCoy (all excused).

Committee Business: Presentation by the Utility Board Chairman.

Adjourned: 4:16 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: February 9, 1999, 9:45 a.m.

Members Present: Redwine, Chair; Bartz, Vice Chair; McCoy, Ranking Member; Flynn and Sexton.

Members Absent: None.

Committee Business: Budget presentation by John Norris, Governor's Chief of Staff.

Adjourned: 10:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: February 9, 1999, 9:45 a.m.

Members Present: Hedge, Vice Chair; Black, Ranking Member; Fink and Gaskill.

Members Absent: Behn, Chair (excused).

Committee Business: Presentations by the Dept. of Agriculture and Land Stewardship.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: 9:40 a.m.

Members Present: Rehberg, Chair; Redfern, Vice Chair; Horn, Ranking Member; and Kibbie.

Members Absent: McLaren (excused).

Committee Business: Presentation by UNI.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 9, 1999, 9:45 a.m.

Members Present: Maddox, Chair; Angelo, Vice Chair; Dvorsky, Ranking Member; Fraise and McKean.

Members Absent: None.

Committee Business: Continued presentation by Dept. of Corrections.

Adjourned: 11:53 a.m.

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT AND COMMUNICATIONS

Convened: February 9, 1999, 9:45 a.m.

Members Present: King, Chair; Lundby, Vice Chair; Deluhery, Ranking Member; Harper and Rittmer.

Members Absent: None.

Committee Business: Update from IowAccess and presentation by Iowa Interactive and Digital Signature/Electronic Commerce.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

Convened: February 9, 1999, 9:48 a.m.

Members Present: Freeman, Chair; Connolly, Ranking Member; and Johnson.

Members Absent: Jensen, Vice Chair; and Shearer (both excused).

Committee Business: Presentations by Veterans Affairs Commission, Dept. of General Services, and Dept. of Public Safety.

Adjourned: 11:25 a.m.

AGRICULTURE

Convened: February 9, 1999, 8:02 a.m.

Members Present: Gaskill, Chair; Miller, Vice Chair; Fraise, Ranking Member; Bartz, Black, Hedge, Kibbie, Sexton, Soukup, Judge, Veenstra, and Ziemann.

Members Absent: Angelo, Behn, and Shearer (all excused).

Committee Business: Presentations by Iowa Secretary of Agriculture, Patty Judge, and the U.S. Farm Service Agency.

Adjourned: 8:51 a.m.

BILL ENROLLED, SIGNED, AND SENT TO THE GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 9th day of February, 1999:

Senate File 47.

MICHAEL MARSHALL
Secretary of the Senate

**RESOLUTION ENROLLED, SIGNED, AND SENT TO THE
SECRETARY OF STATE**

The Secretary of the Senate submitted the following report:

MADAM 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 submitted to the office of the Secretary of State on this 9th day of February, 1999:

Senate Joint Resolution 1.

MICHAEL MARSHALL
Secretary of the Senate

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 3**

NATURAL RESOURCES AND ENVIRONMENT: Bartz, Chair; Fink and King

Senate File 85

JUDICIARY: Lamberti, Chair; Boettger and Fraise

Senate File 88

JUDICIARY: McKibben, Chair; McCoy and Redfern

Senate File 89

STATE GOVERNMENT: Rittmer, Chair; Kibbie and Lundby

Senate File 93

STATE GOVERNMENT: King, Chair; Fink and Schuerer

Senate File 103

APPROPRIATIONS: McLaren, Chair; Bolckcom and Jensen

Senate File 105

STATE GOVERNMENT: Lamberti, Chair; Deluhery and Schuerer

SSB 1087

JUDICIARY: Miller, Chair; Hansen and McKean

SSB 1088

STATE GOVERNMENT: Rittmer, Chair; Fink and Lundby

SSB 1089

STATE GOVERNMENT: Fink, Chair; Dearden and McLaren

SSB 1090

NATURAL RESOURCES AND ENVIRONMENT: Bartz, Chair; Bolckcom, Drake, Fink, Johnson, Kibbie, and King

COMMITTEE REPORTS**BUSINESS AND LABOR RELATIONS**

Final Bill Action: SENATE FILE 115 (SSB 1066), a bill for an act relating to alcohol testing of private sector employees and prospective employees and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: McKibben, Freeman, Behn, Hedge, King, and Schuerer. Nays, 3: Dearden, Fraise, and Horn. Absent or not voting, 2: Hansen and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 113 (Formerly SF 16), a bill for an act relating to windshield wiper operation and lighted headlamps and making a penalty applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Drake, Sexton, McCoy, Fraise, Freeman, Jensen, Kibbie, McKean, McKibben, Rittmer, Judge, and Zieman. Nays, 1: Fink.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 114 (SSB 1084), a bill for an act allowing certain utility employees to operate all-terrain vehicles and snowmobiles on railroad rights of way.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Drake, Sexton, McCoy, Fink, Fraise, Freeman, Jensen, Kibbie, McKean, McKibben, Rittmer, Judge, and Zieman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 1:06 p.m., Senator Hedge presiding.

HOUSE MESSAGE RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 9, 1999, passed the following bill in which the concurrence of the Senate is asked:

House File 172, a bill for an act relating to adoption procedural requirements including those related to investigations, reports, and counseling.

Read first time and referred to committee on **Judiciary**.

INTRODUCTION OF BILLS

Senate File 116, by Flynn, a bill for an act exempting sales of tangible personal property and services to nonprofit organizations from the state sales and use taxes.

Read first time and referred to committee on **Ways and Means**.

Senate File 117, by Johnson, a bill for an act relating to the elimination of investment counseling as a taxable service under the state sales and use taxes.

Read first time and referred to committee on **Ways and Means**.

Senate File 118, by Flynn, a bill for an act exempting the sales of nonprescription drugs and vitamins from state sales and use taxes.

Read first time and referred to committee on **Ways and Means**.

Senate File 119, by Flynn, a bill for an act relating to the exemption of the sales of ski lift passes from the state sales and use taxes and including an effective date.

Read first time and referred to committee on **Ways and Means**.

INTRODUCTION OF RESOLUTION

Senate Resolution 2, by Dvorsky, Bolkom, Iverson, Kramer, Johnson, Ziemann, Schuerer, Gaskill, Tinsman, Freeman, Rittmer, Redfern, Lamberti, Redwine, Boettger, Hedge, Maddox, Sexton, Rehberg, Veenstra, Drake, McKean, Angelo, Miller, Gronstal, Fraise, McCoy, Flynn, Judge, Connolly, Harper, Soukup, Deluhery, Horn, Dearden, Kibbie, and Black, a resolution honoring University of Iowa Football Coach Hayden Fry.

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

RECESS

On motion of Senator Iverson, the Senate recessed at 1:17 p.m., until 2:00 p.m.

RECONVENED

The Senate reconvened at 2:20 p.m., President Kramer presiding.

COMMITTEE REPORT

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 2, a resolution honoring University of Iowa Football Coach Hayden Fry.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Iverson, Kramer, Gronstal, Dvorsky, Fink, Harper, Jensen, Redfern, Rehberg, and Rittmer. Nays, None. Absent or not voting, 1: Lundby.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ADOPTION OF RESOLUTION (Regular Calendar)

Senator Iverson called up for consideration Senate Resolution 2.

- 1 SENATE RESOLUTION NO. 2
- 2 BY DVORSKY, BOLKCOM, IVERSON, KRAMER, JOHNSON,
- 3 ZIEMAN, SCHUERER, GASKILL, TINSMAN, FREEMAN,
- 4 RITTMER, REDFERN, LAMBERTI, REDWINE, BOETTGER,

5 HEDGE, MADDOX, SEXTON, REHBERG, VEENSTRA, DRAKE,
6 McKEAN, ANGELO, MILLER, GRONSTAL, FRAISE, McCOY,
7 FLYNN, JUDGE, CONNOLLY, HARPER, SOUKUP, DELUHERY,
8 HORN, DEARDEN, KIBBIE, and BLACK

9 A Resolution honoring University of Iowa Football

10 Coach Hayden Fry.

11 WHEREAS, University of Iowa Football Coach Hayden

12 Fry has retired from coaching after 20 seasons as Head

13 Coach at the University of Iowa and as the Hawkeyes'

14 winningest football coach with an overall record of

15 143-89-6; and

16 WHEREAS, Coach Fry's hard work and "scratch where

17 it itches" philosophy rejuvenated a football program

18 considered by many to be a coaching graveyard; and

19 WHEREAS, Coach Fry led the Hawkeyes in 1981, just

20 three years after arriving at Iowa, to their first

21 winning record since 1961, and their first Big Ten

22 Title and Rose Bowl appearance since 1959; and

23 WHEREAS, the Hawkeye football team has consistently

24 ranked among the nation's best teams during Coach

25 Fry's tenure, and includes three Big Ten

26 championships, 14 first division finishes, and nine

27 finishes in the nation's top 25 rankings, including

28 two finishes in the nation's top 10 rankings; and

29 WHEREAS, Coach Fry led the Hawkeyes to 14 bowl

30 appearances, including three in the Rose Bowl, three

Page 2 .

1 in the Holiday Bowl, two each in the Peach, Alamo, and

2 Sun Bowls, and one each in the Gator and Freedom

3 Bowls; and

4 WHEREAS, Coach Fry has been named Big Ten Coach of

5 The Year three times and Coach of the Year, both

6 regionally and nationally, by both the media and the

7 American College Football Coaches Association; and

8 WHEREAS, Coach Fry ranks tenth among Division I

9 head coaches in career victories with 232; and

10 WHEREAS, all Iowa football fans have been treated

11 to exciting and entertaining football during Coach

12 Fry's 20 seasons and have been justly proud of the

13 success which has resulted from Coach Fry's

14 leadership; and

15 WHEREAS, Coach Fry is active in helping numerous

16 charitable and civic organizations and was supportive

17 of Iowa's farmers during the farm crisis in the 1980s,

18 having Hawkeye players wear ANF (America Needs

19 Farmers) decals on their helmets for eight seasons;

20 and

21 WHEREAS, Coach Fry will "always be a Hawk"; NOW

22 THEREFORE,

23 BE IT RESOLVED BY THE SENATE, That Coach Hayden Fry

24 be congratulated for the success and recognition he
25 helped to bring to the University of Iowa and the
26 Hawkeye football program both on and off the field,
27 for his outstanding leadership, inspiration, and
28 coaching ability exhibited throughout his career at
29 the University of Iowa; and
30 BE IT FURTHER RESOLVED, That, upon adoption, an

Page 3

- 1 official copy of this Resolution be prepared for
- 2 presentation to Coach Hayden Fry.

Senator Dvorsky moved the adoption of Senate Resolution 2,
which motion prevailed by a voice vote.

Senator Dvorsky presented Hayden Fry, former football coach of
the University of Iowa Hawkeyes.

Coach Fry addressed the Senate with brief remarks and the
Senate rose in honor of Coach Fry.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 9, 1999, 9:37 a.m.

Members Present: Schuerer, Chair; Boettger, Vice Chair; Soukup, Ranking Member; Lamberti and Judge.

Members Absent: None.

Committee Business: Presentations by Public Employment Relations Board, Linked Investment for Tomorrow Program, Business Development Finance Corporation, and Iowa Seed Capital Liquidation Corporation.

Adjourned: 11:17 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 9, 1999, 9:44 a.m.

Members Present: Rife, Chair; Zieman, Vice Chair; Bolckcom, Ranking Member; and Dearden.

Members Absent: McKibben.

Committee Business: Budget presentation from Governor's Alliance on Substance Abuse. Follow-up budget presentation from Dept. of Public Health.

Adjourned: 11:20 a.m.

JUDICIARY

Convened: February 9, 1999, 4:10 p.m.

Members Present: McKean, Chair; Lamberti, Vice Chair; Hansen, Ranking Member; Angelo, Boettger, Fraise, Hammond, Horn, Maddox, McCoy, Miller, Redfern, and Tinsman.

Members Absent: Dvorsky and McKibben (both excused).

Committee Business: Subcommittee assignments.

Adjourned: 4:13 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: February 9, 1999, 2:37 p.m.

Members Present: Bartz, Chair; King, Vice Chair; Fink, Ranking Member; Bolkcom, Dearden, Deluhery, Drake, Freeman, Johnson, Kibbie, Miller, Rehberg, and Rife.

Members Absent: Black and Gaskill (both excused).

Committee Business: Subcommittee assignments.

Adjourned: 2:40 p.m.

STATE GOVERNMENT

Convened: February 9, 1999, 3:15 p.m.

Members Present: Rittmer, Chair; Lamberti, Vice Chair; Kibbie, Ranking Member; Connolly, Dearden, Deluhery, Drake, Fink, King, Lundby, Maddox, Schuerer, Sexton, and Szymoniak.

Members Absent: McLaren (excused).

Committee Business: Passed SF 10. Presentation by Dept. of Health Scope of Practice Review Committee.

Adjourned: 4:05 p.m.

INTRODUCTION OF BILLS

Senate File 120, by Sexton, a bill for an act relating to televising proceedings of the Iowa general assembly and providing funding.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 121, by Lundby, a bill for an act providing a property tax exemption for storm shelters at mobile home parks and providing a retroactive applicability date.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 122, by Lundby and Kibbie, a bill for an act providing for limitations on contributions by political committees to certain political campaigns, and applying a penalty.

Read first time under Rule 28 and referred to committee on **State Government**.

STUDY BILLS RECEIVED**SSB 1087 Judiciary**

Relating to estate issues by modifying the warranty by a trustee, exemptions from execution and beneficiary designations and transfer-upon-death provisions related to pension and retirement accounts, jurisdiction of the probate court, fees payable on certain trusts, claims against estates for medical assistance payments, notice provisions relating to claims against estates, and disclaimers made by beneficiaries.

SSB 1088 State Government

Providing registration requirement for dental assistants and providing an effective date.

SSB 1089 State Government

A Joint Resolution authorizing the temporary use and consumption of alcoholic beverages in the State Capitol in conjunction with the 1999 annual conference of the National Association of Unclaimed Property Administrators.

SSB 1090 Natural Resources and Environment

Providing for a healthy environmental and value-added energy initiative, providing for tax revenues, the allocation of moneys, and making penalties applicable.

SSB 1091 Judiciary

Relating to the penalty for simple misdemeanors.

SSB 1092 Judiciary

Relating to the duties of a guardian ad litem appointed to represent a child in juvenile court proceedings.

SSB 1093 Judiciary

Concerning judicial administration.

SSB 1094 Human Resources

Changing a Code reference to the Iowa association of community providers and providing an effective date.

SSB 1095 Commerce

Relating to the computation of interest pursuant to a written agreement between certain parties.

SSB 1096 Judiciary

Relating to distribution or possession of precursors to a controlled substance, cleanup of hazardous waste associated with the manufacturing of a controlled substance, establishing a civil penalty, and appropriating moneys.

SSB 1097 Small Business Economic Development and Tourism

Providing for investments by banks and certain insurance companies in Iowa agricultural industry finance corporations.

SSB 1098 Small Business Economic Development and Tourism

Concerning the workforce development department, by providing for the establishment of a workforce development corporation, expenses for members of the regional advisory board to the workforce development board, authority to charge fees for certain services of the department, and Iowa conservation corps employee rights.

SSB 1099 Ways and Means

Relating to a sales tax exemption for the inputs purchased for use in a car wash and wax facility.

SUBCOMMITTEE ASSIGNMENTS

Senate File 96

WAYS AND MEANS: McKibben, Chair; Drake and Harper

Senate File 100

WAYS AND MEANS: Drake, Chair; Bolkcom and Redwine

Senate File 104

JUDICIARY: Miller, Chair; Dvorsky and Tinsman

Senate File 108

WAYS AND MEANS: Maddox, Chair; Flynn and Redwine

Senate File 109

HUMAN RESOURCES: Szymoniak, Chair; Behn and Veenstra

Senate File 117

WAYS AND MEANS: Johnson, Chair; Deluhery and Redwine

Senate File 118

WAYS AND MEANS: Johnson, Chair; Flynn and Maddox

House File 165

JUDICIARY: Lamberti, Chair; Boettger and Horn

House File 172

JUDICIARY: Boettger, Chair; Lamberti and McCoy

SSB 1091

JUDICIARY: Lamberti, Chair; Hansen and McKean

SSB 1092

JUDICIARY: Maddox, Chair; Horn and Tinsman

SSB 1093

JUDICIARY: Miller, Chair; Hansen and McKibben

SSB 1094

HUMAN RESOURCES: Boettger, Chair; Dvorsky and Hammond

SSB 1095

COMMERCE: Redwine, Chair; Flynn and Lamberti

SSB 1096

JUDICIARY: Lamberti, Chair; Boettger and Horn

SSB 1097

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM: Zieman, Chair; Behn, Shearer, Flynn, and Rittmer

SSB 1098

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM: Flynn, Chair; Sexton and Rittmer

SSB 1099

WAYS AND MEANS: McKibben, Chair; Hedge and Harper

COMMITTEE REPORT**STATE GOVERNMENT**

Final Bill Action: SENATE FILE 106, a bill for an act providing for accessibility requirements for church elevators and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Rittmer, Lamberti, Kibbie, Connolly, Dearden, Drake, Fink, King, Maddox, Schuerer, Sexton, and Szymoniak. Nays, 1: Deluhery. Absent or not voting, 2: Lundby and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 2:31 p.m., until 9:00 a.m., Wednesday, February 10, 1999.

JOURNAL OF THE SENATE

THIRTY-FIRST CALENDAR DAY
NINETEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 10, 1999

The Senate met in regular session at 9:12 a.m., President Kramer presiding.

Prayer was offered by Father Jerry Kopacek, of St. Mary's Catholic Church, Marshalltown, Iowa.

The Journal of Tuesday, February 9, 1999, was approved.

SPECIAL GUEST

Senator Jensen presented the Honorable Richard Vande Hoef, former member of the Senate, and his wife Harriet.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Fraise for the remainder of the week, on request of Senator Hansen.

Senator Lundby for the day, on request of Senator King.

INTRODUCTION OF BILLS

Senate File 123, by Flynn, a bill for an act relating to advertising devices in certain historic cities.

Read first time and referred to committee on **Local Government**.

Senate File 124, by Black and Hansen, a bill for an act relating to the regulatory authority of the natural resource commission on the

Sac and Fox tribe of the Mississippi in Iowa settlement in Tama county.

Read first time and referred to committee on **Natural Resources and Environment**.

Senate File 125, by Redwine, King, Hansen, Gaskill, McLaren, Horn, Veenstra, Behn, McCoy, Gronstal, Bartz, Lamberti, Schuerer, Sexton, Miller, Kramer, Kibbie, and Flynn, a bill for an act relating to the speed limit on interstate and fully controlled-access, divided, multilaned highways.

Read first time and referred to committee on **Transportation**.

RECESS

On motion of Senator Iverson, the Senate recessed at 9:32 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 9, 1999, 9:42 a.m.

Members Present: Tinsman, Chair; Veenstra, Vice Chair; Hammond, Ranking Member; Miller and Szymoniak.

Members Absent: None.

Committee Business: Budget presentation on MHI/SHS. Glenwood/Woodward Parent Assn. presentation. Sexual predator program.

Adjourned: 12:04 p.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: February 10, 1999, 10:10 a.m.

Members Present: Hedge, Vice Chair; Black, Ranking Member; Fink and Gaskill.

Members Absent: Behn, Chair (excused).

Committee Business: Budget presentation by LFB.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 10, 1999, 9:42 a.m.

Members Present: Schuerer, Chair; Boettger, Vice Chair; Soukup, Ranking Member; Lamberti and Judge.

Members Absent: None.

Committee Business: Presentation by Dept. of Workforce Development.

Adjourned: 10:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 10, 1999, 9:45 a.m.

Members Present: Rehberg, Chair; Redfern, Vice Chair; Horn, Ranking Member; and Kibbie.

Members Absent: McLaren (excused).

Committee Business: Presentations by College Student Aid Commission, a representative of private colleges, and the National Guard.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 10, 1999, 9:54 a.m.

Members Present: Tinsman, Chair; Veenstra, Vice Chair; Hammond, Ranking Member; Miller and Szymoniak.

Members Absent: None.

Committee Business: Presentation by Chief Juvenile Court Officer — 7th District. Group care discussion, Eldora and Toledo program needs.

Adjourned: 12:04 p.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 10, 1999, 9:50 a.m.

Members Present: Maddox, Chair; Angelo, Vice Chair; Dvorsky, Ranking Member; and McKean.

Members Absent: Fraise (excused).

Committee Business: Presentation by the Dept. of Corrections.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT AND COMMUNICATIONS

Convened: February 10, 1999, 9:50 a.m.

Members Present: King, Chair; Deluhery, Ranking Member; Harper and Rittmer.

Members Absent: Lundby, Vice Chair (excused).

Committee Business: Presentation by Tom Davies, Federal Resources.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

Convened: February 10, 1999, 9:55 a.m.

Members Present: Freeman, Chair; Jensen, Vice Chair; Connolly, Ranking Member; Johnson and Shearer.

Members Absent: None.

Committee Business: Presentations by Skills 2000 Advisory Committee and Department of Agriculture.

Adjourned: 11:30 a.m.

AGRICULTURE

Convened: February 10, 1999, 8:02 a.m.

Members Present: Gaskill, Chair; Miller, Vice Chair; Angelo, Bartz, Hedge, Kibbie, Shearer, Soukup, Judge, Veenstra, and Zieman.

Members Absent: Fraise, Ranking Member; Behn, Black, and Sexton (all excused).

Committee Business: Presentations by Iowa Corn Growers Assn. Pres.-elect Ron Litter; Minnesota Commissioner of Agriculture, Gene Hugoson.

Adjourned: 8:58 a.m.

COMMITTEE REPORTS

ETHICS

Final Bill Action: SENATE RESOLUTION 3, a resolution relating to the senate rules governing lobbyists.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 5: Hedge, Drake, Connolly, Hammond, and McKean. Nays, none. Absent or not voting, 1: Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE RESOLUTION 4, a resolution relating to the Senate Code of Ethics.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 5: Hedge, Drake, Connolly, Hammond, and McKean. Nays, none. 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 Ethics Committee on Senate Resolution 4, and they were attached to the committee report.

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 5, a resolution relating to gubernatorial appointments

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Iverson, Kramer, Gronstal, Dvorsky, Fink, Harper, Jensen, and Redfern. Nays, none. Absent or not voting, 3: Lundby, Rehberg, and Rittmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 4:31 p.m., President pro tempore Redfern presiding.

QUORUM CALL

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

The vote revealed 45 present, 5 absent and a quorum present.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 41, 67, 52 and 55.

Senate File 41

On motion of Senator Bolkcom, **Senate File 41**, a bill for an act relating to the duties and meetings of the county agricultural extension councils, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 41), the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Maddox	McCoy	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Shearer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, none.

Absent or not voting, 2:

Fraise

Lundby

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

Senate File 67

On motion of Senator Gaskill, **Senate File 67**, a bill for an act relating to the assessment of civil damages for the illegal taking of a swan or a crane, was taken up for consideration.

President Kramer took the chair at 5:01 p.m.

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

On the question "Shall the bill pass?" (S.F. 67), the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Maddox	McCoy	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Shearer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, none.

Absent or not voting, 2:

Fraise

Lundby

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

Senate File 52

On motion of Senator Redfern, **Senate File 52**, a bill for an act establishing the new criminal offense of interference with a peace officer's service horse, and applying a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Hansen offered amendment S-3008 filed by him from the floor to page 1 of the bill.

Senator Redfern asked and received unanimous consent that action on amendment S-3008 and **Senate File 52** be deferred.

Senate File 55

On motion of Senator Redfern, **Senate File 55**, a bill for an act to legalize the transfer of certain property by the joint county system of Black Hawk and Buchanan counties to the Independence community school district, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 55), the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Delühery	Drake	Dvorsky	Fink
Flynn	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Maddox	McCoy	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Shearer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, none.

Absent or not voting, 2:

Fraise

Lundby

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

PROOF OF PUBLICATION

(Senate File 55)

Published copy of Senate File 55 and verified proof of publication of said bill in the Independence Bulletin Journal, a bi-weekly newspaper printed and published in Buchanan County, Iowa, on December 9, 1998, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

CONSIDERATION OF BILLS

(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 70 and 115.

Senate File 70

On motion of Senator Schuerer, **Senate File 70**, a bill for an act concerning unemployment insurance by providing for the distribution of certain moneys in the unemployment trust fund and the transfer of experience for unemployment insurance tax purposes, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 70), the vote was:

Ayes, 47:

Angelo

Boettger

Deluhery

Flynn

Hammond

Horn

Bartz

Bolkcom

Drake

Freeman

Hansen

Iverson

Behn

Connolly

Dvorsky

Gaskill

Harper

Jensen

Black

Dearden

Fink

Gronstal

Hedge

Johnson

Judge	Kibbie	King	Kramer
Lamberti	Maddox	McCoy	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rittmer	Schuerer
Sexton	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, 1:

Rife

Absent or not voting, 2:

Fraise

Lundby

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

Senate File 115

On motion of Senator King, **Senate File 115**, a bill for an act relating to alcohol testing of private sector employees and prospective employees and providing an effective date, was taken up for consideration.

The Senate stood at ease at 5:21 p.m. until the fall of the gavel, for the purpose of party caucuses.

The Senate resumed session at 5:52 p.m., President Kramer presiding.

Senator Gronstal offered amendment S-3014 filed by him from the floor to pages 1 and 3 of the bill.

Senator King raised the point of order that amendment S-3014 was not germane to the bill.

The chair ruled the point well taken and amendment S-3014 out of order.

Senator Flynn offered amendment S-3009 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-3009 be adopted?" (S.F. 115), the vote was:

Ayes, 20:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Gronstal	Hammond	Hansen	Harper
Horn	Judge	Kibbie	McCoy
Rife	Shearer	Soukup	Szymoniak

Nays, 28:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Jensen	Johnson	King
Kramer	Lamberti	Maddox	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rittmer	Schuerer
Sexton	Tinsman	Veenstra	Zieman

Absent or not voting, 2:

Fraise Lundby

Amendment S-3009 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McLaren for the remainder of the day, on request of Senator Iverson.

BUSINESS PENDING

Senate File 115

The Senate resumed consideration of Senate File 115.

Senator McCoy offered amendment S-3010 filed by Senators McCoy and Flynn from the floor to pages 2-3 of the bill.

Senator Flynn asked unanimous consent that action on amendment S-3010 and Senate File 115 be deferred

Senator Flynn withdrew his motion.

Senator McCoy moved adoption of amendment S-3010.

A non-record roll call was requested.

The ayes were 20, nays 27.

Amendment S-3010 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Szymoniak for the remainder of the day, on request of Senator Hansen.

BUSINESS PENDING

Senate File 115

The Senate resumed consideration of Senate File 115.

Senator Dearden offered amendment S-3011 filed by Senators Dearden and Fraise from the floor to page 3 of the bill, moved its adoption, and requested a record roll call.

On the question "Shall amendment S-3011 be adopted?" (S.F. 115), the vote was:

Ayes, 19:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Gronstal	Hammond	Hansen	Harper
Horn	Judge	Kibbie	McCoy
Rife	Shearer	Soukup	

Nays, 27:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Jensen	Johnson	King
Kramer	Lamberti	Maddox	McKean
McKibben	Miller	Redfern	Redwine
Rehberg	Rittmer	Schuerer	Sexton
Tinsman	Veenstra	Zieman	

Absent or not voting, 4:

Fraise

Lundby

McLaren

Szymoniak

Amendment S-3011 lost.

Senator King moved that the bill be read the last time now and placed upon its passage, 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, 31:

Angelo
Boettger
Gaskill
Jensen
Kramer
McKibben
Rehberg
Tinsman

Bartz
Drake
Hansen
Johnson
Lamberti
Miller
Rittmer
Veenstra

Behn
Flynn
Hedge
Kibbie
Maddox
Redfern
Schuerer
Zieman

Black
Freeman
Iverson
King
McKean
Redwine
Sexton

Nays, 15:

Bolkcom
Dvorsky
Harper
Rife

Connolly
Fink
Horn
Shearer

Dearden
Gronstal
Judge
Soukup

Deluhery
Hammond
McCoy

Absent or not voting, 4:

Fraise

Lundby

McLaren

Szymoniak

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

CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 92 and 95.

Senate File 92

On motion of Senator Behn, **Senate File 92**, a bill for an act relating to the notice provisions for transfer of assets which create a medical assistance debt, was taken up for consideration.

Senator Behn moved that the bill be read the last time now and placed upon its passage, 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:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Maddox	McCoy	McKean
McKibben	Miller	Redfern	Redwine
Rehberg	Rife	Rittmer	Schuerer
Sexton	Shearer	Soukup	Tinsman
Veenstra	Zieman		

Nays, none.

Absent or not voting, 4:

Fraise	Lundby	McLaren	Szymoniak
--------	--------	---------	-----------

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

Senate File 95

On motion of Senator Sexton, **Senate File 95**, a bill for an act relating to mandatory motor vehicle proof of financial responsibility by requiring such proof when a motor vehicle subject to registration in this state is operated on a parking lot, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 95), the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Maddox	McCoy	McKean
McKibben	Miller	Redfern	Redwine
Rehberg	Rittmer	Schuerer	Sexton
Shearer	Soukup	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 5:

Fraise	Lundby	McLaren	Rife
Szymoniak			

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

WITHDRAWN

Senator Sexton asked and received unanimous consent that **Senate File 17** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 102, 106 and 28.

Senate File 102

On motion of Senator Hansen, **Senate File 102**, a bill for an act relating to nonsubstantive Code corrections, was taken up for consideration.

Senator Hansen moved that the bill be read the last time now and placed upon its passage, 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, 45:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Maddox	McCoy	McKean
McKibben	Miller	Redfern	Redwine
Rehberg	Rittmer	Schuerer	Sexton
Shearer	Soukup	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 5:

Fraise	Lundby	McLaren	Rife
Szymoniak			

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

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 106.

Senate File 106

On motion of Senator Kibbie, **Senate File 106**, a bill for an act providing for accessibility requirements for church elevators and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Schuerer asked and received unanimous consent to withdraw amendment S-3012 filed by Senators Schuerer, Shearer, and Drake from the floor, to page 1 and to the title page of the bill.

Senator Schuerer offered amendment S-3016 filed by Senator Schuerer, et al. from the floor to page 1 and to the title page of the bill.

Senator Dvorsky raised the point of order that amendment S-3016 was not germane to the bill.

Senator Dvorsky withdrew his point of order.

Senator Schuerer moved adoption of amendment S-3016, which motion prevailed by a voice vote.

Senator Jensen asked and received unanimous consent to withdraw amendment S-3015 filed by Senators Jensen and Kibbie from the floor to page 1 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. 106), the vote was:

Ayes, 44:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Fink	Flynn
Freeman	Gaskill	Gronstal	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Johnson	Judge
Kibbie	King	Kramer	Lamberti
Maddox	McCoy	McKean	McKibben
Miller	Redfern	Redwine	Rehberg
Rittmer	Schuerer	Sexton	Shearer
Soukup	Tinsman	Veenstra	Zieman

Nays, 1:

Dvorsky

Absent or not voting, 5:

Fraise
Szymoniak

Lundby

McLaren

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 28

On motion of Senator Miller, **Senate File 28**, a bill for an act eliminating a report of land acquisitions and exchanges by a county conservation board, 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. 28), the vote was:

Ayes, 45:

Angelo
Boettger
Deluhery
Flynn
Hammond
Horn
Judge
Lamberti
McKibben
Rehberg
Shearer
Zieman

Bartz
Bolkcom
Drake
Freeman
Hansen
Iverson
Kibbie
Maddox
Miller
Rittmer
Soukup

Behn
Connolly
Dvorsky
Gaskill
Harper
Jensen
King
McCoy
Redfern
Schuerer
Tinsman

Black
Dearden
Fink
Gronstal
Hedge
Johnson
Kramer
McKean
Redwine
Sexton
Veenstra

Nays, none.

Absent or not voting, 5:

Fraise
Szymoniak

Lundby

McLaren

Rife

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 28, 41, 55, 67, 70, 92, 95, 102, 106 and 115** be immediately messaged to the House.

HOUSE MESSAGE RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 10, 1999, passed the following bill in which the **concurrence** of the **Senate** is asked:

House File 164, a bill for an act concerning the open meetings statute by permitting the awarding of appellate attorney fees for a successful action involving the statute.

Read first time and referred to committee on **Judiciary**.

INTRODUCTION OF BILLS

Senate File 126, by Bolkcom, a bill for an act relating to the exemption from the sales, services, and use taxes of the gross receipts from the sale, furnishing, or service of gas, electricity, and heat, and of fuel used for heating of residential-type dwellings and including an applicability date provision.

Read first time and referred to committee on **Ways and Means**.

Senate File 127, by Bolkcom and Kibbie, a bill for an act providing for special late voter registration to enable an eligible elector to vote at the polling place on election day and providing a durational residency requirement for voting.

Read first time and referred to committee on **State Government**.

Senate File 128, by Connolly, a bill for an act relating to the creation of an advanced placement incentive grant program and an advanced placement merit scholarship program, cost reimbursement for teachers attending conferences and institutes relating to

advanced placement, making appropriations, and providing for emergency rulemaking and an immediate effective date.

Read first time and referred to committee on **Education**.

Senate File 129, by McKean, a bill for an act adopting the Uniform Child Custody Jurisdiction and Enforcement Act.

Read first time and referred to committee on **Judiciary**.

Senate File 130, by Hammond, Soukup, Dvorsky, Deluhery, Harper, Bolkcom, Kibbie, Gronstal, Fink, Hansen, Shearer, and Judge, a bill for an act prohibiting an insurer from discriminating against a person or releasing information based on or relating to genetic information or testing.

Read first time and referred to committee on **Commerce**.

Senate File 131, by Kibbie, Sexton, Soukup, Fraise, Freeman, Hedge, and Miller, a bill for an act relating to practices involving the marketing of livestock by packers, by prohibiting price discrimination, requiring reporting, and providing criminal penalties and civil remedies.

Read first time and referred to committee on **Agriculture**.

Senate File 132, by Rehberg, Behn, Schuerer, King, and Veenstra, a bill for an act increasing the tuition tax credit under the individual income tax and including a retroactive effective date provision.

Read first time and referred to committee on **Ways and Means**.

Senate File 133, by Redwine, Schuerer, Gaskill, Lamberti, Sexton, Miller, King, McKibben, Rehberg, and Behn, a bill for an act reducing the state individual income tax by ten percent and including a retroactive applicability date provision.

Read first time and referred to committee on **Ways and Means**.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 3, by committee on Ethics, a resolution relating to the senate rules governing lobbyists.

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

Senate Resolution 4, by committee on Ethics, a resolution relating to the Senate Code of Ethics.

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

Senate Resolution 5, by committee on Rules and Administration, a resolution relating to gubernatorial appointments and other appointments requiring Senate confirmation.

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

APPENDIX

APPOINTMENTS FROM THE GOVERNOR

The following appointees were submitted by the Governor to the Secretary of the Senate for Senate confirmation (all appointees are submitted as **members** unless otherwise specified):

TERM

ATHLETIC TRAINING, BOARD OF EXAMINERS FOR (Sec. 147.14)	
Dr. Timothy A. Gibbons, Mason City	12/09/1998 – 04/30/2000
CIVIL RIGHTS COMMISSION, DIRECTOR OF THE IOWA STATE (Sec. 216.3)	
Diann Wilder-Tomlinson, Ankeny	01/22/1999 – Pleasure of Governor
CULTURAL AFFAIRS, DIRECTOR OF THE DEPARTMENT OF (Sec. 303.1)	
Daniel Rhodes Hunter, Des Moines	01/19/1999 – Pleasure of Governor
DENTAL EXAMINERS, BOARD OF (Sec. 147.14)	
Dr. Richard M. Reay, Johnston	07/01/1998 – 04/30/1999
DIETETIC EXAMINERS, BOARD OF (Sec. 147.14)	
George M. Price, West Des Moines	12/17/1998 – 04/30/2000
ECONOMIC DEVELOPMENT BOARD, IOWA (Sec. 15.103)	
Robert C. Bocken, Fort Dodge	07/01/1998 – 04/30/1999
EDUCATIONAL EXAMINERS, BOARD OF (Sec. 272.3)	
Marie L. Grabenbauer, Des Moines	12/17/1998 – 04/30/1999
ELDER AFFAIRS, DIRECTOR OF THE DEPARTMENT OF (Sec. 231.22)	
Judith Anne Conlin, Ames	02/15/1999 – Pleasure of Governor
EMERGENCY RESPONSE COMMISSION, IOWA (Sec. 30.2)	
John R. Krogh, Ankeny	09/14/1998 – 04/30/2000
EMPOWERMENT BOARD, IOWA (Sec. 71.2)	
Dr. Robert D. Koob, Cedar Falls	11/09/1998 – 04/30/2000
Jennifer L. Lightbody, Sioux City	11/09/1998 – 04/30/2001
Cheryle W. Mitvalsky, Cedar Rapids	11/09/1998 – 04/30/2002
Matthew J. Mohrfeld, Fort Madison	11/09/1998 – 04/30/2001
Carolyn D. Olson-Illg, Fort Dodge	11/09/1998 – 04/30/2001
W. Fletcher Reel, Missouri Valley	11/09/1998 – 04/30/2002
Clark A. Smith, Des Moines	11/09/1998 – 04/30/2000
Nancy S. Van Milligen, Dubuque	11/09/1998 – 04/30/2002
GRAIN INDEMNITY FUND BOARD, IOWA (Sec. 203D.4)	
Edwin J. Hershberger, Kalona	09/23/1998 – 04/30/2001

HEALTH FACILITIES COUNCIL (Sec. 135.62)

Joseph B. Ryan, West Des Moines

12/17/1998 - 04/30/2003

HEALTHY AND WELL KIDS IN IOWA (HAWK-I) BOARD (Sec. 514I.4)

Sister Helen M. Huewe, Dubuque

06/01/1998 - 04/30/2000

Eldon E. Huston, Des Moines

06/01/1998 - 04/30/2000

David W. Krutzfeldt, Oskaloosa

06/01/1998 - 04/30/2000

Nancy B. Mounts, Sioux City

06/01/1998 - 04/30/2000

HEARING AID DEALERS, BOARD OF EXAMINERS FOR THE LICENSING
AND REGULATION OF (Sec. 154A.2)

Michael J. Wolnerman, West Des Moines

07/31/1998 - 04/30/2001

HUMAN RIGHTS, DIRECTOR OF THE DEPARTMENT OF (Sec. 216A.2)

Rose A. Vasquez, Des Moines

02/05/1999 - Pleasure of Governor

INSPECTIONS AND APPEALS, DIRECTOR OF THE DEPARTMENT OF (Sec. 10A.102)

Kevin W. Techau, Des Moines

02/01/1999 - Pleasure of Governor

IOWA FINANCE AUTHORITY, EXECUTIVE DIRECTOR OF (Sec. 16.6)

Darlene Marie Jeris, Des Moines

02/01/1999 - Pleasure of Governor

IPERS, INVESTMENT BOARD OF THE (Sec. 97B.8)

Thomas D. Whitson, McClelland

06/30/1998 - 04/30/2003

JUDICIAL NOMINATING COMMISSION, STATE (Sec. 46.1)

Robert H. Furlough, Clear Lake

04/23/1998 - 04/30/2001

MANAGEMENT, DIRECTOR OF THE DEPARTMENT OF (Sec. 8.4)

Cynthia P. Eisenhower, Ankeny

01/15/1999 - Pleasure of Governor

MASSAGE THERAPY, BOARD OF EXAMINERS FOR (Sec. 147.14)

Robert G. Buchanan, Cedar Rapids

12/09/1998 - 04/30/2001

Janet A. Gentle, Manson

12/09/1998 - 04/30/1999

Jill M. Kochel, Des Moines

12/09/1998 - 04/30/2001

Lois A. Leytem, Dubuque

09/14/1998 - 04/30/1999

Gloria J. Pezzetti, Stuart

09/14/1998 - 04/30/2000

E. Howard Sonksen, Clear Lake

09/14/1998 - 04/30/2000

Ralph R. Stephens, Walford

09/14/1998 - 04/30/2000

NATURAL RESOURCES, DIRECTOR OF THE DEPARTMENT OF (Sec. 455A.3)

Paul W. Johnson, Decorah

01/19/1999 - Pleasure of Governor

PAROLE, BOARD OF (Sec. 904A.3)

Jacklyn Van Ekeren Romp, Des Moines

12/31/1998 - 04/30/2001

PODIATRY EXAMINERS, BOARD OF (Sec. 147.14)

Dr. Kim T. Lozier, Waterloo

07/01/1998 - 04/30/2001

Dr. Kyle F. Whitten, Urbandale

07/01/1998 - 04/30/2001

PREVENTION OF DISABILITIES POLICY COUNCIL (Sec. 225B.3)

Dr. Don C. Van Dyke, Iowa City

10/01/1998 - 04/30/2000

PSYCHOLOGY EXAMINERS, BOARD OF (Sec. 147.14)

Dr. Jacob O. Sines, Iowa City

05/06/1998 – 04/30/1999

PUBLIC SAFETY, COMMISSIONER OF (Sec. 80.2)

E.A. "Penny" Westfall, Van Meter

01/15/1999 – Pleasure of Governor

SOCIAL WORK EXAMINERS, BOARD OF (Sec. 147.14)

Jennifer L. Oman, Des Moines

07/01/1998 – 04/30/2001

James L. Yeast, Dubuque

07/01/1998 – 04/30/2000

TITLE GUARANTY DIVISION BOARD (Sec. 16.2)

Christine A. Hunziker, Ames

12/17/1998 – 04/30/2001

WORKFORCE DEVELOPMENT BOARD, IOWA (Sec. 84A.1A)

Sarah A. Falb, West Union

12/17/1998 – 04/30/2000

Daniel A. Purcell, Algona

11/01/1998 – 04/30/2000

The appointments were referred to the committee on Rules and Administration.

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 10, 1999:

AGRICULTURE

Edwin J. Hershberger – Iowa Grain Indemnity Fund Board

BUSINESS AND LABOR

Sarah A. Falb – Iowa Workforce Development Board

Daniel A. Purcell – Iowa Workforce Development Board

COMMERCE

Christine A. Hunziker – Title Guaranty Division Board

EDUCATION

Daniel Rhodes Hunter – Director of the Department of Cultural Affairs

Marie L. Grabenbauer – Board of Educational Examiners

HUMAN RESOURCES

Dr. Timothy A. Gibbons – Board of Examiners for Athletic Training

Judith Anne Conlin – Director of the Department of Elder Affairs

Dr. Robert D. Koob – Iowa Empowerment Board
Jennifer L. Lightbody – Iowa Empowerment Board
Nancy S. Van Milligen – Iowa Empowerment Board
Cheryle W. Mitvalsky – Iowa Empowerment Board
Matthew J. Mohrfeld – Iowa Empowerment Board
Carolyn D. Olson-Illg – Iowa Empowerment Board
W. Fletcher Reel – Iowa Empowerment Board
Clark A. Smith – Iowa Empowerment Board
Sister Helen M. Huewe – Healthy and Well Kids in Iowa (HAWK-I) Board
Eldon E. Huston – Healthy and Well Kids in Iowa (HAWK-I) Board
David W. Krutzfeldt – Healthy and Well Kids in Iowa (HAWK-I) Board
Nancy B. Mounts – Healthy and Well Kids in Iowa (HAWK-I) Board
Joseph B. Ryan – Health Facilities Council
Rose A. Vasquez – Director of the Department of Human Rights
Dr. Don C. Van Dyke – Prevention of Disabilities Policy Council

JUDICIARY

Diann Wilder-Tomlinson – Director of the Iowa State Civil Rights Commission
Robert H. Furleigh – State Judicial Nominating Commission
Jacklyn Van Ekeren Romp – Board of Parole

NATURAL RESOURCES AND ENVIRONMENT

Paul W. Johnson – Director of the Department of Natural Resources

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM

Robert C. Bocken – Iowa Economic Development Board

STATE GOVERNMENT

Dr. Richard M. Reay – Board of Dental Examiners
George M. Price – Board of Dietetic Examiners

John R. Krogh – Iowa Emergency Response Commission

Michael J. Wolnerman – Board of Examiners for the Licensing and Regulation of Hearing Aid Dealers

Kevin W. Techau – Director of the Department of Inspections and Appeals

Thomas D. Whitson – Investment Board of the IPERS

Robert G. Buchanan – Board of Examiners for Massage Therapy

Janet A. Gentle – Board of Examiners for Massage Therapy

Jill M. Kochel – Board of Examiners for Massage Therapy

Lois A. Leytem – Board of Examiners for Massage Therapy

Gloria J. Pezzetti – Board of Examiners for Massage Therapy

E. Howard Sonksen – Board of Examiners for Massage Therapy

Ralph R. Stephens – Board of Examiners for Massage Therapy

Cynthia P. Eisenhower – Director of Department of Management

Dr. Kim T. Lozier – Board of Podiatry Examiners

Dr. Kyle F. Whitten – Board of Podiatry Examiners

Dr. Jacob O. Sines – Board of Psychology Examiners

Jennifer L. Oman – Board of Social Work Examiners

James L. Yeast – Board of Social Work Examiners

TRANSPORTATION

E.A. "Penny" Westfall – Commissioner of Public Safety

WAYS AND MEANS

Darlene Marie Jeris – Executive Director of Iowa Finance Authority

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: February 10, 1999, 9:50 a.m.

Members Present: Redwine, Chair; Bartz, Vice Chair; McCoy, Ranking Member; Flynn and Sexton.

Members Absent: None.

Committee Business: Governor's recommendation for Dept. of General Service. Presentation by Foster Care Review Board.

Adjourned: 11:06 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 10, 1999, 9:52 a.m.

Members Present: Rife, Chair; Zieman, Vice Chair; Bolcom, Ranking Member; and McKibben.

Members Absent: Dearden.

Committee Business: Presentation on Case Management Program. Presentations by Dept. of Elder Affairs and Public Health Nurses.

Adjourned: 11:39 a.m.

BUSINESS AND LABOR RELATIONS

Convened: February 10, 1999, 1:06 p.m.

Members Present: McKibben, Chair; Freeman, Vice Chair; Dearden, Ranking Member; Hansen, Hedge, Horn, King, Rife, and Schuerer.

Members Absent: Behn and Fraise (both excused).

Committee Business: Presentations by representatives from DMACC, John Deere Des Moines Works, UAW Local 450, and a John Deere Team Scholars student on the Accelerated Career Education (ACE).

Adjourned: 2:00 p.m.

COMMERCE

Convened: February 10, 1999, 3:10 p.m.

Members Present: Jensen, Chair; Maddox, Vice Chair; Deluhery, Ranking Member; Bolcom, Flynn, Gronstal, Hansen, Johnson, King, Lamberti, McCoy, Redfern, Redwine, and Schuerer.

Members Absent: Lundby (excused).

Committee Business: Presentation by Superintendent of Banking.

Adjourned: 4:01 p.m.

EDUCATION

Convened: February 10, 1999, 1:40 p.m.

Members Present: Redfern, Chair; Rehberg, Vice Chair; Dvorsky, Harper, Sexton, Shearer, Szymoniak, Tinsman, and Veenstra.

Members Absent: Connolly, Ranking Member; Angelo, Boettger, Fink, Gaskill, and Redwine (all excused).

Committee Business: Subcommittee assignments.

Adjourned: 1:41 p.m.

HUMAN RESOURCES

Convened: February 10, 1999, 2:05 p.m.

Members Present: Boettger, Chair; Redwine, Vice Chair; Szymoniak, Ranking Member; Bartz, Dvorsky, Hammond, Harper, Miller, Schuerer, Shearer, Tinsman, and Veenstra.

Members Absent: Behn (excused).

Committee Business: Subcommittee assignments.

Adjourned: 2:10 p.m.

TRANSPORTATION

Convened: February 10, 1999, 2:07 p.m.

Members Present: Drake, Chair; Sexton, Vice Chair; McCoy, Ranking Member; Fink, Freeman, Jensen, Kibbie, McKibben, Rittmer, Judge, and Zieman.

Members Absent: Fraise and McKean (both excused).

Committee Business: Presentation by Access Air.

Adjourned: 2:35 p.m.

WAYS AND MEANS

Convened: February 10, 1999, 4:09 p.m.

Members Present: Johnson, Chair; McKibben, Vice Chair; Harper, Ranking Member; Bartz, Bolkcom, Connolly, Deluhery, Drake, Flynn, Hedge, Lamberti, Maddox, Redwine, and Soukup.

Members Absent: McLaren (excused).

Committee Business: Approved SSB 1043. Passed SF 72.

Adjourned: 4:17 p.m.

PETITION

The following petition was presented and placed on file by:

Senator Drake, from twenty-seven residents of Muscatine County, favoring legislation for a Fuel Quality Standard for Iowa.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

John Ruan – Happy Birthday! Thank you for all you have done for Iowa. Senator Szymoniak (2/10/99).

STUDY BILLS RECEIVED

SSB 1100 State Government

Relating to gambling, by imposing a moratorium on the issuance or transfer of certain gambling licenses and on increasing the number of games and machines, providing for the transfer of collective bargaining agreements, limiting the location of excursion gambling boats and pari-mutuel racetracks, prohibiting the dispensing of cash or credit on certain gambling premises, imposing a scheduled fine for gambling by persons under twenty-one years of age, limiting civil penalties related to violations of legal age for gambling, providing for the disposition of charitable contributions, and rescinding the nine-year period of operation for certain licenses.

SSB 1101 Commerce

Relating to permissible fees and charges which may be assessed and collected with respect to certain consumer credit transactions.

SSB 1102 State Government

Providing registration requirements and establishing a scope of authority for dental assistants.

SSB 1103 Education

Relating to the establishment of an Iowa early intervention program, and making appropriations.

SSB 1104 Education

Relating to the description of disabilities of individuals receiving vocational rehabilitation services.

SSB 1105 Human Resources

Relating to child care provisions administered by the department of human services and to the terminology used to describe child care, making an appropriation of civil penalties, and including an effective date and applicability provisions.

SUBCOMMITTEE ASSIGNMENTS**Senate File 94**

EDUCATION: Gaskill, Chair; Sexton and Szymoniak

Senate File 107

EDUCATION: Veenstra, Chair; Boettger and Fink

Senate File 110

WAYS AND MEANS: McLaren, Chair; Bolkcom and Hedge

Senate File 116

WAYS AND MEANS: Drake, Chair; Flynn and Johnson

Senate File 119

WAYS AND MEANS: Flynn, Chair; Drake and Johnson

Senate File 121

WAYS AND MEANS: Lamberti, Chair; Connolly and McLaren

Senate File 124

NATURAL RESOURCES AND ENVIRONMENT: Bartz, Chair; Black and King

SSB 1100

STATE GOVERNMENT: Lundby, Chair; Kibbie and Rittmer

SSB 1101

COMMERCE: Schuerer, Chair; Hansen and Redwine

SSB 1102

STATE GOVERNMENT: Rittmer, Chair; Lundby and Szymoniak

SSB 1103

EDUCATION: Redfern, Chair; Connolly, Dvorsky, Rehberg, Sexton, Szymoniak, and Veenstra

SSB 1104

EDUCATION: Sexton, Chair; Harper and Tinsman

SSB 1105

HUMAN RESOURCES: Bartz, Chair; Behn and Dvorsky

ANNOUNCEMENT OF APPOINTMENTS BY THE PRESIDENT OF THE SENATE

President Kramer announced the following senatorial appointments after consultation with the majority and minority leaders:

February 1, 1999

Public Retirement Systems Committee

Sheldon Rittmer, Chair
Richard F. Drake
Mary A. Lundby
John P. Kibbie
Michael W. Connolly

IPERS Advisory Board

John P. Kibbie

Iowa Comprehensive Health Insurance Association

Elaine Szymoniak

Iowa Economic Development Board

E. Thurman Gaskill
John Judge

Agricultural Energy Management Advisory Council

Jeff Angelo
Eugene Fraise

Communications Review Committee

Merlin E. Bartz
Steve King
Robert E. Dvorsky

Energy Fund Disbursement Council

Mary Lou Freeman
Joe Bolkcom

Functional Classification Review Board

Mary A. Lundby

Child Support Advisory Committee

Nancy J. Boettger
Matt McCoy

Prevention of Disabilities Policy Council

Maggie Tinsman
Robert E. Dvorsky

Agricultural Education Advisory Council

John Judge

Committee on the Status of Women

Gene Maddox
Patricia M. Harper

Municipal Police and Fire Retirement System

Mary A. Lundby
Steven D. Hansen

Capitol Planning Commission

John W. Jensen
Dennis H. Black

Workforce Development Board

Mary A. Lundby
Betty Soukup

Renewable Fuel and Coproducts Advisory Committee

JoAnn Johnson
Bill Fink

Commission on Elder Affairs

Sheldon Rittmer
John P. Kibbie

Rural Health and Primary Care Advisory Committee

Ken Veenstra
Betty Soukup

Law Enforcement Council

Jeff Lamberti

Criminal and Juvenile Justice Advisory

Gene Maddox
Robert E. Dvorsky

Education Commission of the States

Mary Kramer
Michael W. Connolly

Innovation Zone Board

Maggie Tinsman
Patricia M. Harper

College Student Aid Commission

Donald B. Redfern

Medical Assistance Council

Maggie Tinsman
Elaine Szymoniak

Council on Human Investment

Neal Schuerer
Tom Flynn

State Child Day Care Advisory Committee

Kitty Rehberg

Iowa Council for Early Intervention Services

Nancy J. Boettger

Y2K Planning Team

Steve King

Birth Defects Advisory Council

Kitty Rehberg

INTRODUCTION OF BILL

Senate File 134, by Johnson, Hedge, Jensen, Bartz, King, Veenstra, Redwine, Kibbie, Miller, Bolkcom, Kramer, Boettger, Sexton, Fraise, Fink, Maddox, McKean, Soukup, Judge, Flynn, Shearer, Connolly, Black, Zieman, Hansen, Rittmer, Angelo, Schuerer, Drake, Behn, Freeman, Rife, Lamberti, McKibben, and Rehberg, a bill for an act prohibiting processors and certain other entities from owning, controlling, or operating a feedlot and making penalties applicable.

Read first time under Rule 28 and referred to committee on **Agriculture**.

AMENDMENTS FILED

S-3007	S.R. 3	H. Kay Hedge
S-3008	S.F. 52	Steven D. Hansen
S-3009	S.F. 115	Tom Flynn
S-3010	S.F. 115	Matt McCoy Tom Flynn
S-3011	S.F. 115	Dick L. Dearden Eugene Fraise

S-3012	S.F. 106	Neal Schuerer Mark Shearer Richard F. Drake
S-3013	S.F. 113	John W. Jensen
S-3014	S.F. 115	Michael E. Gronstal
S-3015	S.F. 106	John W. Jensen John P. Kibbie
S-3016	S.F. 106	Neal Schuerer Mark Shearer Richard F. Drake John W. Jensen John P. Kibbie

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 8:23 p.m., until 9:00 a.m., Thursday, February 11, 1999.

JOURNAL OF THE SENATE

THIRTY-SECOND CALENDAR DAY
TWENTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 11, 1999

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

Prayer was offered by Pastor Mark Sherwood, of the Berean Baptist Church, Perry, Iowa.

The Journal of Wednesday, February 10, 1999, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator McCoy until he arrives, on request of Senator Sexton.

Senators Black and Soukup until they arrive, on request of Senator Hansen.

Senator Lundby until she arrives, on request of Senator Boettger.

ADOPTION OF RESOLUTION

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

Senate Resolution 5

On motion of Senator Iverson, Senate Resolution 5, a resolution relating to gubernatorial appointments, was taken up for consideration.

Senator Iverson moved the adoption of Senate Resolution 5, which motion prevailed by a voice vote.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Flynn for the day and Senator Connolly until he arrives, on request of Senator Gronstal.

Senators Behn, Maddox, McKibben, Black and Drake until their arrival, on request of Senator Iverson.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 99.

Senate File 99

On motion of Senator Szymoniak, **Senate File 99**, a bill for an act providing for a change in the composition requirement for nurses on the Iowa board of nursing examiners, 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. 99), the vote was:

Ayes, 39:

Angelo	Bartz	Boettger	Bolkcom
Dearden	Deluhery	Dvorsky	Fink
Freeman	Gaskill	Gronstal	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Johnson	Judge
Kibbie	King	Kramer	Lamberti
McKean	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Shearer	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 11:

Behn
Flynn
McCoy

Black
Fraise
McKibben

Connolly
Lundby
Soukup

Drake
Maddox

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

Senator Iverson asked and received unanimous consent that **Senate File 99** be **immediately messaged** to the House.

APPENDIX

APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committees on February 10, 1999, to investigate the appointment and reappointment of the following appointees:

AGRICULTURE

As a member of the Iowa Grain Indemnity Fund Board:

EDWIN J. HERSHBERGER – Miller, Chair; Behn and Hedge

BUSINESS AND LABOR

As members of the Iowa Workforce Development Board:

SARAH A. FALB – Hedge, Chair; Rife and Fraise

DANIEL A. PURCELL – Horn, Chair; Behn and Schuerer

COMMERCE

As a member of the Title Guaranty Division Board:

CHRISTINE A. HUNZIKER – Johnson, Chair; Redwine and Deluhery

EDUCATION

As Director of the Department of Cultural Affairs:

DANIEL RHODES HUNTER – Szymoniak, Chair; Veenstra and Tinsman

As a member of the Board of Educational Examiners:

MARIE L. GRABENBAUER – Angelo, Chair; Sexton and Harper

HUMAN RESOURCES

As a member of the Board of Examiners for Athletic Training:

DR. TIMOTHY A. GIBBONS – Bartz, Chair; Dvorsky and Tinsman

As Director of the Department of Elder Affairs:

JUDITH ANNE CONLIN – Hammond, Chair; Miller and Schuerer

As members of the Iowa Empowerment Board:

DR. ROBERT D. KOOB – Boettger, Chair; Szymoniak and Tinsman
JENNIFER L. LIGHTBODY – Behn, Chair; Redwine and Hammond
NANCY S. VAN MILLIGEN – Harper, Chair; Boettger and Behn
CHERYLE W. MITVALSKY – Boettger, Chair; Harper and Szymoniak
MATTHEW J. MOHRFELD – Shearer, Chair; Tinsman and Boettger
CAROLYN D. OLSON-ILLG – Tinsman, Chair; Szymoniak and Harper
W. FLETCHER REEL – Schuerer, Chair; Behn and Hammond
CLARK A. SMITH – Veenstra, Chair; Tinsman and Szymoniak

As members of the Healthy and Well Kids in Iowa (HAWK-I) Board:

SISTER HELEN M. HUEWE – Dvorsky, Chair; Behn and Miller
ELDON E. HUSTON – Szymoniak, Chair; Tinsman and Behn
DAVID W. KRUTZFELDT – Redwine, Chair; Miller and Shearer
NANCY B. MOUNTS – Redwine, Chair; Miller and Shearer

As a member of the Health Facilities Council:

JOSEPH B. RYAN – Szymoniak, Chair; Miller and Veenstra

As Director of the Department of Human Rights:

ROSE A. VASQUEZ – Szymoniak, Chair; Veenstra and Miller

As a member of the Prevention of Disabilities Policy Council:

DR. DON C. VAN DYKE – Dvorsky, Chair; Miller and Tinsman

JUDICIARY

As Director of the Iowa State Civil Rights Commission:

DIANN WILDER-TOMLINSON – McKean, Chair; Hammond and Redfern

As a member of the State Judicial Nominating Commission:

ROBERT H. FURLEIGH – Horn, Chair; McKibben and Boettger

As a member of the Board of Parole:

JACKLYN VAN EKEREN ROMP – Maddox, Chair; Dvorsky and Lamberti

NATURAL RESOURCES AND ENVIRONMENT

As Director of the Department of Natural Resources:

PAUL W. JOHNSON – King, Chair; Gaskill, Bartz, Fink, and Black

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM

As a member of the Iowa Economic Development Board:

ROBERT C. BOCKEN – Sexton, Chair; Behn and Hansen

STATE GOVERNMENT

As a member of the Board of Dental Examiners:

DR. RICHARD M. REAY – Maddox, Chair; Connolly and Sexton

As a member of the Board of Dietetic Examiners:

GEORGE M. PRICE – Szymoniak, Chair; Lamberti and Schuerer

As a member of the Iowa Emergency Response Commission

JOHN R. KROGH – Lamberti, Chair; Deluhery and King

As a member of the Board for the Licensing and Regulation of Hearing Aid Dealers:

MICHAEL J. WOLNERMAN – Szymoniak, Chair; Maddox and Sexton

As Director of the Department of Inspections and Appeals:

KEVIN W. TECHAU – Szymoniak, Chair; Sexton and Drake

As a member of the Investment Board of the IPERS:

THOMAS D. WHITSON – Drake, Chair; Kibbie and Lundby

As members of the Board of Examiners for Massage Therapy:

ROBERT G. BUCHANAN – Lundby, Chair; Schuerer and McLaren

JANET A. GENTLE – Fink, Chair; Schuerer and Lundby

JILL M. KOCHER – Maddox, Chair; Szymoniak and Lamberti

LOIS A. LEYTEM – Connolly, Chair; Lundby and King

GLORIA J. PEZZETTI – Maddox, Chair; Szymoniak and Drake

E. HOWARD SONKSEN – Kibbie, Chair; Schuerer and Sexton

RALPH R. STEPHENS – Schuerer, Chair; Connolly and King

As Director of Department of Management:

CYNTHIA P. EISENHAUER – Dearden, Chair; Lamberti and Maddox

As members of the Board of Podiatry Examiners:

DR. KIM T. LOZIER – Schuerer, Chair; Lundby and Sexton

DR. KYLE F. WHITTEN – Lamberti, Chair; Szymoniak and Maddox

As a member of the Board of Psychology Examiners:

DR. JACOB O. SINES – Deluhery, Chair; Drake and Schuerer

As members of the Board of Social Work Examiners:

JENNIFER L. OMAN – Deluhery, Chair; King and Sexton

JAMES L. YEAST – Connolly, Sexton and McLaren

TRANSPORTATION

As Commissioner of Public Safety:

E.A. "PENNY" WESTFALL – Drake, Chair; Jensen and Fraise

WAYS AND MEANS

As Executive Director of Iowa Finance Authority:

DARLENE MARIE JERIS – Lamberti, Chair; Redwine and Harper

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: February 11, 1999, 10:05 a.m.

Members Present: Behn, Chair; Hedge, Vice Chair; Fink and Gaskill.

Members Absent: Black, Ranking Member (excused).

Committee Business: Presentation by Dept. of Public Health.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 11, 1999, 9:58 a.m.

Members Present: Schuerer, Chair; Boettger, Vice Chair; Soukup, Ranking Member; Lamberti and Judge.

Members Absent: None.

Committee Business: Presentation by Dept. of Economic Development, Business Development Division.

Adjourned: 10:54 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 11, 1999, 10:05 a.m.

Members Present: Rehberg, Chair; Redfern, Vice Chair; Horn, Ranking Member; and Kibbie.

Members Absent: McLaren (excused).

Committee Business: Presentation by ISU.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 11, 1999, 10:05 a.m.

Members Present: Rife, Chair; Zieman, Vice Chair; and Bolcom, Ranking Member.

Members Absent: Dearden and McKibben (excused).

Committee Business: Presentations regarding methamphetamine.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 11, 1999, 10:07 a.m.

Members Present: Maddox, Chair; Angelo, Vice Chair; Dvorsky, Ranking Member; and McKean.

Members Absent: Fraise (excused).

Committee Business: Dept. of Public Safety budget recommendation and issues.

Adjourned: 11:42 a.m.

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT AND COMMUNICATIONS

Convened: February 11, 1999, 10:10 a.m.

Members Present: King, Chair; Deluhery, Ranking Member; and Harper.

Members Absent: Rittmer and Lundby, Vice Chair (excused).

Committee Business: Presentation by the Board of Regents.

Adjourned: 11:30 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION,
INFRASTRUCTURE AND CAPITALS**

Convened: February 11, 1999, 10:00 a.m.

Members Present: Freeman, Chair; Jensen, Vice Chair; Connolly, Ranking Member; Johnson and Shearer.

Members Absent: None.

Committee Business: Presentations by Dept. of Public Defense, DOT, and DNR.

Adjourned: 11:30 a.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: February 11, 1999, 1:02 p.m.

Members Present: Bartz, Chair; King, Vice Chair; Fink, Ranking Member; Black, Bolkcom, Dearden, Deluhery, Freeman, Gaskill, Johnson, Kibbie, and Rehberg.

Members Absent: Drake, Miller, and Rife (all excused).

Committee Business: Amended SSB 1090.

Adjourned: 1:50 p.m.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Brad Clark, Pella – For being an outstanding community volunteer and for receiving a bronze Distinguished Finalist medallion from The Prudential Insurance Company of America. Senator Hedge (02/11/99).

Valley High School, West Des Moines – For being selected as the National GRAMMY Signature School. Senator Maddox (02/11/99).

INTRODUCTION OF BILLS

Senate File 135, by Lamberti, Kramer, Gronstal, McKibben, Horn, Lundby, Schuerer, Hansen, and McCoy, a bill for an act authorizing the establishment of an accelerated career education program and providing a tax credit from withholding.

Read first time under Rule 28 and referred to committee on **Business and Labor Relations**.

Senate File 136, by committee on Ways and Means, a bill for an act relating to the administration of the tax and related laws by the department of revenue and finance, including administration of state individual income, corporate income, franchise, sales and use, motor fuel, cigarette and tobacco, local option, inheritance and estate, and property taxes, and the livestock production credit; providing penalties; and including effective and retroactive applicability date provisions.

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

Senate File 137, by committee on Ways and Means, a bill for an act relating to funding for the arts by providing an Iowa individual income tax checkoff for the arts, making an appropriation, and providing a retroactive applicability date.

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

STUDY BILLS RECEIVED

SSB 1106 Local Government

Relating to the authority of counties and cities to require storm shelters in mobile home parks, providing a property tax exemption, and providing a retroactive applicability date.

SSB 1107 Local Government

Relating to the powers and duties of county treasurers by amending Code sections pertaining to special assessments on certain motor vehicle ownership transfers, tax statement addresses, city utility liens, taxation of buildings or improvements, tax redemption, and tax clearance statements for mobile homes, and providing effective date and applicability date provisions.

SSB 1108 Judiciary

To change the penalty for and to reclassify certain misdemeanors.

SSB 1109 Judiciary

Requiring that the clerk of the district court confirm that notice has been given to required parties prior to the filing of a nonstatutory lien.

SSB 1110 Judiciary

Relating to lifetime registration for certain sex offenders, the performance of sex offender risk assessments, and the procedures for dissemination of registry information to agencies and the public.

SSB 1111 Judiciary

Creating the new criminal offense of disarming a peace officer of a dangerous weapon.

SSB 1112 State Government

Relating to practices and procedures of the department of general services, regulating state purchasing of recycled paper, modifying an appropriation to the department, and providing an effective date.

SSB 1113 State Government

Establishing a commission on the status of Iowans of Asian and Pacific Islander heritage within the department of human rights.

SUBCOMMITTEE ASSIGNMENTS**Senate File 74**

STATE GOVERNMENT: Rittmer, Chair; Dearden and McLaren

Senate File 111

LOCAL GOVERNMENT: Fraise, Chair; McKibben and Miller

Senate File 120

STATE GOVERNMENT: Sexton, Chair; Dearden and McLaren

Senate File 122

STATE GOVERNMENT: Rittmer, Chair; Kibbie and Lundby

Senate File 123

LOCAL GOVERNMENT: Gaskill, Chair; Bolkcom and McKean

Senate File 126

WAYS AND MEANS: McKibben, Chair; Bolkcom and Johnson

Senate File 127

STATE GOVERNMENT: Rittmer, Chair; Kibbie and Lundby

Senate File 132

WAYS AND MEANS: Johnson, Chair; Drake and Flynn

Senate File 133

WAYS AND MEANS: Drake, Chair; Deluhery and Johnson

House File 38

HUMAN RESOURCES: Hammond, Chair; Bartz and Schuerer

SSB 1106

LOCAL GOVERNMENT: Miller, Chair; Fraise and Zieman

SSB 1107

LOCAL GOVERNMENT: Bartz, Chair; Bolkcom and Zieman

SSB 1108

JUDICIARY: Lamberti, Chair; Hansen and McKean

SSB 1109

JUDICIARY: Lamberti, Chair; Boettger and Fraise

SSB 1110

JUDICIARY: Angelo, Chair; Dvorsky and Tinsman

SSB 1111

JUDICIARY: McKibben, Chair; Lamberti and McCoy

SSB 1112

STATE GOVERNMENT: Maddox, Chair; Fink and Schuerer

SSB 1113

STATE GOVERNMENT: McLaren, Chair; Deluhery and Lamberti

EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on February 11, 1999, when the vote was taken on Senate File 99. Had I been present, I would have voted "Aye."

MICHAEL W. CONNOLLY

COMMITTEE REPORTS

WAYS AND MEANS

Final Bill Action: SENATE FILE 136 (SSB 1043), a bill for an act relating to the administration of the tax and related laws by the department of revenue and finance, including administration of state individual income, corporate income, franchise, sales and use, motor fuel, cigarette and tobacco, local option, inheritance and estate, and property taxes, and the livestock production credit; providing penalties; and including effective and retroactive applicability date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Johnson, McKibben, Harper, Bartz, Bolkcom, Connolly, Deluhery, Drake, Flynn, Hedge, Lamberti, Maddox, Redwine, and Soukup. Nays, none. Absent or not voting, 1: McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 137 (Formerly SF 72), a bill for an act relating to funding for the arts by providing an Iowa individual income tax checkoff for the arts, making an appropriation, and providing a retroactive applicability date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Johnson, McKibben, Harper, Bartz, Bolkcom, Connolly, Deluhery, Drake, Flynn, Hedge, Lamberti, Maddox, Redwine, and Soukup. 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 Ways and Means Committee on Senate File 137, and they were attached to the committee report.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 9:12 a.m., until 1:00 p.m., Monday, February 15, 1999.

JOURNAL OF THE SENATE

THIRTY-SIXTH CALENDAR DAY
TWENTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 15, 1999

The Senate met in regular session at 1:02 p.m., President Kramer presiding.

Prayer was offered by Pastor Steven Teske, of the Trinity Lutheran Church, Shenandoah, Iowa.

The Journal of Thursday, February 11, 1999, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Fink for the day, on request of Senator Gronstal.

HOUSE MESSAGES RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 10, 1999, passed the following bill in which the **concurrence** of the Senate is asked:

House File 210, a bill for an act relating to the exclusion of certain transactions under the business opportunities law and providing effective and retroactive applicability dates.

Read first time and referred to committee on **Judiciary**.

ALSO: That the House has on February 11, 1999, passed the following bill in which the **concurrence** of the Senate is asked:

House File 222, a bill for an act relating to crime victim rights.

Read first time and referred to committee on **Judiciary**.

INTRODUCTION OF BILLS

Senate File 138, by Gronstal, a bill for an act relating to employee assistance programs pursuant to an employer's drug and alcohol testing program.

Read first time and referred to committee on **Business and Labor Relations**.

Senate File 139, by Gronstal, a bill for an act exempting property owned and operated by an Indian housing authority from property tax and including an effective date.

Read first time and referred to committee on **Ways and Means**.

Senate File 140, by Boettger, a bill for an act providing for an increase in the community college facilities levy.

Read first time and referred to committee on **Education**.

Senate File 141, by Tinsman, a bill for an act relating to a long-term care insurance premium tax credit under the individual income tax and including a retroactive applicability date provision.

Read first time and referred to committee on **Ways and Means**.

Senate File 142, by Lundby, a bill for an act establishing the senior conservation and outdoor recreation employment program under the administration of the department of workforce development.

Read first time and referred to committee on **Natural Resources and Environment**.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

RULES AND ADMINISTRATION

Convened: February 10, 1999, 8:45 a.m.

Members Present: Iverson, Chair; Kramer, Vice Chair; Gronstal, Ranking Member; Dvorsky, Fink, Harper, Jensen, and Redfern.

Members Absent: Lundby, Rehberg, and Rittmer (all excused).

Committee Business: Sent LSB 2277sv, a senate resolution relating to gubernatorial appointments to the Calendar.

Adjourned: 8:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 11, 1999, 10:10 a.m.

Members Present: Tinsman, Chair; Veenstra, Vice Chair; Hammond, Ranking Member; Miller and Szymoniak.

Members Absent: None.

Committee Business: Discussion of property tax relief State and County shares. Presentation by DHS regarding SCAT. Governor recommendations, plus County and State associations recommendations on Mental Health allowed growth for FY2001.

Adjourned: 12:00 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 15, 1999, 10:11 a.m.

Members Present: Tinsman, Chair; Veenstra, Vice Chair; and Szymoniak.

Members Absent: Hammond, Ranking Member; and Miller (both excused).

Committee Business: Presentation on economic opportunities for low-income Iowans. Presentations by the Iowa Foster and Adoptive Parents Assn., State Ombudsman, State Public Policy Group, Child and Family Policy Center, LFB, and DHS.

Adjourned: 12:26 p.m.

BUSINESS AND LABOR RELATIONS

Convened: February 15, 1999, 1:31 p.m.

Members Present: McKibben, Chair; Freeman, Vice Chair; Dearden, Ranking Member; Behn, Hansen, Hedge, Horn, King, and Schuerer.

Members Absent: Fraise and Rife (both excused).

Committee Business: Approved SSB 1067.

Adjourned: 1:36 p.m.

EDUCATION

Convened: February 15, 1999, 1:30 p.m.

Members Present: Redfern, Chair; Rehberg, Vice Chair; Connolly, Ranking Member; Angelo, Boettger, Dvorsky, Gaskill, Harper, Redwine, Sexton, Shearer, Szymoniak, Tinsman, and Veenstra.

Members Absent: Fink (excused).

Committee Business: Governor's appointees assigned to subcommittees. Presentation by Cedar Rapids AEA.

Adjourned: 2:06 p.m.

HUMAN RESOURCES

Convened: February 15, 1999, 2:33 p.m.

Members Present: Boettger, Chair; Redwine, Vice Chair; Szymoniak, Ranking Member; Bartz, Behn, Dvorsky, Hammond, Harper, Miller, Schuerer, Shearer, Tinsman, and Veenstra.

Members Absent: None.

Committee Business: Presentations by Dept. of Public Health, Dept. of Human Services, and Dept. of Education.

Adjourned: 3:33 p.m.

TRANSPORTATION

Convened: February 15, 1999, 2:35 p.m.

Members Present: Drake, Chair; Sexton, Vice Chair; McCoy, Ranking Member; Kibbie, McKean, McKibben, Rittmer, Judge, and Ziemann.

Members Absent: Fink, Fraise, Freeman, and Jensen (all excused).

Committee Business: Recommended confirmation of governor's appointee. Approved SSB 1085.

Adjourned: 2:50 p.m.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on February 10, 1999, the Governor approved and transmitted to the Secretary of State the following bill:

S.F. 47 – A bill for an act relating to the classification of funding agreements issued by a life insurance company for purposes of the prioritization of claims against the assets of an insurer subject to supervision, rehabilitation, and liquidation, and including an effective date and a retroactive applicability provision.

BILL ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 15th day of February, 1999:

Senate File 53.

MICHAEL E. MARSHALL
Secretary of the Senate

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Agnes Bras, Sibley – For celebrating her 100th birthday on February 25, 1999. Senator Veenstra (02/15/99).

Shane Evans, Rockwell City – For being appointed to the United States Air Force Academy. Senator Sexton (02/15/99).

John Charles Gallery, Masonville – For achieving the rank of Eagle Scout. Senator Rehberg (02/28/99).

Patrick A. Hall, Troop 62 – For achieving the rank of Eagle Scout. Senator Tinsman (02/12/99).

Thomas Andrew Morin, Boy Scout Troop 204 – For achieving the rank of Eagle Scout. Senator Hansen (02/15/99).

REASSIGNMENT OF APPOINTMENT TO SUBCOMMITTEE

TRANSPORTATION

As Commissioner of Public Safety:

E.A. "PENNY" WESTFALL – Drake, Chair; Kibbie and McKean

GOVERNOR'S APPOINTEE PLACED ON INDIVIDUAL CONFIRMATION CALENDAR

The following appointee, assigned to standing committee for investigation, was placed on the Individual Confirmation Calendar with recommendation for confirmation on February 15, 1999:

TRANSPORTATION

E.A. "Penny" Westfall – Commissioner of Public Safety

INTRODUCTION OF BILLS

Senate File 143, by Flynn, a bill for an act relating to the issuance of a hunter safety and ethics certificate to certain honorably discharged military veterans.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 144, by McCoy, a bill for an act providing for the display of flashing emergency signal lamps by motor vehicles in funeral processions.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 145, by Drake, Kibbie, Rehberg, Lamberti, Miller, Rittmer, Angelo, Rife, Jensen, Dearden, and Boettger, a bill for an act relating to veterans' benefits, veterans preference, veterans' claims, reimbursement for military service tax exemption, and providing a penalty and applicability date.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 146, by committee on Business and Labor Relations, a bill for an act relating to worker and public safety and protection laws administered by the labor services division of Iowa workforce development.

Read first time under Rule 28 and placed on calendar.

STUDY BILLS RECEIVED

SSB 1114 Local Government

Relating to the payment by a county of the family farm tax credit and reimbursement to the county of its payment and including an effective date.

SSB 1115 Local Government

Relating to the levy rate for fire protection imposed in an area of a benefited fire district and including an effective date.

SSB 1116 Appropriations

Relating to and making supplemental and other appropriations for the fiscal year beginning July 1, 1998, and providing an effective date.

SSB 1117 Local Government

Relating to the preparation of fiscal notes on bills and resolutions imposing state mandates.

SSB 1118 Local Government

Relating to landlords' and tenants' relations, by providing notice requirements, establishing a tenant's duty to properly maintain utility facilities, and providing for other properly related matters.

SSB 1119 Ways and Means

Authorizing motor fuel tax revenues derived from fuel used in snowmobiles to be used for snowmobile trails and programs.

SUBCOMMITTEE ASSIGNMENTS

Senate File 135

BUSINESS AND LABOR RELATIONS: McKibben, Chair; Freeman, Hansen, Horn, and Schuerer

Senate File 139

WAYS AND MEANS: Drake, Chair; Maddox and Soukup

Senate File 141

WAYS AND MEANS: McKibben, Chair; Connolly and Johnson

**SSB 1113
(Reassignment)**

STATE GOVERNMENT: McLaren, Chair; Lamberti and Szymoniak

SSB 1114

LOCAL GOVERNMENT: McKibben, Chair; Bolkcom and Gaskill

SSB 1115

LOCAL GOVERNMENT: McKibben, Chair; Bolkcom and Gaskill

SSB 1116

APPROPRIATIONS: McLaren, Chair; Flynn and King

SSB 1117

LOCAL GOVERNMENT: Zieman, Chair; Gaskill and Hammond

SSB 1118

LOCAL GOVERNMENT: Fraise, Chair; Miller and Zieman

SSB 1119

WAYS AND MEANS: Bartz, Chair; Deluhery and Redwine

COMMITTEE REPORT

BUSINESS AND LABOR RELATIONS

Final Bill Action: SENATE FILE 146 (SSB 1067), a bill for an act relating to worker and public safety and protection laws administered by the labor services division of Iowa workforce development.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: McKibben, Freeman, Dearden, Behn, Hansen, Hedge, Horn, King, and Schuerer. Nays, none. Absent or not voting, 2: Fraise and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 1:07 p.m., until 9:00 a.m., Tuesday, February 16, 1999.

JOURNAL OF THE SENATE

THIRTY-SEVENTH CALENDAR DAY
TWENTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 16, 1999

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

Prayer was offered by Pastor Mark Gerken, of the Faith Lutheran Church, Adel, Iowa.

The Journal of Monday, February 15, 1999, was approved.

SPECIAL GUESTS

Senator Black presented the Honorable Robert Anderson, former Lieutenant Governor from Newton, Iowa. Lieutenant Governor Anderson was joined by ten business people from the Republic of Georgia, who are visiting Iowa to explore business practices.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Fraise for the day, on request of Senator Gronstal.

APPOINTMENT OF MEMORIAL COMMITTEE

Senator Iverson announced the appointment of the following Senators to the Memorial Committee: Senators Drake, Chair; Bartz, Maddox, Connolly, Kibbie, and Shearer.

INTRODUCTION OF BILLS

Senate File 147, by Connolly, a bill for an act relating to the approval and administration of pilot community education programs, and making an appropriation.

Read first time and referred to committee on **Education**.

Senate File 148, by Angelo, Judge, and Miller, a bill for an act establishing a southern Iowa development and conservation authority, specifying membership, powers, and duties, creating a southern Iowa development and conservation fund, and providing for other properly related matters.

Read first time and referred to committee on **Natural Resources and Environment**.

Senate File 149, by committee on Transportation, a bill for an act establishing a time limit for disallowance or reduction of motor vehicle warranty claims, relating to establishment of motor vehicle service or warranty facilities, and making a penalty applicable.

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

RECESS

On motion of Senator Iverson, the Senate recessed at 9:18 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: January 27, 1999, 9:35 a.m.

Members Present: Redwine, Chair; Bartz, Vice Chair; Flynn and Sexton.

Members Absent: McCoy, Ranking Member (excused).

Committee Business: Budget presentations by Dept. of General Services and Secretary of State Chet Culver.

Adjourned: 11:07 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: February 11, 1999, 9:35 a.m.

Members Present: Redwine, Chair; Bartz, Vice Chair; McCoy, Ranking Member; Flynn and Sexton.

Members Absent: None.

Committee Business: Department handouts by LFB. Subcommittee assignments.

Adjourned: 11:00 a.m.

JUDICIARY

Convened: February 15, 1999, 3:40 p.m.

Members Present: McKean, Chair; Lamberti, Vice Chair; Hansen, Ranking Member; Angelo, Boettger, Dvorsky, Hammond, Horn, Maddox, McCoy, McKibben, Miller, Redfern, and Tinsman.

Members Absent: Fraise (excused).

Committee Business: Subcommittee assignments. Approved SSB 1093. Recommended confirmation of governor's appointee.

Adjourned: 4:04 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: February 16, 1999, 9:45 a.m.

Members Present: Redwine, Chair; Bartz, Vice Chair; McCoy, Ranking Member; and Sexton.

Members Absent: Flynn (excused).

Committee Business: LFB handouts from General Services and Dept. of Inspections and Appeals. Discussion of Hoover front desk position.

Adjourned: 10:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 16, 1999, 9:38 a.m.

Members Present: Schuerer, Chair; Boettger, Vice Chair; Soukup, Ranking Member; Lamberti and Judge.

Members Absent: None.

Committee Business: Presentations by DED Tourism Division and DED International Division.

Adjourned: 11:05 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 16, 1999, 9:45 a.m.

Members Present: Rehberg, Chair; Redfern, Vice Chair; Horn, Ranking Member; and Kibbie.

Members Absent: McLaren (excused).

Committee Business: Presentation by the U of I.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 16, 1999, 9:42 a.m.

Members Present: Tinsman, Chair; Veenstra, Vice Chair; Hammond, Ranking Member; Miller and Szymoniak.

Members Absent: None.

Committee Business: Presentations regarding brain injury issues, IMPACT, and Community Mental Health Center.

Adjourned: 12:07 p.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 16, 1999, 9:40 a.m.

Members Present: Maddox, Chair; Angelo, Vice Chair; and McKean.

Members Absent: Dvorsky, Ranking Member; and Fraise (excused).

Committee Business: Presentations by Dept. of Public Safety and the Governor's Alliance on Substance Abuse (GASA).

Adjourned: 10:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT AND COMMUNICATIONS

Convened: February 16, 1999, 9:40 a.m.

Members Present: King, Chair; Lundby, Vice Chair; Deluhery, Ranking Member; Harper and Rittmer.

Members Absent: None.

Committee Business: Presentation by Hitachi Data Systems.

Adjourned: 10:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

Convened: February 16, 1999, 9:40 a.m.

Members Present: Freeman, Chair; Jensen, Vice Chair; Connolly, Ranking Member; Johnson and Shearer.

Members Absent: None.

Committee Business: Presentation by Iowa Hall of Pride. Dept. of Transportation FY2000 budget session.

Adjourned: 11:10 a.m.

AGRICULTURE

Convened: February 16, 1999, 8:01 a.m.

Members Present: Gaskill, Chair; Miller, Vice Chair; Fraise, Ranking Member; Angelo, Bartz, Black, Hedge, Kibbie, Sexton, Shearer, Soukup, Judge, Veenstra, and Zieman.

Members Absent: Behn (excused).

Committee Business: Presentation by West Central Co-op.

Adjourned: 8:33 a.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: February 16, 1999, 2:04 p.m.

Members Present: Bartz, Chair; King, Vice Chair; Fink, Ranking Member; Black, Bolkom, Dearden, Deluhery, Drake, Freeman, Johnson, Kibbie, Miller, and Rehberg.

Members Absent: Gaskill and Rife (both excused).

Committee Business: Passed SF 75. Presentations by DNR and Malocological Consultants.

Adjourned: 3:05 p.m.

STATE GOVERNMENT

Convened: February 16, 1999, 1:03 p.m.

Members Present: Rittmer, Chair; Lamberti, Vice Chair; Kibbie, Ranking Member; Connolly, Dearden, Deluhery, Drake, Fink, King, Lundby, Maddox, Schuerer, Sexton, and Szymoniak.

Members Absent: McLaren (excused).

Committee Business: Subcommittee assignments.

Adjourned: 1:58 p.m.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Fred Lucas, Sigourney – For achieving the rank of Eagle Scout. Senator Hedge (02/16/99).

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

The following appointees assigned to standing committees for investigation were placed on the En Bloc Calendar with recommendations for confirmation on February 15, 1999:

JUDICIARY

Robert H. Furleigh – State Judicial Nominating Commission
Jacklyn Van Ekeren Romp – Board of Parole

GOVERNOR'S APPOINTEE PLACED ON
INDIVIDUAL CONFIRMATION CALENDAR

The following appointee assigned to standing committee for investigation was placed on the Individual Confirmation Calendar with recommendation for confirmation on February 15, 1999:

JUDICIARY

Diann Wilder-Tomlinson - Director of the Iowa State Civil Rights Commission

STUDY BILLS RECEIVED

SSB 1120 Local Government

Providing that a county enterprise includes housing for persons who are elderly or persons with physical disabilities.

SSB 1121 Human Resources

Relating to welfare reform provisions involving the family investment program and individual development accounts.

SSB 1122 Commerce

Relating to entities and subject matter under the regulatory authority of the insurance division, including securities, business opportunities, cemetery merchandise and residential service contracts, providing for fees, and establishing penalties.

SSB 1123 Commerce

Providing for access to a safe deposit box on the death of the owner or lessee of such box, and exempting state banks from liability associated with such access.

SSB 1124 Commerce

Relating to the deposit of public funds and the conditions which must be met by a savings and loan association or savings bank to be eligible to receive such deposits.

SSB 1125 Agriculture

Providing for the demonstration of best management practices to assist livestock producers in storing, transporting, and applying manure.

SSB 1126 Agriculture

Relating to liens arising out of contracts involving the care and feeding of livestock, and providing an effective date.

SSB 1127 Small Business, Economic Development and Tourism

Relating to linked investment deposits by providing a low-interest loan program to assist persons involved in value-added agricultural processing.

SUBCOMMITTEE ASSIGNMENTS**Senate File 129**

JUDICIARY: Maddox, Chair; Boettger and Horn

Senate File 130

COMMERCE: Jensen, Chair; Gronstal and Maddox

Senate File 131

AGRICULTURE: Angelo, Chair; Judge and Veenstra

Senate File 134

AGRICULTURE: Gaskill, Chair; Black and Miller

Senate File 138

BUSINESS AND LABOR RELATIONS: King, Chair; Behn and Dearden

Senate File 142

NATURAL RESOURCES AND ENVIRONMENT: Johnson, Chair; Dearden and Gaskill

Senate File 143

NATURAL RESOURCES AND ENVIRONMENT: Deluhery, Chair; Bartz and Miller

Senate File 145

STATE GOVERNMENT: Drake, Chair; Kibbie and McLaren

House File 164

JUDICIARY: Miller, Chair; Fraise and McKean

SSB 1120

LOCAL GOVERNMENT: Angelo, Chair; Miller and Judge

SSB 1121

HUMAN RESOURCES: Tinsman, Chair; Szymoniak and Veenstra

SSB 1122

COMMERCE: Gronstal, Chair; King and Schuerer

SSB 1123

COMMERCE: Redwine, Chair; McCoy and Schuerer

SSB 1124

COMMERCE: Lamberti, Chair; Hansen and King

SSB 1125

AGRICULTURE: Soukup, Chair; Behn and Hedge

SSB 1126

AGRICULTURE: Bartz, Chair; Shearer and Veenstra

SSB 1127

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM: Shearer, Chair; Flynn and Lundby

COMMITTEE REPORTS**JUDICIARY****Final Bill Action:** *SENATE FILE 150 (SSB 1093), a bill for an act concerning judicial administration.**Recommendation:** APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: McKean, Lamberti, Hansen, Angelo, Boettger, Dvorsky, Hammond, Horn, Maddox, McCoy, McKibben, Miller, Redfern, and Tinsman. Nays, none. Absent or not voting, 1: Fraise.

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 150, and they were attached to the committee report.

TRANSPORTATION

Final Bill Action: *SENATE FILE 149 (SSB 1085), a bill for an act establishing a time limit for disallowance or reduction of motor vehicle warranty claims, relating to establishment of motor vehicle service or warranty facilities, and making a penalty applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Drake, Sexton, McCoy, Kibbie, McKean, McKibben, Rittmer, Judge, and Ziemann. Nays, none. Absent or not voting, 4: Fink, Fraise, Freeman, and Jensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Transportation Committee on Senate File 149, and they were attached to the committee report.

AFTERNOON SESSION

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

QUORUM CALL

Senator Iverson 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 RESOLUTIONS

Senator Iverson asked and received unanimous consent to take up for consideration Senate Resolution 3.

Senate Resolution 3

On motion of Senator Hedge, **Senate Resolution 3**, a resolution relating to Senate rules governing lobbyists, was taken up for consideration.

Senator Hedge offered amendment S-3007 filed by him on February 10, 1999, to pages 2, 4, and 5 of the bill and moved its adoption.

Amendment S-3007 was adopted by a voice vote.

Senator Hedge moved adoption of Senate Resolution 3, which motion prevailed by a voice vote.

Senator Iverson asked and received unanimous consent to take up for consideration Senate Resolution 4.

Senate Resolution 4

On motion of Senator Hedge, **Senate Resolution 4**, a resolution relating to the Senate Code of Ethics, was taken up for consideration.

Senator Hedge moved the adoption of Senate Resolution 4, which motion prevailed by a voice vote.

CONSIDERATION OF BILL (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Joint Resolution 2.

Senate Joint Resolution 2

On motion of Senator Lundby, **Senate Joint Resolution 2**, a joint resolution relating to the designation of the Old State Historical Building as the Ola Babcock Miller State Office Building, with report of committee recommending passage, was taken up for consideration.

Senator Lundby offered amendment S-3017 filed by her from the floor to the title page of the bill and moved its adoption.

Amendment S-3017 was adopted by a voice vote.

Senator Lundby moved the adoption of Senate Joint Resolution 2 as amended, which motion prevailed by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McCoy for the remainder of the day, on request of Senator Hansen.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 9.

Senate File 9

On motion of Senator McKibben, **Senate File 9**, a bill for an act relating to the exemption of the sales and use tax on building materials, supplies, or equipment of certain rural water districts, and providing retroactive applicability and effective dates, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 9), the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rittmer	Schuerer
Sexton	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 3:

Fraise	McCoy	Rife
--------	-------	------

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 Iverson asked and received unanimous consent to take up for consideration Senate File 114.

Senate File 114

On motion of Senator Kibbie, **Senate File 114**, a bill for an act allowing certain utility employees to operate all-terrain vehicles and snowmobiles on railroad rights of way, 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. 114), the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rittmer	Schuerer
Sexton	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 3:

Fraise	McCoy	Rife
--------	-------	------

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

HOUSE MESSAGE RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 16, 1999, passed the following bills in which the concurrence of the Senate is asked:

House File 182, a bill for an act expanding the criminal code definition of serious injury to include certain injuries to children.

Read first time and referred to committee on **Judiciary**.

House File 242, 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 dates and for retroactive applicability.

Read first time and referred to committee on **Judiciary**.

INTRODUCTION OF BILLS

Senate File 150, by committee on Judiciary, a bill for an act concerning judicial administration.

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

Senate File 151, by committee on Local Government, a bill for an act relating to the selection of township trustees and township clerks.

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Joint Resolution 2** and **Senate Files 9** and **114** be immediately messaged to the House.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 16, 1999, 9:44 a.m.

Members Present: Zieman, Vice Chair; Bolkcom, Ranking Member; and Dearden.

Members Absent: Rife, Chair (excused); and McKibben.

Committee Business: Budget presentation by Dept. of Human Rights.

Adjourned: 11:24 a.m.

APPROPRIATIONS

Convened: February 16, 1999, 4:02 p.m.

Members Present: McLaren, Chair; Flynn, Ranking Member; Behn, Black, Bolkcom, Connolly, Deluhery, Dvorsky, Freeman, Hammond, Hedge, Horn, Jensen, Johnson, King, Lamberti, Maddox, Redwine, Rehberg, Schuerer, and Soukup.

Members Absent: Kramer, Vice Chair; McCoy, Rife, and Tinsman (all excused).

Committee Business: Passed SF 76.

Adjourned: 4:10 p.m.

COMMERCE

Convened: February 16, 1999, 3:10 p.m.

Members Present: Jensen, Chair; Maddox, Vice Chair; Deluhery, Ranking Member; Bolkcom, Flynn, Gronstal, Hansen, Johnson, King, Lamberti, Lundby, Redfern, Redwine, and Schuerer.

Members Absent: McCoy (excused).

Committee Business: Passed SF 83. Presentation by Superintendent of Credit Union.

Adjourned: 3:40 p.m.

LOCAL GOVERNMENT

Convened: February 16, 1999, 1:07 p.m.

Members Present: Angelo, Chair; Bartz, Vice Chair; Bolkcom, Ranking Member; Gaskill, Hammond, McCoy, McKean, McKibben, Miller, Judge, and Zieman.

Members Absent: Fraise and Rife (both excused).

Committee Business: Passed SF 112.

Adjourned: 1:18 p.m.

INTRODUCTION OF BILLS

Senate File 152, by Rehberg, a bill for an act relating to inter-district transportation of pupils participating in open enrollment.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 153, by Tinsman and Szymoniak, a bill for an act requiring protective headgear for juvenile bicyclists, creating a bicycle safety fund, and providing for a helmet rental fee and a penalty.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 154, by Dearden, a bill for an act relating to minimum wage requirements.

Read first time under Rule 28 and referred to committee on **Business and Labor Relations**.

Senate File 155, by Bolkcom and Dvorsky, a bill for an act providing a sales and use tax exemption for hospices.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 156, by Tinsman, Angelo, Shearer, Szymoniak, Deluhery, Veenstra, and Rittmer, a bill for an act providing an individual and corporate tax credit for the acquisition of assistive technology or the modification of the workplace in order to assist persons with a disability in the workplace and including an effective and applicability date provision.

Read first time under Rule 28 and referred to committee on **Ways and Means.**

Senate File 157, by Fink, a bill for an act relating to the willful destruction of E911 addressing signs and providing a penalty.

Read first time under Rule 28 and referred to committee on **Judiciary.**

Senate File 158, by McCoy, a bill for an act providing a protective headgear requirement for juvenile bicyclists, creating a bicycle safety fund, and providing for a helmet rental fee and a penalty.

Read first time under Rule 28 and referred to committee on **Human Resources.**

Senate File 159, by Veenstra, a bill for an act relating to motor vehicle lighting equipment and windows and making penalties applicable.

Read first time under Rule 28 and referred to committee on **Transportation.**

Senate File 160, by committee on Natural Resources and Environment, a bill for an act relating to pipelines, interstate natural gas pipelines, and hazardous liquid pipelines, and the restoration of agricultural lands, making penalties applicable, and providing an effective date.

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

SUBCOMMITTEE ASSIGNMENTS

Senate File 97

TRANSPORTATION: Drake, Chair; Fraise and Jensen

Senate File 125

TRANSPORTATION: Drake, Chair; Fraise and Jensen

Senate File 144

TRANSPORTATION: McCoy, Chair; Rittmer and Zieman

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 76 (SSB 1038), a bill for an act relating to the administration of the state department of transportation by allowing the reversion of operating funds for training and technology, making a standing appropriation, and providing for the nonreversion of certain railroad funds.

Recommendation: DO PASS.

Final Vote: Ayes, 21: McLaren, Flynn, Behn, Black, Bolkcom, Connolly, Deluhery, Dvorsky, Freeman, Hammond, Hedge, Horn, Jensen, Johnson, King, Lamberti, Maddox, Redwine, Rehberg, Schuerer, and Soukup. Nays, none. Absent or not voting, 4: Kramer, McCoy, Rife, and Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: SENATE FILE 83, a bill for an act relating to third-party payment of health coverage costs for mental health and substance abuse treatment services.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Jensen, Maddox, Deluhery, Bolkcom, Flynn, Gronstal, Hansen, Johnson, Lamberti, Lundby, Redfern, and Redwine. Nays, 2: King and Schuerer. Absent or not voting, 1: McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 151 (Formerly SF 112), a bill for an act relating to the selection of township trustees and township clerks.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Angelo, Bartz, Bolkcom, Gaskill, Hammond, Judge, McCoy, McKean, McKibben, Miller, and Zieman. Nays, none. Absent or not voting, 2: Fraise and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Final Bill Action: SENATE FILE 160 (Formerly SF 75), a bill for an act relating to pipelines, interstate natural gas pipelines, and hazardous liquid pipelines, and the restoration of agricultural lands, making penalties applicable, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Bartz, King, Fink, Black, Bolcom, Dearden, Deluhery, Drake, Freeman, Johnson, Kibbie, Miller, and Rehberg. Nays, none. Absent or not voting, 2: Gaskill and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENT FILED

S-3017 S.J.R. 2 Mary A. Lundby

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 5:49 p.m., until 9:00 a.m., Wednesday, February 17, 1999.

JOURNAL OF THE SENATE

THIRTY-EIGHTH CALENDAR DAY
TWENTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 17, 1999

The Senate met in regular session at 9:11 a.m., Senator Lundby presiding.

Prayer was offered by the Reverend Sarai Schnucker Beck, Executive Director of the Ecumenical Ministries of Iowa.

The Journal of Tuesday, February 16, 1999, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Fraise for the day, on request of Senator Gronstal; Senator Veenstra until he arrives, on request of Senator Hedge.

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

Convened: February 17, 1999, 9:45 a.m.

Members Present: Behn, Chair; Hedge, Vice Chair; Black, Ranking Member; Fink and Gaskill.

Members Absent: None.

Committee Business: Budget priorities discussion.

Adjourned: 10:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 17, 1999, 9:37 a.m.

Members Present: Schuerer, Chair; Boettger, Vice Chair; Soukup, Ranking Member; Judge and Lamberti.

Members Absent: None.

Committee Business: Presentations by Dept. of Workforce Development and the DWD Labor Division.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 17, 1999, 9:30 a.m.

Members Present: Rehberg, Chair; Redfern, Vice Chair; Horn, Ranking Member; and Kibbie.

Members Absent: McLaren (excused).

Committee Business: Presentations on Reading Recovery.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 17, 1999, 9:46 a.m.

Members Present: Rife, Chair; Ziemian, Vice Chair; and Bolkcom, Ranking Member.

Members Absent: Dearden and McKibben (both excused).

Committee Business: Presentation by Dept. of Human Rights. Presentation regarding Community Action Agency Funding.

Adjourned: 10:58 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 17, 1999, 9:54 a.m.

Members Present: Tinsman, Chair; Hammond, Ranking Member; Miller and Szymoniak.

Members Absent: Veenstra, Vice Chair (excused).

Committee Business: EBT. HAWK-I FY2000 budget request overview. Update on CHIP.

Adjourned: 12:07 p.m.

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT AND COMMUNICATIONS

Convened: February 17, 1999, 9:40 a.m.

Members Present: King, Chair; Deluhery, Ranking Member; and Harper.

Members Absent: Lundby, Vice Chair; and Rittmer.

Committee Business: Presentation by manufacturing Technology Center, ISU; ITS on data warehousing; Geographic Information Systems; and discussion of Y2K in Iowa cities and counties.

Adjourned: 11:30 a.m.

BUSINESS AND LABOR RELATIONS

Convened: February 17, 1999, 3:04 p.m.

Members Present: McKibben, Chair; Freeman, Vice Chair; Dearden, Ranking Member; Behn, Hansen, Hedge, Horn, King, and Schuerer.

Members Absent: Fraise and Rife (both excused).

Committee Business: Subcommittee assignments. Recommended governor's appointees for confirmation.

Adjourned: 3:22 p.m.

EDUCATION

Convened: February 17, 1999, 3:02 p.m.

Members Present: Redfern, Chair; Rehberg, Vice Chair; Connolly, Ranking Member; Angelo, Boettger, Dvorsky, Fink, Gaskill, Harper, Redwine, Sexton, Shearer, Szymoniak, and Tinsman.

Members Absent: Veenstra (excused).

Committee Business: Subcommittee assignments. Approved SSB 1104.
Recommended governor's appointees for confirmation.

Adjourned: 3:11 p.m.

HUMAN RESOURCES

Convened: February 17, 1999, 4:01 p.m.

Members Present: Boettger, Chair; Redwine, Vice Chair; Szymoniak, Ranking Member; Bartz, Behn, Dvorsky, Hammond, Harper, Miller, Schuerer, Shearer, Tinsman, and Veenstra.

Members Absent: None.

Committee Business: Recommended governor's appointees for confirmation.
Approved SSB 1094.

Adjourned: 4:19 p.m.

TRANSPORTATION

Convened: February 17, 1999, 4:04 p.m.

Members Present: Drake, Chair; Sexton, Vice Chair; McCoy, Ranking Member; Fink, Freeman, Jensen, Kibbie, McKean, McKibben, Rittmer, Judge, and Zieman.

Members Absent: Fraise (excused).

Committee Business: Passed SF 144.

Adjourned: 4:14 p.m.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on February 17, 1999, the Governor approved and transmitted to the Secretary of State the following bill:

S.F. 53 – A bill for an act relating to the date of the annual sale of parcels with delinquent property taxes and providing an effective and applicability date.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

The following appointees assigned to standing committees for investigation were placed on the En Bloc Calendar with recommendations for confirmation on February 17, 1999:

BUSINESS AND LABOR RELATIONS

Sarah A. Falb – Iowa Workforce Development Board
Daniel A. Purcell – Iowa Workforce Development Board

INTRODUCTION OF BILLS

Senate File 161, by King, a bill for an act relating to limitations on certain political contributions and expenditures, and providing and applying a penalty.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 162, by Kibbie and Connolly, a bill for an act relating to the postsecondary enrollment options Act and making an appropriation for the reimbursement of school districts for their postsecondary enrollment options costs.

Read first time under Rule 28 and referred to committee on **Appropriations**.

Senate File 163, by Hammond, a bill for an act relating to foundations established pursuant to state direction by requiring that certain financial information be available for public examination and reproduction.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 164, by Hammond, Miller, Bolckcom, Dvorsky, and Harper, a bill for an act relating to interest charged against delinquent property taxes on parcels sold at tax sale.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 165, by Freeman, a bill for an act relating to the environmental protection charge on petroleum diminution imposed on petroleum deposited in aboveground petroleum storage tanks.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 166, by Lundby, a bill for an act relating to the establishment of an Iowa battle flag commission, and making an appropriation.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 167, by Lundby, a bill for an act relating to the transportation of children participating in open enrollment.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 168, by Boettger, a bill for an act relating to the classification of county bridges on secondary roads as an essential corporate purpose for bonding purposes.

Read first time under Rule 28 and referred to committee on **Local Government**.

Senate File 169, by Zieman, a bill for an act providing for administrative license revocation for any driver under twenty-one who drives while having any measurable alcohol concentration.

Read first time under Rule 28 and referred to committee on **Transportation**.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Dustin Duane Eiffler, Lime Springs - For achieving the rank of Eagle Scout.
Senator Soukup (02/17/99).

STUDY BILL RECEIVED**SSB 1128 Transportation**

Relating to transportation, including regulation of school buses and special trucks, motor vehicle titling and registration, regulations on motor vehicle manufacturers, distributors, and dealers, size, weight, and load restrictions on vehicles, driver education, and administrative procedures of the state department of transportation, and providing for fees and penalties.

SUBCOMMITTEE ASSIGNMENTS**Senate File 148**

NATURAL RESOURCES AND ENVIRONMENT: Miller, Chair; Kibbie and Rife

Senate File 155

WAYS AND MEANS: McKibben, Chair; Bolkcom and Drake

Senate File 156

WAYS AND MEANS: Redwine, Chair; Deluhery and Lamberti

Senate File 159

TRANSPORTATION: Rittmer, Chair; McCoy and McKibben

SSB 1081

(Reassignment)

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM: Flynn, Chair; Behn, Shearer, and Zieman

SSB 1097

(Reassignment)

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM: Flynn, Chair; Rittmer, Shearer, and Zieman

SSB 1128

TRANSPORTATION: Jensen, Chair; Drake and McCoy

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 9:18 a.m., until 9:00 a.m., Thursday, February 18, 1999.

JOURNAL OF THE SENATE

THIRTY-NINTH CALENDAR DAY
TWENTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 18, 1999

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

Prayer was offered by Alison Petty of Adair-Casey High School, Adair, Iowa. Ms. Petty sang "Ave Maria."

The Journal of Wednesday, February 17, 1999, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Fraise for the rest of this week and Monday, February 22, on request of Senator Gronstal; Senator Lundby for the day, on request of Senator Boettger.

HOUSE MESSAGE RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 17, 1999, passed the following bill in which the concurrence of the Senate is asked:

House File 255, a bill for an act relating to visitation provisions between siblings under a custody order.

Read first time and referred to committee on **Human Resources**.

INTRODUCTION OF BILLS

Senate File 170, by Redfern, a bill for an act relating to the applicability of the professional engineers and land surveyors practice law.

Read first time and referred to committee on **Commerce**.

Senate File 171, by Redfern, a bill for an act relating to reimbursement, payment, and coverage by the state for damages involving individuals providing foster home, guardian, or conservator services and providing an effective date.

Read first time and referred to committee on **Human Resources**.

Senate File 172, by Redwine, Schuerer, Gaskill, Lamberti, Miller, King, McKibben, Rehberg, Behn, and Sexton, a bill for an act reducing the state individual income tax by five percent and including a retroactive applicability date provision.

Read first time and referred to committee on **Ways and Means**.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: February 17, 1999, 8:00 a.m.

Members Present: Gaskill, Chair; Miller, Vice Chair; Angelo, Bartz, Behn, Black, Hedge, Judge, Kibbie, Sexton, Shearer, Soukup, and Zieman.

Members Absent: Fraise, Ranking Member; and Veenstra (both excused).

Committee Business: Presentations by Iowa Petroleum Marketers, Lowdin Auto Repairs, auto tech instructor at DMACC and mechanic at Terry's Auto, Office of the Legislative Auditor in the State of Minnesota, and an environmental specialist in the Supply and Logistics Dept. for BP Amoco.

Adjourned: 9:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: February 18, 1999, 9:53 a.m.

Members Present: Redwine, Chair; Bartz, Vice Chair; McCoy, Ranking Member; and Sexton.

Members Absent: Flynn (excused).

Committee Business: Subcommittee reports.

Adjourned: 11:12 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 18, 1999, 9:45 a.m.

Members Present: Schuerer, Chair; Boettger, Vice Chair; Soukup, Ranking Member; Lamberti and Judge.

Members Absent: None.

Committee Business: Presentations by Iowa Finance Authority, DED Community and Rural Development Division.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 18, 1999, 9:40 a.m.

Members Present: Rehberg, Chair; Redfern, Vice Chair; Horn, Ranking Member; and Kibbie.

Members Absent: McLaren (excused).

Committee Business: Presentations by the Dept. of Cultural Affairs, Central Academy, and the U of I Science Education Center.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 18, 1999, 9:48 a.m.

Members Present: Zieman, Vice Chair; Bolkcom, Ranking Member; and McKibben.

Members Absent: Rife, Chair; and Dearden (both excused).

Committee Business: Budget presentation from the Dept. of Elder Affairs.

Adjourned: 11:07 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 18, 1999, 9:54 a.m.

Members Present: Tinsman, Chair; Veenstra, Vice Chair; Hammond, Ranking Member; Miller and Szymoniak.

Members Absent: None.

Committee Business: Presentation by Toledo Juvenile Home. Nursing facility CAN needs presented. Long-term care insurance issues presented.

Adjourned: 12:03 p.m.

BUSINESS AND LABOR RELATIONS

Convened: February 18, 1999, 11:48 a.m.

Members Present: McKibben, Chair; Dearden, Ranking Member; Behn, Hedge, Horn, King, and Schuerer.

Members Absent: Freeman, Vice Chair; Fraise, Hansen, and Rife (all excused).

Committee Business: Discussion of proposed technical corrections to Iowa Code Section 730.5.

Adjourned: 12:19 p.m.

LOCAL GOVERNMENT

Convened: February 18, 1999, 2:23 p.m.

Members Present: Angelo, Chair; Bartz, Vice Chair; Bolkcom, Ranking Member; Gaskill, Hammond, Judge, McCoy, McKean, McKibben, and Ziemann.

Members Absent: Fraise, Miller, and Rife (all excused).

Committee Business: Subcommittee assignments. Approved SSBs 1114, 1115, 1117, and 1120.

Adjourned: 2:37 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: February 18, 1999, 1:20 p.m.

Members Present: Bartz, Chair; King, Vice Chair; Fink, Ranking Member; Black, Bolkcom, Dearden, Deluhery, Freeman, Gaskill, Johnson, Kibbie, Miller, and Rehberg.

Members Absent: Drake and Rife (both excused).

Committee Business: Presentations by ISU and U of I. Approved SSB 1027. Approved SSB 1062 and referred to the Administrative Rules Review Committee.

Adjourned: 2:20 p.m.

WAYS AND MEANS

Convened: February 18, 1999, 9:17 a.m.

Members Present: Johnson, Chair; McKibben, Vice Chair; Harper, Ranking Member; Bartz, Bolkcom, Connolly, Drake, Hedge, Lamberti, Maddox, McLaren, Redwine, and Soukup.

Members Absent: Deluhery and Flynn (both excused).

Committee Business: Passed SF 117. Recommended governor's appointees for confirmation.

Adjourned: 9:21 a.m.

PETITIONS

The following petitions were presented and placed on file by:

Senator John P. Kibbie, from sixty-two residents of Clay, Dickinson, and Palo Alto Counties, favoring legislation for a Fuel Quality Standard (Ethanol).

Senator Fink, from seventy-two residents of Warren and Marion Counties, favoring legislation for a Fuel Quality Standard (Ethanol).

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

The following appointees assigned to standing committees for investigation were placed on the En Bloc Calendar with recommendations for confirmation on February 17, 1999:

EDUCATION

Daniel Rhodes Hunter – Director of the Department of Cultural Affairs

Marie L. Grabenbauer – Board of Educational Examiners

HUMAN RESOURCES

Judith Anne Conlin – Director of the Department of Elder Affairs

Dr. Robert D. Koob – Iowa Empowerment Board

Jennifer L. Lightbody – Iowa Empowerment Board

Cheryle W. Mitvalsky – Iowa Empowerment Board

Matthew J. Mohrfeld – Iowa Empowerment Board

W. Fletcher Reel – Iowa Empowerment Board

Clark A. Smith – Iowa Empowerment Board

Nancy S. Van Milligen – Iowa Empowerment Board

Eldon E. Huston – Healthy and Well Kids in Iowa (HAWK-I) Board

David W. Krutzfeldt – Healthy and Well Kids in Iowa (HAWK-I) Board

Nancy B. Mounts – Healthy and Well Kids in Iowa (HAWK-I) Board

The following appointee assigned to standing committee for investigation was placed on the En Bloc Calendar with recommendation for confirmation on February 18, 1999:

WAYS AND MEANS

Darlene Marie Jeris – Executive Director of the Iowa Finance Authority

INTRODUCTION OF BILLS

Senate File 173, by committee on Education, a bill for an act relating to the description of disabilities of individuals receiving vocational rehabilitation services.

Read first time under Rule 28 and placed on calendar.

Senate File 174, by committee on Human Resources, a bill for an act changing a Code reference to the Iowa association of community providers and providing an effective date.

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

Senate File 175, by committee on Transportation, a bill for an act providing for the display of flashing emergency signal lamps by motor vehicles in funeral processions.

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

Senate File 176, by committee on Ways and Means, a bill for an act relating to the elimination of investment counseling as a taxable service under the state sales and use taxes.

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

Senate File 177, by Kramer, Szymoniak, and Boettger, a bill for an act relating to services for children by requiring the department of human services to establish certification or licensing standards for children's centers.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 178, by Lamberti, a bill for an act relating to the educational requirements for licensure of professional engineers.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 179, by King, a bill for an act relating to requests and hearings for correction and expungement of child abuse information.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 180, by Freeman, a bill for an act granting an additional dependent credit for a child who is also adopted under the

state individual income tax and providing effective and retroactive applicability date provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 181, by Kibbie and Connolly, a bill for an act relating to the state funding level for the instructional support system.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 182, by Szymoniak, a bill for an act requiring licensure to practice acupuncture.

Read first time under Rule 28 and referred to committee on **Human Resources**.

STUDY BILLS RECEIVED

SSB 1129 State Government

Relating to hospital license fees and creating a hospital education fund.

SSB 1130 Human Resources

Relating to acquired immune deficiency syndrome, providing penalties, and providing for a repeal.

SSB 1131 Judiciary

Relating to jury instructions.

SSB 1132 Judiciary

Relating to the interception of communications and providing penalties.

SSB 1133 Judiciary

Relating to dependent adult abuse.

SSB 1134 State Government

Providing for a change in terminology regarding chiropractic scope of practice.

SUBCOMMITTEE ASSIGNMENTS**Senate File 128**

EDUCATION: Veenstra, Chair; Connolly and Gaskill

Senate File 140

EDUCATION: Boettger, Chair; Fink and Gaskill

Senate File 147

EDUCATION: Sexton, Chair; Angelo and Dvorsky

Senate File 152

EDUCATION: Rehberg, Chair; Harper and Tinsman

Senate File 153

HUMAN RESOURCES: Bartz, Chair; Behn and Shearer

Senate File 154

BUSINESS AND LABOR RELATIONS: Behn, Chair; Fraise and Hedge

Senate File 158

HUMAN RESOURCES: Bartz, Chair; Behn and Shearer

Senate File 161

STATE GOVERNMENT: Rittmer, Chair; Kibbie and King

Senate File 163

STATE GOVERNMENT: McLaren, Chair; Deluhery and Schuerer

Senate File 165

NATURAL RESOURCES AND ENVIRONMENT: Freeman, Chair; Dearden and Gaskill

Senate File 168

LOCAL GOVERNMENT: McKean, Chair; Bolckcom and Gaskill

Senate File 169

TRANSPORTATION: Drake, Chair; Jensen and McCoy

House File 210

JUDICIARY: Redfern, Chair; Angelo and Horn

House File 222

JUDICIARY: Maddox, Chair; Dvorsky and McKibben

SSB 1129

STATE GOVERNMENT: Sexton, Chair; Fink and Schuerer

SSB 1130

HUMAN RESOURCES: Redwine, Chair; Boettger and Szymoniak

SSB 1131

JUDICIARY: Miller, Chair; Hammond and Lamberti

SSB 1132

JUDICIARY: Fraise, Chair; Angelo and McKibben

SSB 1133

JUDICIARY: Boettger, Chair; Hammond and Tinsman

SSB 1134

STATE GOVERNMENT: Rittmer, Chair; Szymoniak and McLaren

COMMITTEE REPORTS**EDUCATION**

Final Bill Action: *SENATE FILE 173 (SSB 1104), a bill for an act relating to the description of disabilities of individuals receiving vocational rehabilitation services.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Redfern, Rehberg, Connolly, Angelo, Boettger, Dvorsky, Fink, Gaskill, Harper, Redwine, Sexton, Shearer, Szymoniak, and Tinsman. Nays, none. Absent or not voting, 1: Veenstra.

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 173, and they were attached to the committee report.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 174 (SSB 1094), a bill for an act changing a Code reference to the Iowa association of community providers and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Boettger, Redwine, Szymoniak, Bartz, Behn, Dvorsky, Hammond, Harper, Miller, Schuerer, Shearer, Tinsman, and Veenstra. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 175 (Formerly SF 144), a bill for an act providing for the display of flashing emergency signal lamps by motor vehicles in funeral processions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Drake, Sexton, McCoy, Fink, Freeman, Jensen, Judge, Kibbie, McKean, McKibben, Rittmer, and Zieman. Nays, none. Absent or not voting, 1: Fraise.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 176 (Formerly SF 117), a bill for an act relating to the elimination of investment counseling as a taxable service under the state sales and use taxes.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Johnson, McKibben, Harper, Bartz, Bolcom, Connolly, Drake, Hedge, Lamberti, Maddox, McLaren, Redwine, and Soukup. Nays, none. Absent or not voting, 2: Deluhery and Flynn.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 9:12 a.m., until 1:00 p.m., Monday, February 22, 1999.

JOURNAL OF THE SENATE

FORTY-THIRD CALENDAR DAY
TWENTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 22, 1999

The Senate met in regular session at 1:16 p.m., President Kramer presiding.

Prayer was offered by the Reverend Michael Van Rees, pastor of Prairie Ridge Reformed Church, Ankeny, Iowa.

The Journal of Thursday, February 18, 1999, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Gaskill until he arrives, on request of Senator Sexton; Senator McKean until he arrives, on request of Senator Drake.

INTRODUCTION OF BILLS

Senate File 183, by committee on Local Government, a bill for an act relating to the payment by a county of the family farm tax credit and reimbursement to the county of its payment and including an effective date.

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

Senate File 184, by committee on Local Government, a bill for an act relating to the preparation of fiscal notes on bills and resolutions imposing state mandates.

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

Senate File 185, by committee on Local Government, a bill for an act relating to the levy rate for fire protection imposed in an area of a benefited fire district and including an effective date.

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

Senate File 186, by committee on Local Government, a bill for an act providing that a county enterprise includes housing for persons who are elderly or persons with physical disabilities.

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

Senate File 187, by committee on Natural Resources and Environment, a bill for an act relating to the operation, regulation, and equipment of watercraft, establishing watercraft safety courses, and subjecting violators to a penalty, and providing an effective date.

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

Senate File 188, by Sexton, a bill for an act making appropriations from the rebuild Iowa infrastructure fund to the department of corrections for projects at the Rockwell City correctional facility.

Read first time and referred to committee on **Appropriations**.

Senate File 189, by committee on Judiciary, a bill for an act to change the penalty for and to reclassify certain misdemeanors.

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

Senate File 190, by Lundby, a bill for an act relating to the requirements for establishing and operating a city cable communication utility.

Read first time and referred to committee on **Commerce**.

Senate File 191, by Lundby, a bill for an act concerning the determination of a member's average covered wage for purposes of calculating retirement benefits under the Iowa public employees' retirement system.

Read first time and referred to committee on **State Government**.

Senate File 192, by committee on Judiciary, a bill for an act relating to open containers in motor vehicles and providing a penalty.

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

Senate File 193, by committee on Judiciary, a bill for an act relating to the duties of a guardian ad litem appointed to represent a child in juvenile court proceedings.

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

APPENDIX

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: February 18, 1999, 3:04 p.m.

Members Present: McKean, Chair; Lamberti, Vice Chair; Angelo, Boettger, Dvorsky, Hammond, Horn, Maddox, McCoy, Miller, Redfern, and Tinsman.

Members Absent: Hansen, Ranking Member; Fraise, and McKibben (all excused).

Committee Business: Subcommittee assignments. Passed HF 136 and SF 104. Approved SSBs 1046, 1092, and 1108.

Adjourned: 4:05 p.m.

BUSINESS AND LABOR RELATIONS

Convened: February 22, 1999, 1:33 p.m.

Members Present: McKibben, Chair; Freeman, Vice Chair; Dearden, Ranking Member; Behn, Hedge, Horn, King, Rife, and Schuerer.

Members Absent: Fraise and Hansen (both excused).

Committee Business: Subcommittee assignment. Presentation on the Human Resource Recruitment Consortium Iowa program.

Adjourned: 1:57 p.m.

HUMAN RESOURCES

Convened: February 22, 1999, 2:33 p.m.

Members Present: Boettger, Chair; Redwine, Vice Chair; Szymoniak, Ranking Member; Bartz, Behn, Dvorsky, Hammond, Harper, Miller, Schuerer, Shearer, Tinsman, and Veenstra.

Members Absent: None.

Committee Business: Approved SSB 1073. Recommended governor's appointees for confirmation.

Adjourned: 3:23 p.m.

TRANSPORTATION

Convened: February 22, 1999, 2:35 p.m.

Members Present: Drake, Chair; Sexton, Vice Chair; McCoy, Ranking Member; Fink, Freeman, Jensen, Judge, Kibbie, McKibben, Rittmer, and Zieman.

Members Absent: Fraise and McKean (both excused).

Committee Business: Approved SSB 1143.

Adjourned: 3:12 p.m.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

An Le, Des Moines – For being a winner in The Iowa African-American History Month Essay Contest on February 6, 1999. Senator Szymoniak (02/19/99).

Matthew Oliver, Aurora – For achieving the rank of Eagle Scout on February 21, 1999. Senator Rehberg (02/18/99).

Matthew Optiz, Aurora – For achieving the rank of Eagle Scout on February 21, 1999. Senator Rehberg (02/18/99).

April Sauls, Des Moines – For being a winner in The Iowa African-American History Month Essay Contest on February 6, 1999. Senator Szymoniak (02/19/99).

Ashton Sauls, Des Moines – For being a winner in The Iowa African-American History Month Essay Contest on February 6, 1999. Senator Szymoniak (02/19/99).

Aaron Schlumbohm, Stanley – For achieving the rank of Eagle Scout on February 21, 1999. Senator Rehberg (02/18/99).

Michael Stark, Aurora – For achieving the rank of Eagle Scout on February 21, 1999. Senator Rehberg (02/18/99).

Atia Wright, Des Moines – For being a winner in The Iowa African-American History Month Essay Contest on February 6, 1999. Senator Szymoniak (02/19/99).

Nicole Wright, Des Moines – For being a winner in The Iowa African-American History Month Essay Contest on February 6, 1999. Senator Szymoniak (02/19/99).

PETITION

The following petition was presented and placed on file by:

Senator Kibbie, from one hundred and fifty-nine residents of Clay County, opposing legislation to mandate ethanol use.

STUDY BILLS RECEIVED

SSB 1135 Commerce

Relating to access privileges to certain buildings and structures by certified local exchange carriers and franchised cable television providers.

SSB 1136 Commerce

Limiting the liability of financial institutions for certain actions arising out of the failure of information technology as the result of a year 2000 problem.

SSB 1137 Commerce

Providing for investments by banks and insurance companies in Iowa agricultural industry finance corporations.

SSB 1138 Commerce

Prohibiting unauthorized charges in telecommunications service, prohibiting certain acts in the advertisement or solicitation of changes in telecommunications service, and providing remedies and penalties.

SSB 1139 Commerce

Relating to the operation and regulation of insurance companies, including the treatment of certain confidential information by the commissioner, the operation of certain types of insurance companies, and the rights and duties of insurance companies under certain policies issued in this state.

SSB 1140 Commerce

Relating to proceedings before the utilities board and the provision of competitive utility services by allocating costs incurred by the utilities board and the office of consumer advocate to certain persons in certain proceedings related to providing competitive utility

services, and by providing for the certification of competitive natural gas providers and aggregators, and providing an effective date.

SSB 1141 State Government

Concerning governmental deferred compensation programs by providing for multiple programs, investment options, and marketing requirements for the programs.

SSB 1142 Commerce

Relating to the transfer of real estate, the filing of a release of mortgage, and providing a remedy.

SSB 1143 Transportation

Relating to transportation, including regulation of school buses and special trucks, vehicle titling and registration, commercial driver's licenses, regulations on motor carriers, regulations on motor vehicle manufacturers, distributors, and dealers, size, weight, and load restrictions on vehicles, driver education, and administrative procedures of the state department of transportation, and providing for fees and penalties.

SUBCOMMITTEE ASSIGNMENTS

Senate File 166

STATE GOVERNMENT: Lundby, Chair; Fink and McLaren

Senate File 170

COMMERCE: Redfern, Chair; Hansen and Jensen

SSB 1135

COMMERCE: King, Chair; Bolcom and Redwine

SSB 1136

COMMERCE: Flynn, Chair; King and Lamberti

SSB 1137

COMMERCE: Johnson, Chair; Deluhery and Redwine

SSB 1138

COMMERCE: Redfern, Chair; Flynn and Lundby

SSB 1139

COMMERCE: Deluhery, Chair; King and Maddox

SSB 1140

COMMERCE: Flynn, Chair; Johnson and Schuerer

SSB 1141

STATE GOVERNMENT: Lundby, Chair; Deluhery and Lamberti

SSB 1142

COMMERCE: Lamberti, Chair; Deluhery and Redfern

SSB 1143

TRANSPORTATION: Jensen, Chair; McCoy and Drake

COMMITTEE REPORTS**JUDICIARY**

Final Bill Action: SENATE FILE 104, a bill for an act relating to the penalty applicable to persons who commit animal abuse.

Recommendation: DO PASS.

Final Vote: Ayes, 12: McKean, Lamberti, Angelo, Boettger, Dvorsky, Hammond, Horn, Maddox, McCoy, Miller, Redfern, and Tinsman. Nays, none. Absent or not voting, 3: Hansen, Fraise, and McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 189 (SSB 1108), a bill for an act to change the penalty for and to reclassify certain misdemeanors.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: McKean, Lamberti, Angelo, Boettger, Dvorsky, Hammond, Horn, Maddox, McCoy, Redfern, and Tinsman. Nays, none. Absent or not voting, 4: Hansen, Fraise, McKibben, and Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 192 (SSB 1046), a bill for an act relating to open containers in motor vehicles and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: McKean, Lamberti, Angelo, Boettger, Dvorsky, Hammond, Horn, Maddox, McCoy, Miller, Redfern, and Tinsman. Nays, none. Absent or not voting, 3: Hansen, Fraise, and McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 193 (SSB 1092), a bill for an act relating to the duties of a guardian ad litem appointed to represent a child in juvenile court proceedings.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: McKean, Lamberti, Angelo, Boettger, Dvorsky, Hammond, Horn, Maddox, McCoy, Miller, Redfern, and Tinsman. Nays, none. Absent or not voting, 3: Hansen, Fraise, and McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 183 (SSB 1114), a bill for an act relating to the payment by a county of the family farm tax credit and reimbursement to the county of its payment and including an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Angelo, Hammond, Judge, McCoy, McKean, McKibben, and Zieman. Nays, none. Absent or not voting, 6: Bartz, Bolkcom, Fraise, Gaskill, Miller, and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 184 (SSB 1117), a bill for an act relating to the preparation of fiscal notes on bills and resolutions imposing state mandates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Angelo, Bartz, Bolkcom, Gaskill, Hammond, Judge, McCoy, McKean, McKibben, and Zieman. Nays, none. Absent or not voting, 3: Fraise, Miller, and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 185 (SSB 1115), a bill for an act relating to the levy rate for fire protection imposed in an area of a benefited fire district and including an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Angelo, Bartz, Bolkcom, Hammond, Judge, McCoy, McKean, McKibben, and Ziemann. Nays, none. Absent or not voting, 4: Fraise, Gaskill, Miller, and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 186 (SSB 1120), a bill for an act providing that a county enterprise includes housing for persons who are elderly or persons with physical disabilities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Angelo, Bartz, Bolkcom, Gaskill, Hammond, Judge, McCoy, McKean, McKibben, and Ziemann. Nays, none. Absent or not voting, 3: Fraise, Miller, and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Final Bill Action: *SENATE FILE 187 (SSB 1027), a bill for an act relating to the operation, regulation, and equipment of watercraft, establishing watercraft safety courses, and subjecting violators to a penalty, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Bartz, King, Fink, Black, Bolkcom, Dearden, Deluhery, Freeman, Gaskill, Johnson, Kibbie, Miller, and Rehberg. Nays, none. Absent or not voting, 2: Drake and Rife.

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 and Environment Committee on Senate File 187, and they were attached to the committee report.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 1:23 p.m., until 9:00 a.m., Tuesday, February 23, 1999.

JOURNAL OF THE SENATE

FORTY-FOURTH CALENDAR DAY
TWENTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 23, 1999

The Senate met in regular session at 9:04 a.m., President Kramer presiding.

Prayer was offered by Reverend Cathy F. Young, pastor of the Cedar Heights Community Presbyterian Church, Cedar Falls, Iowa.

The Journal of Monday, February 22, 1999, was approved.

HOUSE MESSAGE RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 22, 1999, passed the following bill in which the concurrence of the Senate is asked:

House File 209, a bill for an act relating to increasing the penalty for eluding or attempting to elude an official law enforcement vehicle.

Read first time and referred to committee on **Judiciary**.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: February 22, 1999, 3:35 p.m.

Members Present: Jensen, Chair; Maddox, Vice Chair; Deluhery, Ranking Member; Bolkcom, Flynn, Johnson, King, Lamberti, Lundby, McCoy, Redfern, Redwine, and Schuerer.

Members Absent: Gronstal and Hansen (both excused).

Committee Business: Presentation by Insurance Commissioner.

Adjourned: 4:23 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: February 23, 1999, 9:47 a.m.

Members Present: Redwine, Chair; Bartz, Vice Chair; McCoy, Ranking Member; Flynn and Sexton.

Members Absent: None.

Committee Business: Cell phone policies; Governor's office reconsideration of \$70,000; DIA requests; Worker's Comp. Request; Technology initiatives; Terrace Hill personnel, FTEs and non-general fund appropriations.

Adjourned: 11:27 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: February 23, 1999, 9:45 a.m.

Members Present: Behn, Chair; Hedge, Vice Chair; Fink and Gaskill.

Members Absent: Black, Ranking Member (excused).

Committee Business: Presentation by Des Moines Water Works.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 23, 1999, 9:45 am.

Members Present: Schuerer, Chair; Boettger, Vice Chair; Soukup, Ranking Member; Judge and Lamberti.

Members Absent: None.

Committee Business: Presentation by Iowa Business Council and Skills 2000 Commission.

Adjourned: 11:41 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 23, 1999, 9:45 a.m.

Members Present: Rehberg, Chair; Redfern, Vice Chair; Horn, Ranking Member; and Kibbie.

Members Absent: McLaren (excused).

Committee Business: Presentations by the Iowa Business Council and the Skills 2000 Commission.

Adjourned: 11:42 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 23, 1999, 9:45 a.m.

Members Present: Rife, Chair; Zieman, Vice Chair; Bolkom, Ranking Member; Dearden and McKibben.

Members Absent: None.

Committee Business: Budget presentations by Veterans Affairs and Iowa Veterans Home.

Adjourned: 10:48 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 23, 1999, 9:48 a.m.

Members Present: Maddox, Chair; Angelo, Vice Chair; and Dvorsky, Ranking Member.

Members Absent: Fraise and McKean (both excused).

Committee Business: Discussion regarding the closing of inmate law libraries. Presentations by the Dept. of Corrections, Attorney General, State Public Defender, State Law Library, Legislative Information Office, and the Office of Citizens Aide/Ombudsman.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT AND COMMUNICATIONS

Convened: February 23, 1999, 9:45 a.m.

Members Present: King, Chair; Deluhery, Ranking Member; and Harper,

Members Absent: Lundby, Vice Chair; and Rittmer.

Committee Business: Presentations by Iowa Health Care Assn.; Assn. of Iowa Hospitals; Iowa Automobile Dealers; Iowa Water Pollution Control Assn.; American Water Work Assn.; American Water Work Assn.; Iowa Section; US West; and Iowa Telecommunications Assn.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

Convened: February 23, 1999, 9:45 a.m.

Members Present: Freeman, Chair; Jensen, Vice Chair; Connolly, Ranking Member; Johnson and Shearer.

Members Absent: None.

Committee Business: Presentations by the U of I, UNI, ISU, Iowa School for the Deaf, and Iowa Braille and Sight Saving School.

Adjourned: 10:55 a.m.

AGRICULTURE

Convened: February 23, 1999, 8:01 a.m.

Members Present: Gaskill, Chair; Miller, Vice Chair; Angelo, Bartz, Behn, Hedge, Judge, Kibbie, Sexton, Shearer, Soukup, Veenstra, and Ziemann.

Members Absent: Fraise, Ranking Member; and Black (both excused).

Committee Business: Recommended governor's appointee for confirmation.

Adjourned: 8:17 a.m.

JUDICIARY

Convened: February 23, 1999, 3:05 p.m.

Members Present: McKean, Chair; Lamberti, Vice Chair; Angelo, Boettger, Dvorsky, Hammond, Horn, Maddox, McCoy, McKibben, Miller, Redfern, and Tinsman.

Members Absent: Hansen, Ranking Member; and Fraise (both excused).

Committee Business: Passed SF 12. Approved SSB 1075.

Adjourned: 3:37 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: February 23, 1999, 1:02 p.m.

Members Present: Bartz, Chair; King, Vice Chair; Fink, Ranking Member; Black, Bolkcom, Dearden, Deluhery, Drake, Freeman, Gaskill, Johnson, Kibbie, Miller, Rehberg, and Rife.

Members Absent: None.

Committee Business: Recommended governor's appointee for confirmation. Amended and approved SSB 1083.

Adjourned: 1:45 p.m.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Convened: February 23, 1999, 1:07 p.m.

Members Present: Lundby, Chair; Behn, Vice Chair; Shearer, Ranking Member; Boettger, Flynn, Judge, Rittmer, Sexton, Tinsman, Veenstra, and Zieman.

Members Absent: Hansen and Soukup (both excused).

Committee Business: Presentation by Iowa Workforce Development. Recommended governor's appointee for confirmation.

Adjourned: 1:45 p.m.

STATE GOVERNMENT

Convened: February 23, 1999, 2:06 p.m.

Members Present: Rittmer, Chair; Lamberti, Vice Chair; Kibbie, Ranking Member; Connolly, Dearden, Deluhery, Drake, Fink, King, Lundby, Maddox, McLaren, Schuerer, Sexton, and Szymoniak.

Members Absent: None.

Committee Business: Recommended governor's appointees for confirmation. Passed SF 3, SF 68, and SF 166. Approved SSB 1056. Deferred SF 54.

Adjourned: 3:00 p.m.

INTRODUCTION OF BILLS

Senate File 194, by Shearer, a bill for an act relating to acceptable accreditation of psychiatric medical institutions for children for the purpose of licensing.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 195, by Tinsman, a bill for an act establishing a managed care consumer protection Act.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 196, by Sexton and Fink, a bill for an act relating to the conduct of raffles by certain fairs, nonprofit organizations, political parties, and committees of candidates for elective office, and subjecting violators to a penalty.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 197, by Soukup, a bill for an act exempting hospices from the state sales and use taxes.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 198, by Miller, a bill for an act relating to the imposition of an annual conservation and land preservation tax for agricultural property converted to residential or commercial use and providing penalties.

Read first time under Rule 28 and referred to committee on **Agriculture**.

Senate File 199, by Maddox, a bill for an act relating to filing of belated claims for the homestead property tax credit and military property tax exemption and providing for the Act's applicability.

Read first time under Rule 28 and referred to committee on **Ways and Means.**

Senate File 200, by Sexton, a bill for an act relating to the operation, regulation, and equipment of watercraft, and subjecting violators to a penalty.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment.**

Senate File 201, by Harper, a bill for an act establishing a pharmaceutical assistance program for the elderly and providing a penalty.

Read first time under Rule 28 and referred to committee on **Human Resources.**

Senate File 202, by Harper, a bill for an act relating to the guidelines to be followed by a trauma care facility for persons with head injuries.

Read first time under Rule 28 and referred to committee on **Human Resources.**

Senate File 203, by committee on Transportation, a bill for an act relating to transportation, including regulation of school buses and special trucks, vehicle titling and registration, commercial driver's licenses, regulations on motor carriers, regulations on motor vehicle manufacturers, distributors, and dealers, size, weight, and load restrictions on vehicles, driver education, and administrative procedures of the state department of transportation, and providing for fees and penalties and an effective date.

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

Senate File 204, by McKean, a bill for an act relating to the date of the primary election.

Read first time under Rule 28 and referred to committee on **State Government.**

Senate File 205, by committee on Human Resources, a bill for an act relating to cigarettes and tobacco products by prohibiting that such products be given away and by prohibiting giving of other items as part of a sale of such cigarettes and tobacco products and making penalties applicable.

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

Senate File 206, by Connolly and Kibbie, a bill for an act providing for an increase in the regular program foundation base per pupil for the portion of weighted enrollment that is additional enrollment because of special education and the special education support services foundation base, and including an effective date and applicability provision.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 207, by Connolly, a bill for an act establishing a grant process to provide school districts with resources to implement volunteer student mentoring pilot projects, making an appropriation, and providing emergency rulemaking authority.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 208, by Harper, Horn, Kibbie, and Gronstal, a bill for an act creating an enhance Iowa distribution account, a technology assurance fund, and a recreation, environment, arts, culture, and heritage fund; making changes in the rebuild Iowa infrastructure fund; making corresponding statutory changes; and relating to appropriations from the account and funds.

Read first time under Rule 28 and referred to committee on **Appropriations**.

STUDY BILLS RECEIVED**SSB 1144 Appropriations**

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.

SSB 1145 State Government

Adopting the nurse licensure compact, and providing an effective date.

SSB 1146 Natural Resources and Environment

Making appropriations from the rebuild Iowa infrastructure fund for the fiscal year beginning July 1, 1999, and ending June 30, 2000, to the department of agriculture and land stewardship and the department of natural resources.

SSB 1147 Natural Resources and Environment

Relating to a watershed protection task force and creating a watershed protection program and a watershed protection account within the water protection fund.

SSB 1148 Commerce

Relating to health care service and treatment coverage by providing for continuity of care, discussion and advocacy of treatment options, coverage of emergency room services, utilization review requirements, and an external review process.

SSB 1149 Human Resources

Relating to paternity establishment of affidavit.

SSB 1150 Appropriations

Relating to and making transportation and other infrastructure-related appropriations to the state department of transportation, including allocation and use of moneys from the general fund of the state, road use tax fund, and primary road fund, and providing for the nonreversion of certain moneys.

SUBCOMMITTEE ASSIGNMENTS**Senate File 162**

APPROPRIATIONS: Kramer, Chair; Deluhery and Hedge

Senate File 164

WAYS AND MEANS: Johnson, Chair; Bolkcom and McKibben

Senate File 171

HUMAN RESOURCES: Miller, Chair; Bartz and Hammond

Senate File 172

WAYS AND MEANS: Johnson, Chair; Deluhery and Lamberti

Senate File 177

HUMAN RESOURCES: Szymoniak, Chair; Boettger and Schuerer

Senate File 178

STATE GOVERNMENT: Maddox, Chair; Connolly and Schuerer

Senate File 179

HUMAN RESOURCES: Schuerer, Chair; Behn and Shearer

Senate File 180

WAYS AND MEANS: Redwine, Chair; Flynn and Johnson

Senate File 182

HUMAN RESOURCES: Boettger, Chair; Bartz and Szymoniak

Senate File 188

APPROPRIATIONS: Freeman, Chair; Connolly and Johnson

Senate File 190

COMMERCE: Lundby, Chair; Hansen and Johnson

Senate File 191

STATE GOVERNMENT: Rittmer, Chair; Kibbie and Lundby

Senate File 197

WAYS AND MEANS: McKibben, Chair; Drake and Soukup

Senate File 199

WAYS AND MEANS: Johnson, Chair; Harper and Maddox

Senate File 200

NATURAL RESOURCES AND ENVIRONMENT: Freeman, Chair; Johnson and Kibbie

House File 255

HUMAN RESOURCES: Dvorsky, Chair; Miller and Veenstra

SSB 1144

APPROPRIATIONS: Tinsman, Chair; Hammond and Redwine

SSB 1145

STATE GOVERNMENT: Rittmer, Chair; Connolly and King

SSB 1146

NATURAL RESOURCES AND ENVIRONMENT: Bartz, Chair; Johnson and Rehberg

SSB 1147

NATURAL RESOURCES AND ENVIRONMENT: Fink, Chair; Dearden and Kibbie

SSB 1148

COMMERCE: Schuerer, Chair; Hansen and Redwine

SSB 1149

HUMAN RESOURCES: Veenstra, Chair; Bartz and Dvorsky

SSB 1150

APPROPRIATIONS: Freeman, Chair; Connolly and Jensen

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: SENATE FILE 205 (SSB 1073), a bill for an act relating to cigarettes and tobacco products by prohibiting that such products be given away and by prohibiting giving of other items as part of a sale of such cigarettes and tobacco products and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Boettger, Redwine, Szymoniak, Behn, Dvorsky, Hammond, Harper, Shearer, Tinsman, and Veenstra. Nays, 3: Bartz, Miller, and Schuerer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: HOUSE FILE 136, a bill for an act relating to the criminal offenses that require registration as provided in the sex offender registry law and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3018.

Final Vote: Ayes, 8: McKean, Lamberti, Angelo, Boettger, Horn, Maddox, Redfern, and Tinsman. Nays, 2: Dvorsky and Hammond. Present, 1: McCoy. Absent, 4: Hansen, Fraise, McKibben, and Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 68, a bill for an act relating to counties included in the mid-America port commission.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Rittmer, Lamberti, Kibbie, Connolly, Dearden, Deluhery, Drake, Fink, King, Lundby, Maddox, McLaren, Schuerer, Sexton, and Szymoniak. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 166, a bill for an act relating to the establishment of an Iowa battle flag commission, and making an appropriation.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Rittmer, Lamberti, Kibbie, Connolly, Dearden, Drake, Fink, King, Lundby, Maddox, McLaren, Schuerer, and Szymoniak. Nays, 2: Deluhery and Sexton.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: *SENATE FILE 203 (SSB 1143), a bill for an act relating to transportation, including regulation of school buses and special trucks, vehicle titling and registration, commercial driver's licenses, regulations on motor carriers, regulations on motor vehicle manufacturers, distributors, and dealers, size, weight, and load restrictions on vehicles, driver education, and administrative procedures of the state department of transportation, and providing for fees and penalties and an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Drake, McCoy, Freeman, Jensen, Judge, Kibbie, McKibben, Rittmer, and Zieman. Nays, 2: Sexton and Fink. Absent or not voting, 2: Fraise and McKean.

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 203, and they were attached to the committee report.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Calendar with recommendations for confirmation on February 23, 1999:

AGRICULTURE

Edwin J. Hershberger – Iowa Grain Indemnity Fund Board

STATE GOVERNMENT

George M. Price – Board of Dietetic Examiners

Michael J. Wolnerman – Board for the Licensing and Regulation of Hearing Aid Dealers

Thomas D. Whitson – Investment Board of the IPERS

Lois A. Leytem – Board of Examiners for Massage Therapy
E. Howard Sonksen – Board of Examiners for Massage Therapy

Dr. Kyle F. Whitten – Board of Podiatry Examiners

James L. Yeast – Board of Social Work Examiners

**GOVERNOR'S APPOINTEES PLACED ON
INDIVIDUAL CONFIRMATION CALENDAR**

The following appointees, assigned to standing committees for investigation, were placed on the Individual Confirmation Calendar with recommendations for confirmation on February 23, 1999:

NATURAL RESOURCES AND ENVIRONMENT

Paul W. Johnson – Director of the Department of Natural Resources

STATE GOVERNMENT

Kevin W. Techau – Director of the Department of Inspections and Appeals

Cynthia P. Eisenhower – Director of the Department of Management

AMENDMENT FILED

S-3018

H.F. 136

Judiciary

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 9:15 a.m., until 9:00 a.m., Wednesday, February 24, 1999.

JOURNAL OF THE SENATE

FORTY-FIFTH CALENDAR DAY
TWENTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 24, 1999

The Senate met in regular session at 9:08 a.m., President Kramer presiding.

Prayer was offered by Pastor Scott J. Meador, of Epworth United Methodist Church, Dubuque, Iowa.

The Journal of Tuesday, February 23, 1999, was approved.

SPECIAL GUESTS

President Kramer welcomed Alexandra Ling and Cathy Pierce who were present on the Senate floor. Ms. Ling and Ms. Pierce are visiting from England and were accompanied by Joe Ryan.

BILLS REFERRED TO COMMITTEE

Senator Iverson asked and received unanimous consent that **Senate Files 183 and 185** be referred from the **Regular Calendar** to the committee on **Ways and Means**.

INTRODUCTION OF BILLS

Senate File 209, by committee on Judiciary, a bill for an act establishing a uniform standard for determination of death.

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

Senate File 210, by committee on State Government, a bill for an act increasing the minimum daily pay for members of the Iowa national guard while in state active service.

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

Senate File 211, by Jensen, a bill for an act relating to eligibility of certain disabled persons under the optional services coverage category of medical assistance.

Read first time and referred to committee on **Human Resources**.

Senate File 212, by Fraise, a bill for an act requesting the governor to issue annually a proclamation designating a "Bill of Rights Day".

Read first time and referred to committee on **State Government**.

RECESS

On motion of Senator Iverson, the Senate recessed at 9:27 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: February 24, 1999, 9:50 a.m.

Members Present: Behn, Chair; Hedge, Vice Chair; Black, Ranking Member; Fink and Gaskill.

Members Absent: None.

Committee Business: Presentation by ISU.

Adjourned: 10:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 24, 1999, 9:45 a.m.

Members Present: Schuerer, Chair; Boettger, Vice Chair; Soukup, Ranking Member; Judge and Lamberti.

Members Absent: None.

Committee Business: Presentations by Workforce Training and Recruitment Programs.

Adjourned: 10:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 24, 1999, 9:48 a.m.

Members Present: Rife, Chair; Zieman, Vice Chair; Bolckcom, Ranking Member; and McKibben.

Members Absent: Dearden.

Committee Business: Presentation by Dept. of General Services. Discussion on Information Technology requests.

Adjourned: 10:39 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 24, 1999, 9:55 a.m.

Members Present: Tinsman, Chair; Veenstra, Vice Chair; Hammond, Ranking Member; Miller and Szymoniak.

Members Absent: None.

Committee Business: Presentations by DHS and LFB. Purchase of Service overview.

Adjourned: 12:02 p.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

Convened: February 24, 1999, 9:50 a.m.

Members Present: Freeman, Chair; Jensen, Vice Chair; Connolly, Ranking Member; Johnson and Shearer.

Members Absent: None.

Committee Business: Presentation by Dept. of Corrections.

Adjourned: 11:00 a.m.

EDUCATION

Convened: February 24, 1999, 1:02 p.m.

Members Present: Redfern, Chair; Rehberg, Vice Chair; Connolly, Ranking Member; Angelo, Boettger, Dvorsky, Fink, Gaskill, Harper, Redwine, Sexton, Shearer, Szymoniak, Tinsman, and Veenstra.

Members Absent: None.

Committee Business: Subcommittee assignments. Passed SF 40 and SF 69.

Adjourned: 2:00 p.m.

HUMAN RESOURCES

Convened: February 24, 1999, 2:08 p.m.

Members Present: Boettger, Chair; Redwine, Vice Chair; Szymoniak, Ranking Member; Bartz, Behn, Dvorsky, Hammond, Harper, Miller, Schuerer, Shearer, Tinsman, and Veenstra.

Members Absent: None.

Committee Business: Approved SSB 1121. Amended and approved SSB 1130. Recommended governor's appointees for confirmation.

Adjourned: 2:38 p.m.

PETITIONS

The following petitions were presented and placed on file by:

Senator Connolly, from approximately one hundred residents of Dubuque County, favoring legislation supporting nurses to be maintained in operating rooms.

Senator Schuerer, from twenty-five residents of Tama County, favoring legislation supporting a Fuel Quality Standard.

GOVERNOR'S APPOINTEE PLACED ON EN BLOC CALENDAR

The following appointee, assigned to standing committees for investigation, was placed on the En Bloc Calendar with recommendations for confirmation on February 23, 1999:

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM

Robert C. Bocken – Iowa Economic Development Board

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Josef Schwery, St. Charles – For achieving the rank of Eagle Scout. Senator Fink (02/18/99).

STUDY BILLS RECEIVED

SSB 1151 State Government

Relating to the authority of cities and counties to adopt rent control ordinances.

SSB 1152 Ways and Means

Providing an exemption from the state sales and use taxes for certain equipment used in transporting telecommunications services.

SSB 1153 State Government

Relating to medical professionals in professional corporations.

SSB 1154 State Government

Relating to the student member of the state board of regents and providing a contingent effective date.

SSB 1155 Human Resources

Relating to health care facility enforcement procedures.

SSB 1156 Human Resources

Providing for conditional employment pending the outcome of background checks for health care facility employees.

SSBS 1157 Education

A Concurrent Resolution recognizing and endorsing Read Across America Day, and calling for the citizens of the State of Iowa to reaffirm the importance and the joy of reading.

SUBCOMMITTEE ASSIGNMENTS**Senate File 167**

EDUCATION: Gaskill, Chair; Boettger and Harper

Senate File 181

EDUCATION: Tinsman, Chair; Dvorsky and Veenstra

Senate File 196

STATE GOVERNMENT: Sexton, Chair; Fink and Lundby

Senate File 204

STATE GOVERNMENT: Rittmer, Chair; Kibbie and Lundby

Senate File 208

APPROPRIATIONS: McLaren, Chair; Flynn and Freeman

SSB 1151

STATE GOVERNMENT: Maddox, Chair; King and Szymoniak

SSB 1152

WAYS AND MEANS: Lamberti, Chair; Drake and Deluhery

SSB 1153

STATE GOVERNMENT: Lamberti, Chair; Szymoniak and Sexton

SSB 1154

STATE GOVERNMENT: McLaren, Chair; Kibbie and Lundby

SSB 1155

HUMAN RESOURCES: Boettger, Chair; Harper and Veenstra

SSB 1156

HUMAN RESOURCES: Boettger, Chair; Harper and Veenstra

SSB 1157

EDUCATION: Committee as a whole

COMMITTEE REPORTS**JUDICIARY**

Final Bill Action: SENATE FILE 209 (Formerly SF 12), a bill for an act establishing a uniform standard for determination of death.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: McKean, Lamberti, Angelo, Boettger, Dvorsky, Hammond, Horn, Maddox, McCoy, McKibben, Miller, Redfern, and Tinsman. Nays, none. Absent or not voting, 2: Hansen and Fraise.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Final Bill Action: *SENATE FILE 214 (SSB 1083), a bill for an act relating to forestry and forest resource support, sale of trees and shrubs in the state nursery stock, and making appropriations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Bartz, King, Fink, Black, Bolkcom, Dearden, Deluhery, Drake, Freeman, Gaskill, Kibbie, Miller, Rehberg, and Rife. Nays, 1: Johnson.

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 and Environment Committee on Senate File 214, and they were attached to the committee report.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 210 (SSB 1056), a bill for an act increasing the minimum daily pay for members of the Iowa national guard while in state active service.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Rittmer, Lamberti, Kibbie, Connolly, Dearden, Deluhery, Drake, Fink, King, Lundby, Maddox, McLaren, Schuerer, Sexton, and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 213 (Formerly SF 3), a bill for an act setting the time for the closing of precinct polling places.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Rittmer, Lamberti, Drake, King, Maddox, McLaren, Schuerer, Sexton, and Szymoniak. Nays, 5: Kibbie, Dearden, Deluhery, Fink, and Lundby. Present, 1: Connolly.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 4:38 p.m., President Kramer presiding.

QUORUM CALL

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

The vote revealed 39 present, 11 absent, and a quorum present.

HOUSE MESSAGES RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 23, 1999, passed the following bill in which the concurrence of the Senate is asked:

House File 281, a bill for an act related to activities of bail enforcement agents that are exempt from state licensing requirements.

Read first time and referred to committee on **State Government**.

ALSO: That the House has on February 24, 1999, passed the following bills in which the concurrence of the Senate is asked:

House File 100, a bill for an act relating to the revocation or suspension of a law enforcement officer's certification.

Read first time and referred to committee on **State Government**.

House File 200, a bill for an act relating to motorcycle rider education plates for motor vehicles.

Read first time and referred to committee on **Transportation**.

House File 208, a bill for an act establishing a southern Iowa development and conservation authority, specifying membership,

powers, and duties, creating a southern Iowa development and conservation fund, and providing for other properly related matters.

Read first time and referred to committee on **Natural Resources and Environment**.

House File 296, a bill for an act to restrict the posting of bond for the offense of felony stalking.

Read first time and referred to committee on **Judiciary**.

INTRODUCTION OF BILLS

Senate File 213, by committee on State Government, a bill for an act setting the time for the closing of precinct polling places.

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

Senate File 214, by committee on Natural Resources and Environment, a bill for an act relating to forestry and forest resource support, sale of trees and shrubs in the state nursery stock, and making appropriations.

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

Senate File 215, by Flynn, a bill for an act relating to all-terrain vehicles used for hunting and fishing activities.

Read first time and referred to committee on **Natural Resources and Environment**.

Senate File 216, by committee on Judiciary, a bill for an act relating to the commitment of sexually violent predators, by changing the deadline for filing a petition by the attorney general; providing for waiver or continuance of the probable cause hearing; granting greater enforcement power to the prosecuting attorney; extending the time to hold a trial; establishing supervised release for sexually violent persons who have been rehabilitated; providing for the preservation of certain child abuse reports; and providing the department of justice with access to such reports.

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

The Senate stood at ease at 4:44 p.m. until the fall of the gavel, for the purpose of a party caucus.

The Senate resumed session at 5:12 p.m., President Kramer presiding.

CONSIDERATION OF BILL

Senator Iverson asked and received unanimous consent to take up Senate Joint Resolution 2, for purposes of a record roll call.

Senate Joint Resolution 2

On motion of Senator Iverson, **Senate Joint Resolution 2**, a joint resolution relating to the designation of the Old State Historical Building as the Ola Babcock Miller State Office Building, was taken up for consideration.

Senator Iverson moved the passage of Senate Joint Resolution 2. The resolution was previously read for the last time and the title was agreed to.

On the question "Shall the bill pass?" (S.J.R. 2), the vote was:

Ayes, 50:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
DeJuhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Sexton
Shearer	Soukup	Szymoniak	Tinsman
Veenstra	Zieman		

Nays, none.

Absent or not voting, none.

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 Iverson asked and received unanimous consent to take up for consideration Senate File 137.

Senate File 137

On motion of Senator Connolly, **Senate File 137**, a bill for an act relating to funding for the arts by providing an Iowa individual income tax check off for the arts, making an appropriation, and providing a retroactive applicability date, 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. 137), the vote was:

Ayes, 50:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Sexton
Shearer	Soukup	Szymoniak	Tinsman
Veenstra	Zieman		

Nays, none.

Absent or not voting, 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)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 174, 151, 175, 146, and 149.

Senate File 174

On motion of Senator Boettger, **Senate File 174**, a bill for an act changing a Code reference to the Iowa association of community providers and providing an effective date, was taken up for consideration.

Senator Boettger offered amendment S-3020 filed by her from the floor to page 1 of the bill and moved its adoption.

Amendment S-3020 was adopted by a voice vote.

Senator Boettger moved that the bill be read the last time now and placed upon its passage, 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, 50:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Sexton
Shearer	Soukup	Szymoniak	Tinsman
Veenstra	Zieman		

Nays, none.

Absent or not voting, none.

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

Senate File 151

On motion of Senator Hammond, **Senate File 151**, a bill for an act relating to the selection of township trustees and township clerks, was taken up for consideration.

Senator Hammond moved that the bill be read the last time now and placed upon its passage, 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, 27:

Angelo	Bartz	Black	Bolkcom
Connolly	Dearden	Deluhery	Fink
Flynn	Freeman	Gronstal	Hammond
Hansen	Harper	Iverson	Johnson
Judge	Kramer	Lundby	McCoy
McKibben	Rehberg	Sexton	Soukup
Szymoniak	Tinsman	Zieman	

Nays, 23:

Behn	Boettger	Drake	Dvorsky
Fraise	Gaskill	Hedge	Horn
Jensen	Kibbie	King	Lamberti
Maddox	McKean	McLaren	Miller
Redfern	Redwine	Rife	Rittmer
Schuerer	Shearer	Veenstra	

Absent or not voting, none.

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

Senate File 175

On motion of Senator McCoy, **Senate File 175**, a bill for an act providing for the display of flashing emergency signal lamps by motor vehicles in funeral processions, was taken up for consideration.

Senator McCoy moved that the bill be read the last time now and placed upon its passage, 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, 48:

Angelo	Behn	Boettger	Bolkcom
Connolly	Dearden	Deluhery	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gaskill	Gronstal	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Johnson	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Shearer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, 2:

Bartz Black

Absent or not voting, none.

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 Hansen, **Senate File 146**, a bill for an act relating to worker and public safety and protection laws administered by the labor services division of Iowa workforce development, was taken up for consideration.

Senator Hansen moved that the bill be read the last time now and placed upon its passage, 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, 50:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden

Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Sexton
Shearer	Soukup	Szymoniak	Tinsman
Veenstra	Zieman		

Nays, none.

Absent or not voting, none.

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

Senate File 149

On motion of Senator McKibben, **Senate File 149**, a bill for an act establishing a time limit for disallowance or reduction of motor vehicle warranty claims, relating to establishment of motor vehicle service or warranty facilities, and making a penalty applicable, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 149), the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rittmer	Schuerer	Sexton	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

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.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Joint Resolution 2** and **Senate Files 137, 174, 151, 175, 146, and 149** be **immediately messaged** to the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hammond for the remainder of the day, on request of Senator Bolckcom.

UNFINISHED BUSINESS (Deferred February 10, 1999)

Senate File 52

The Senate resumed consideration of **Senate File 52**, a bill for an act establishing the new criminal offense of interference with a peace officer's service horse, and applying a penalty, and amendment S-3008 filed by Senator Hansen on February 10, 1999, to page 1 of the bill, previously deferred.

Senator Hansen moved the adoption of amendment S-3008.

A non-record roll call was requested.

The ayes were 22, nays 25.

Amendment S-3008 lost.

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

On the question "Shall the bill pass?" (S.F. 52), the vote was:

Ayes, 36:

Angelo	Bartz	Behn	Black
Boettger	Connolly	Deluhery	Drake
Flynn	Fraise	Freeman	Gaskill
Gronstal	Harper	Hedge	Iverson
Jensen	Judge	Kibbie	Kramer
Lamberti	Lundby	McCoy	McKean
McKibben	Miller	Redfern	Redwine
Rehberg	Rittmer	Schuerer	Sexton
Soukup	Szymoniak	Veenstra	Zieman

Nays, 12:

Bolkcom	Dearden	Dvorsky	Fink
Hansen	Horn	Johnson	King
Maddox	McLaren	Shearer	Tinsman

Absent or not voting, 2:

Hammond	Rife
---------	------

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

CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 150 and 173.

Senate File 150

On motion of Senator Miller, **Senate File 150**, a bill for an act concerning judicial administration, 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. 150), the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rittmer
Schuerer	Sexton	Shearer	Soukup
Szymaniak	Tinsman	Veenstra	Zieman

Nays, none.

Absent or not voting, 2:

Hammond Rife

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

Senate File 173

On motion of Senator Sexton, **Senate File 173**, a bill for an act relating to the description of disabilities of individuals receiving vocational rehabilitation services, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 173), the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rittmer

Schuerer
Szymoniak

Sexton
Tinsman

Shearer
Veenstra

Soukup
Zieman

Nays, none.

Absent or not voting, 2:

Hammond

Rife

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 Iverson asked and received unanimous consent to take up for consideration Senate File 176.

Senate File 176

On motion of Johnson, **Senate File 176**, a bill for an act relating to the elimination of investment counseling as a taxable service under the state sales and use taxes, was taken up for consideration.

Johnson moved that the bill be read the last time now and placed upon its passage, 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, 29:

Angelo
Drake
Harper
Johnson
Lamberti
Redfern
Sexton
Zieman

Bartz
Flynn
Hedge
Judge
Maddox
Redwine
Soukup

Behn
Freeman
Iverson
King
McKibben
Rehberg
Tinsman

Boettger
Gaskill
Jensen
Kramer
Miller
Schuerer
Veenstra

Nays, 19:

Black
Deluhery
Gronstal

Bolkcom
Dvorsky
Hansen

Connolly
Fink
Horn

Dearden
Fraise
Kibbie

Lundby
Rittmer

McCoy
Shearer

McKean
Szymoniak

McLaren

Absent or not voting, 2:

Hammond

Rife

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

CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 189 and 193.

Senate File 189

On motion of Senator Lamberti, **Senate File 189**, a bill for an act to change the penalty for and to reclassify certain misdemeanors, was taken up for consideration.

Senator Lamberti offered amendment S-3019 filed by him from the floor to page 3 of the bill and moved its adoption.

Amendment S-3019 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 189), the vote was:

Ayes, 48:

Angelo
Boettger
Deluhery
Flynn
Gronstal
Horn
Judge
Lamberti
McKean
Redfern

Bartz
Bolkcom
Drake
Fraise
Hansen
Iverson
Kibbie
Lundby
McKibben
Redwine

Behn
Connolly
Dvorsky
Freeman
Harper
Jensen
King
Maddox
McLaren
Rehberg

Black
Dearden
Fink
Gaskill
Hedge
Johnson
Kramer
McCoy
Miller
Rittmer

Schuerer
Szymoniak

Sexton
Tinsman

Shearer
Veenstra

Soukup
Zieman

Nays, none.

Absent or not voting, 2:

Hammond

Rife

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

Senate File 193

On motion of Senator Maddox, **Senate File 193**, a bill for an act relating to the duties of a guardian ad litem appointed to represent a child in juvenile court proceedings, was taken up for consideration.

Senator Maddox moved that the bill be read the last time now and placed upon its passage, 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, 48:

Angelo
Boettger
Deluhery
Flynn
Gronstal
Horn
Judge
Lamberti
McKean
Redfern
Schuerer
Szymoniak

Bartz
Bolkcom
Drake
Fraise
Hansen
Iverson
Kibbie
Lundby
McKibben
Redwine
Sexton
Tinsman

Behn
Connolly
Dvorsky
Freeman
Harper
Jensen
King
Maddox
McLaren
Rehberg
Shearer
Veenstra

Black
Dearden
Fink
Gaskill
Hedge
Johnson
Kramer
McCoy
Miller
Rittmer
Soukup
Zieman

Nays, none.

Absent or not voting, 2:

Hammond

Rife

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that Senate Files 52, 150, 173, 176, 189 and 193 be immediately messaged to the House.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 59, Senator Iverson called up the following eligible appointees on the En Bloc Confirmation Calendar:

Daniel Rhodes Hunter, Director of the Department of Cultural Affairs

Marie L. Grabenbauer, Board of Educational Examiners

Dr. Robert D. Koob, Iowa Empowerment Board

Jennifer L. Lightbody, Iowa Empowerment Board

Cheryle W. Mitvalsky, Iowa Empowerment Board

Matthew J. Mohrfeld, Iowa Empowerment Board

W. Fletcher Reel, Iowa Empowerment Board

Clark A. Smith, Iowa Empowerment Board

Nancy S. Van Milligan, Iowa Empowerment Board

Eldon E. Huston, Healthy and Well Kids in Iowa (HAWK-I) Board

David W. Krutzfeldt, Healthy and Well Kids in Iowa (HAWK-I) Board

Nancy B. Mounts, Healthy and Well Kids in Iowa (HAWK-I) Board

Darlene Marie Jeris, Executive Director of Iowa Finance Authority

Robert H. Furleigh, State Judicial Nominating Commission

Jacklyn Van Ekeren Romp, Board of Parole

Sarah A. Falb, Iowa Workforce Development Board

Daniel A. Purcell, Iowa Workforce Development Board

Senator Iverson moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rittmer
Schuerer	Sexton	Shearer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, none.

Absent or not voting, 2:

Hammond Rife

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

INTRODUCTION OF BILLS

Senate File 217, by Bolkcom, a bill for an act requiring Iowa national pollutant discharge elimination system permit holders to post signs at discharge points and providing a penalty.

Read first time and referred to committee on **Natural Resources and Environment**.

Senate File 218, by Angelo, a bill for an act relating to reflective devices on slow-moving vehicles.

Read first time and referred to committee on **Transportation**.

Senate File 219, by Connolly, a bill for an act relating to the local option sales tax for school infrastructure, and including an effective date and retroactive applicability provision.

Read first time and referred to committee on **Ways and Means**.

Senate File 220, by Johnson, a bill for an act prohibiting the sale or distribution of purple loosestrife.

Read first time and referred to committee on **Natural Resources and Environment**.

Senate File 221, by committee on Human Resources, a bill for an act relating to welfare reform provisions involving the family investment program and individual development accounts.

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

Senate File 222, by Tinsman, a bill for an act relating to regulation of needles and providing penalties.

Read first time and referred to committee on **Human Resources**.

Senate File 223, by Rehberg, a bill for an act relating to a bona fide retirement under the Iowa public employees' retirement system.

Read first time and referred to committee on **State Government**.

Senate File 224, by committee on Commerce, a bill for an act relating to proceedings before the utilities board and the provision of competitive utility services by allocating costs incurred by the utilities board and the office of consumer advocate to certain persons in certain proceedings related to providing competitive utility services, and by providing for the certification of competitive natural gas providers and aggregators, and providing an effective date.

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

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 24, 1999, 9:45 a.m.

Members Present: Maddox, Chair; Angelo, Vice Chair; Dvorsky, Ranking Member; Fraise and McKean.

Members Absent: None.

Committee Business: Community-based corrections programming.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT AND COMMUNICATIONS

Convened: February 24, 1999, 9:45 a.m.

Members Present: King, Chair; Deluhery, Ranking Member; Harper and Rittmer.

Members Absent: Lundby, Vice Chair.

Committee Business: Detailed ICN background and budget presentation.

Adjourned: 11:25 a.m.

COMMERCE

Convened: February 24, 1999, 3:02 p.m.

Members Present: Jensen, Chair; Maddox, Vice Chair; Deluhery, Ranking Member; Bolkcom, Flynn, Gronstal, Hansen, Johnson, King, Lamberti, Lundby, McCoy, Redfern, Redwine, and Schuerer.

Members Absent: None.

Committee Business: Approved SSBs 1068, 1086, and 1140. Amended and approved SSB 1139.

Adjourned: 3:28 p.m.

ETHICS

Convened: February 24, 1999, 3:10 p.m.

Members Present: Hedge, Chair; Drake, Vice Chair; Szymoniak, Ranking Member; Connolly, Hammond, and McKean.

Members Absent: None.

Committee Business: Discussion on "Center for Public Integrity Ethics" report.

Adjourned: 3:30 p.m.

WAYS AND MEANS

Convened: February 24, 1999, 4:02 p.m.

Members Present: Johnson, Chair; McKibben, Vice Chair; Harper, Ranking Member; Bartz, Bolkcom, Connolly, Deluhery, Drake, Flynn, Hedge, Lamberti, Maddox, Redwine, and Soukup.

Members Absent: McLaren (excused).

Committee Business: Approved SSB 1042. Amended and passed SF 155.

Adjourned: 4:17 p.m.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Denis Roy, West Des Moines – For service to Iowa citizens. Senator Kramer (02/25/99).

COMMITTEE REPORTS

COMMERCE

Final Bill Action: SENATE FILE 224 (SSB 1140), a bill for an act relating to proceedings before the utilities board and the provision of competitive utility services by allocating costs incurred by the utilities board and the office of consumer advocate to certain persons in certain proceedings related to providing competitive utility services, and by providing for the certification of competitive natural gas providers and aggregators, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Jensen, Maddox, Deluhery, Bolkcom, Flynn, Gronstal, Hansen, Johnson, King, Lamberti, Lundby, McCoy, Redfern, Redwine, and Schuerer. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 221 (SSB 1121), a bill for an act relating to welfare reform provisions involving the family investment program and individual development accounts.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Boettger, Redwine, Szymoniak, Bartz, Behn, Dvorsky, Hammond, Harper, Miller, Schuerer, Shearer, Tinsman, and Veenstra. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: *SENATE FILE 216 (SSB 1075), a bill for an act relating to the commitment of sexually violent predators, by changing the deadline for filing a petition by the attorney general; providing for waiver or continuance of the probable cause hearing; granting greater enforcement power to the prosecuting attorney; extending the time to hold a trial; establishing supervised release for sexually violent persons who have been rehabilitated; providing for the preservation of certain child abuse reports; and providing the department of justice with access to such reports.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: McKean, Lamberti, Angelo, Boettger, Dvorsky, Hammond, Horn, Maddox, McCoy, McKibben, Miller, Redfern, and Tinsman. Nays, none. Absent or not voting, 2: Hansen and Fraise.

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 216, and they were attached to the committee report.

AMENDMENTS FILED

S-3019	S.F. 189	Jeff Lamberti
S-3020	S.F. 174	Nancy J. Boettger

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 7:06 p.m., until 9:00 a.m., Thursday, February 25, 1999.

JOURNAL OF THE SENATE

FORTY-SIXTH CALENDAR DAY
TWENTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 25, 1999

The Senate met in regular session at 9:08 a.m., President Kramer presiding.

Prayer was offered by Pastor Leonard Sjogren, of Hope United Methodist Church, Marshalltown, Iowa.

The Journal of Wednesday, February 24, 1999, was approved.

INTRODUCTION OF BILL

Senate File 225, by Dvorsky, a bill for an act relating to the eligibility of certain employed persons with a disability under the medical assistance program.

Read first time and referred to committee on **Human Resources**.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: February 24, 1999, 9:58 a.m.

Members Present: Redwine, Chair; Bartz, Vice Chair; McCoy, Ranking Member; Flynn and Sexton.

Members Absent: None.

Committee Business: Presentations by the Governor's Office, Dept. of Management, and Governor's Strategic Plan Chair.

Adjourned: 10:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 24, 1999, 9:35 a.m.

Members Present: Rehberg, Chair; Redfern, Vice Chair; Horn, Ranking Member; and Kibbie.

Members Absent: McLaren (excused).

Committee Business: Presentations by the Board of Educational Examiners, Dept. of Education, and the Iowa City School District.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: February 25, 1999, 9:40 a.m.

Members Present: Behn, Chair; Hedge, Vice Chair; Black, Ranking Member; Fink and Gaskill.

Members Absent: None.

Committee Business: Presentation by Secretary of Agriculture Patty Judge.

Adjourned: 10:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 25, 1999, 9:35 a.m.

Members Present: Schuerer, Chair; Boettger, Vice Chair; and Judge.

Members Absent: Soukup, Ranking Member; and Lamberti (both excused).

Committee Business: Presentations by LSB, DED, DWD, and Dept. of Education.

Adjourned: 11:02 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 25, 1999, 9:46 a.m.

Members Present: Rehberg, Chair; Redfern, Vice Chair; Horn, Ranking Member; and Kibbie.

Members Absent: McLaren (excused).

Committee Business: Presentation on the National Board for Professional Teaching Standards Certification and the Iowa Peace Institute.

Adjourned: 11:46 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 25, 1999, 9:49 a.m.

Members Present: Rife, Chair; Zieman, Vice Chair; and Bolkcom, Ranking Member.

Members Absent: Dearden and McKibben (excused).

Committee Business: Discussion of Medical Examiner's Office. Review of Governor's budget recommendations.

Adjourned: 10:44 a.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: February 25, 1999, 1:07 p.m.

Members Present: Bartz, Chair; King, Vice Chair; Fink, Ranking Member; Black, Bolkcom, Dearden, Deluhery, Drake, Freeman, Gaskill, Johnson, Kibbie, Rehberg, and Rife.

Members Absent: Miller (excused).

Committee Business: Amended and approved SSB 1011. Passed SFs 43, 77, and 124.

Adjourned: 1:59 p.m.

STATE GOVERNMENT

Convened: February 25, 1999, 2:08 p.m.

Members Present: Rittmer, Chair; Lamberti, Vice Chair; Dearden, Deluhery, Drake, Fink, King, Lundby, Maddox, McLaren, Schuerer, Sexton, and Szymoniak.

Members Absent: Kibbie, Ranking Member; and Connolly (both excused).

Committee Business: Recommended governor's appointees for confirmation. Approved SSBs 1051 and 1141. Passed SF 54.

Adjourned: 2:45 p.m.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Bonnie Menzel, Independence – For celebrating her 100th birthday on January 15, 1999. Senator Rehberg (02/25/99).

INTRODUCTION OF BILLS

Senate File 226, by Fink, a bill for an act relating to sexual harassment as an unfair employment practice under the jurisdiction of the Iowa state civil rights commission.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 227, by Fink, a bill for an act relating to the licensing of hunting guides and fishing guides, providing reciprocity with other states, and providing a penalty.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 228, by committee on Education, a bill for an act authorizing school districts and nonpublic schools to perform certain criminal and abuse record checks.

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

Senate File 229, by committee on Commerce , a bill for an act relating to the supervisory authority of the state banking division with regard to bank holding company acquisitions and the ability of state banks to make loans to any one person.

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

Senate File 230, by committee on Ways and Means, a bill for an act updating the Iowa Code references to the Internal Revenue Code, extending the loss carryback period for farm net operating losses, providing certain tax credits to estates and trusts, and providing an effective date and a retroactive applicability date.

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

Senate File 231, by committee on Ways and Means, a bill for an act providing a sales and use tax exemption for hospices.

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

Senate File 232, by committee on Education, a bill for an act relating to the establishment of a beginning teacher induction program and making an appropriation.

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

Senate File 233, by committee on Commerce , a bill for an act relating to the preservation of records held by financial institutions.

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

Senate File 234, by Lundby, a bill for an act relating to the notification of an emergency care provider of exposure to a contagious or infectious disease.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 235, by Dvorsky, a bill for an act relating to requirements and fees for solid waste transfer stations.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 236, by Szymoniak, a bill for an act relating to the supervision of the office of state medical examiner.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 237, by Schuerer, a bill for an act providing for a hepatitis a vaccine tax credit under the individual and corporate income taxes for the cost of immunizing employees and workers at licensed food establishments and including an effective and retroactive applicability date provision.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 238, by Schuerer, a bill for an act relating to drawing the Sac and Fox Indian settlement precinct in Tama county.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 239, by Tinsman, a bill for an act relating to establishment and maintenance of a central registry for declarations relating to the use of life- sustaining procedures, and creating a fund.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 240, by Johnson, a bill for an act relating to a relationship involving real estate licensees and real estate clients, and establishing restrictions on the payment of commissions or other consideration.

Read first time under Rule 28 and referred to committee on **Commerce**.

Senate File 241, by Deluhery, a bill for an act establishing a funding formula for the state to assume the costs for qualified mental health, mental retardation, and developmental disabilities services provided by counties for adults.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 242, by Deluhery, a bill for an act exempting from the state individual income tax pension and retirement income and providing a retroactive applicability date.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 243, by Deluhery, a bill for an act relating to the compensation of jurors.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 244, by Deluhery, a bill for an act relating to the time and the criteria for filing of claims for refund under the state individual income tax by retired federal employees as a result of the unconstitutional taxation of federal pensions and providing an effective date.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 245, by Deluhery, a bill for an act relating to the disclosure of violations and final findings following inspections of health care facilities.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 246, by Deluhery, a bill for an act relating to and providing appropriations for housing development programs in the Iowa finance authority.

Read first time under Rule 28 and referred to committee on **Small Business, Economic Development, and Tourism.**

Senate File 247, by Deluhery, a bill for an act increasing the maximum income eligibility requirement for participation in the healthy and well kids in Iowa program.

Read first time under Rule 28 and referred to committee on **Human Resources.**

Senate File 248, by committee on Human Resources, a bill for an act relating to acquired immune deficiency syndrome, providing penalties, and providing for a repeal.

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

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 4, by Bolkcom, a senate concurrent resolution requesting an interim study of the feasibility of televising legislative proceedings.

Read first time under Rule 28 and referred to committee on **State Government.**

STUDY BILLS RECEIVED

SSB 1158 Business and Labor Relations

Relating to the establishment of an Iowa worker retraining forgivable loan program and fund and making an appropriation.

SSB 1159 Appropriations

Relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters.

SSB 1160 Commerce

Relating to the rights of a dissenting shareholder of a state bank.

SUBCOMMITTEE ASSIGNMENTS

Senate File 157

JUDICIARY: McKean, Chair; Fraise and Lamberti

Senate File 218

TRANSPORTATION: Drake, Chair; Jensen and Judge

Senate File 223

STATE GOVERNMENT: Rittmer, Chair; Kibbie and Lundby

House File 100

STATE GOVERNMENT: Maddox, Chair; Deluhery and Lamberti

House File 182

JUDICIARY: Hammond, Chair; Boettger and Miller

House File 200

TRANSPORTATION: Judge, Chair; Drake and Jensen

House File 209

JUDICIARY: McKibben, Chair; Lamberti and McCoy

House File 242

JUDICIARY: Hansen, Chair; Lamberti and McKibben

House File 281

STATE GOVERNMENT: Lamberti, Chair; Fink and Sexton

SSB 1158

BUSINESS AND LABOR RELATIONS: McKibben, Chair; Freeman and Horn

SSB 1159

APPROPRIATIONS: Redwine, Chair; Flynn, Hedge, Kramer, and McCoy

SSB 1160

COMMERCE: Hansen, Chair; Lundby and Schuerer

COMMITTEE REPORTS

COMMERCE

Final Bill Action: SENATE FILE 229 (SSB 1068), a bill for an act relating to the supervisory authority of the state banking division with regard to bank holding company acquisitions and the ability of state banks to make loans to any one person.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Jensen, Maddox, Deluhery, Flynn, Gronstal, Hansen, Johnson, King, Lamberti, Lundby, McCoy, Redfern, Redwine, and Schuerer. Nays, none. Absent or not voting, 1: Bolkcom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 233 (SSB 1086), a bill for an act relating to the preservation of records held by financial institutions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Jensen, Maddox, Deluhery, Flynn, Gronstal, Hansen, Johnson, King, Lamberti, Lundby, McCoy, Redfern, Redwine, and Schuerer. Nays, none. Absent or not voting, 1: Bolkcom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: *SENATE FILE 228 (Formerly SF 69), a bill for an act authorizing school districts and nonpublic schools to perform certain criminal and abuse record checks.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Redfern, Rehberg, Connolly, Angelo, Boettger, Dvorsky, Fink, Gaskill, Harper, Redwine, Sexton, Shearer, Szymoniak, and Veenstra. Nays, 1: Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Education Committee on Senate File 228, and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 232 (Formerly SF 40), a bill for an act relating to the establishment of a beginning teacher induction program and making an appropriation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Redfern, Rehberg, Angelo, Boettger, Gaskill, Redwine, Sexton, Shearer, Szymoniak, Tinsman, and Veenstra. Nays, 4: Connolly, Dvorsky, Fink, and Harper.

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 232, and they were attached to the committee report.

HUMAN RESOURCES

Final Bill Action: *SENATE FILE 248 (SSB 1130), a bill for an act relating to acquired immune deficiency syndrome, providing penalties, and providing for a repeal.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Boettger, Redwine, Szymoniak, Bartz, Behn, Dvorsky, Hammond, Harper, Miller, Schuerer, Shearer, Tinsman, and Veenstra. 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 248, and they were attached to the committee report.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 54, a bill for an act establishing English as the official language of the state.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Rittmer, Lamberti, Drake, King, Lundby, McLaren, Schuerer, and Sexton. Nays, 4: Dearden, Deluhery, Fink, and Szymoniak. Absent or not voting, 3: Kibbie, Connolly, and Maddox.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 230 (SSB 1042), a bill for an act updating the Iowa Code references to the Internal Revenue Code, extending the loss carryback period for farm net operating losses, providing certain tax credits to estates and trusts, and providing an effective date and a retroactive applicability date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Johnson, McKibben, Harper, Bartz, Bolkcom, Connolly, Deluhery, Drake, Flynn, Hedge, Lamberti, Maddox, Redwine, and Soukup. Nays, none. Absent or not voting, 1: McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 231 (Formerly SF 155), a bill for an act providing a sales and use tax exemption for hospices.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Johnson, McKibben, Harper, Bartz, Bolkcom, Connolly, Deluhery, Drake, Flynn, Hedge, Lamberti, Maddox, Redwine, and Soukup. 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 Ways and Means Committee on Senate File 231, and they were attached to the committee report.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Calendar with recommendations for confirmation on February 25, 1999:

STATE GOVERNMENT

Dr. Richard M. Reay – Board of Dental Examiners

John R. Krogh – Iowa Emergency Response Commission

Jill M. Kochel – Board of Examiners for Massage Therapy

Gloria J. Pezzetti – Board of Examiners for Massage Therapy

Ralph R. Stephens – Board of Examiners for Massage Therapy

Dr. Kim T. Lozier – Board of Podiatry Examiners

AMENDMENTS FILED

S-3021	S.F. 98	Elaine Szymoniak Richard F. Drake
S-3022	S.F. 8	Gene Maddox John W. Jensen Patrick J. Deluhery
S-3023	S.F. 160	Kitty Rehberg

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 9:12 a.m., until 1:00 p.m., Monday, March 1, 1999.

JOURNAL OF THE SENATE

FIFTIETH CALENDAR DAY
TWENTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 1, 1999

The Senate met in regular session at 1:08 p.m., President Kramer presiding.

Prayer was offered by Senate Page Erin Leonard, Galva-Holstein High School, Holstein, Iowa.

The Journal of Thursday, February 25, 1999, was approved.

BILLS REFERRED TO COMMITTEE

Senator Iverson asked and received unanimous consent that **Senate Files 210, 166, and 232** be referred from the **Regular Calendar** to the committee on **Appropriations**.

INTRODUCTION OF BILLS

Senate File 249, by committee on Commerce, a bill for an act relating to the operation and regulation of insurance companies, including the treatment of certain confidential information by the commissioner, the operation of certain types of insurance companies, and the rights and duties of insurance companies under certain policies issued in this state.

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

Senate File 250, by Black, a bill for an act relating to the authority and immunity of federal law enforcement officers in making arrests for nonfederal crimes.

Read first time and referred to committee on **Judiciary**.

Senate File 251, by Rehberg, a bill for an act providing for the placement of children born with brachial plexus palsy on the birth defects institute central registry.

Read first time and referred to committee on **Human Resources**.

Senate File 252, by Rehberg and Schuerer, a bill for an act providing for the establishment of an obstetrical brachial plexus palsy referral program at the university of Iowa hospitals and clinics.

Read first time and referred to committee on **Human Resources**.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Service Bureau:

November 10, 1998

DEPARTMENT OF CULTURAL AFFAIRS

Annual Report FY '98.

November 12, 1998

IOWA DEPARTMENT OF TRANSPORTATION

Annual report of Highway Construction Program, as required by Iowa Code Section 307.12 (14).

November 20, 1998

AUDITOR OF STATE

An audit report on the Lottery Division, Iowa Department of Revenue and Finance, year ended June 30, 1998.

December 1, 1998

STATE BOARD OF REGENTS

Annual technology transfer and economic development reports from the University of Iowa, Iowa State University, and University of Northern Iowa.

December 2, 1998

IOWA DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Report on Conference of the Status of Soil and Water Conservation.

December 4, 1998

DEPARTMENT OF HUMAN SERVICES

Annual Report of Personal Assistance and Family Support Services, pursuant to Section 225C.48.

December 7, 1998

DEPARTMENT OF NATURAL RESOURCES

1997-1998 Annual Report.

December 8, 1998

DEPARTMENT OF HUMAN SERVICES

A report on legal settlement in the department, pursuant to HF 2558, Section 9.

Report from Division of Medical Services, detailing the immunization status of children receiving assistance under the Family Investment Program (FIP), pursuant to 1997 Iowa Acts, Chapter 41, Section 13.

December 9, 1998

Report detailing state to assume full cost for minors at the State Mental Health Institutes, provided in HF 2558, Section 10.

December 11, 1998

1998 Annual Report as required by Iowa Code 217.21.

December 15, 1998

IOWA DEPARTMENT OF PUBLIC HEALTH

Report on Methamphetamine, provided in HF 2348.

December 16, 1998

DEPARTMENT OF HUMAN SERVICES

Report from Office of Public Policy, regarding the sharing of information, pursuant to 1998 Iowa Acts, Chapter 1218, Sec. 73.

STATE BOARD OF REGENTS

Reports pertaining to Chapter 262.82, Regent Minority and Women Educators Enhancement Program, and Chapter 262.92, College-Bound Program, pursuant to Chapter 262.93 of the Iowa Code.

INSPECTION AND APPEALS

Report on Licensing of Home Health Agencies as required by Section 8, Subsection 5, of HF 2498.

December 17, 1998

IOWA DEPARTMENT OF REVENUE AND FINANCE

Annual Report FY '98.

December 18, 1998

IOWA DEPARTMENT OF TRANSPORTATION

Summary of purchasing activity for soy based inks and recycled content trash bags, as required in Iowa Code Section 307.21.

December 22, 1998

GOVERNOR'S ALLIANCE ON SUBSTANCE ABUSE

Iowa's application to the U.S. Department of Justice for funds under the Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant Program.

IOWA DEPARTMENT OF PUBLIC HEALTH

Evaluation of Iowa Gambling Treatment Program, pursuant to Section 99E10, subsection 1, paragraph "a."

STATE BOARD OF REGENTS

Report from the University of Iowa Hospital and Clinics, pursuant to Section 263A.13 of the Code of Iowa.

December 23, 1998

DEPARTMENT OF HUMAN SERVICES

A report on expenditure categories for the spending in the judicial districts for court-ordered services for juveniles in fiscal year 1997-1998, pursuant to 1998 Iowa Acts, Chapter 1218, Section 18.

IOWA HIGHER EDUCATION LOAN AUTHORITY

1998 Annual Report.

December 28, 1998

IOWA DEPARTMENT OF TRANSPORTATION

Copy of the 1999-2003 Transportation Improvement Program, pursuant to Section 307A.2 (12) of the Iowa Code.

December 29, 1998

IOWA DEPARTMENT OF HUMAN SERVICES

Report of the Medicaid Drug Authorization/Prospective Drug Utilization Review Task Force, pursuant to 1998 Iowa Acts, Chapter 1218, Section 1.

IOWA DEPARTMENT OF TRANSPORTATION

Report for new digitized photo license system, as required by Section 25 of Chapter 1143.

December 31, 1998

AUDITOR OF STATE

Report of Area Education Agencies, as required by HF 2533.

DEPARTMENT OF CULTURAL AFFAIRS

A summary of the amount of state financial assistance expended for fine arts in state buildings, pursuant to 1998 Iowa Acts, HF 2533, Section 55.

DEPARTMENT OF HUMAN SERVICES

Report of Registered Child Care Homes pilot project, as directed by SF 541, Section 4.

IOWA DEPARTMENT OF MANAGEMENT

Report of Utility Replacement Tax Task Force.

IOWA DEPARTMENT OF REVENUE AND FINANCE

Comprehensive Annual Financial Report for the fiscal year ended June 30, 1998.

January 4, 1999

IOWA DEPARTMENT FOR THE BLIND

1998 Annual Report.

DEPARTMENT OF CORRECTIONS

Report for FY '97 and '98 State Agency Purchase Report for Sales from Iowa Prison Industries, as required by 1998 HF 2539.

DEPARTMENT OF HUMAN SERVICES

Progress report regarding the Electronic Benefit Transfer Program, pursuant to Senate File 2410, Section 5.

Report jointly submitted by the Department of Human Services and the State Auditor's Office, pursuant to Senate File 2410, Section 62.

Report from Child Support Recovery Unit with recommendations from the Support Liens Task Force, as allowed in 1997 Iowa Acts, Chapter 175, Section 201.

Report of Utilization Management Criteria for Group Care, pursuant to SF 2410, Section 15(02)(e).

Report on Iowa Medicaid and Chiropractic Services, pursuant to Senate File 2410, section 32(10)(j).

IOWA UTILITIES BOARD

1997 Annual Report, as required by Iowa Code 7A.1, 7A.10, and 476.16.

LEGISLATIVE FISCAL BUREAU

Spreadsheet of General Fund Receipts through December 31, 1998.

January 5, 1999

DEPARTMENT OF NATURAL RESOURCES

Summary of number of environmental audit notices received, the violations, and remediation status of violations, pursuant to Section 455J.11.

January 7, 1999

DEPARTMENT OF NATURAL RESOURCES

Pursuant to 272C.4, Code of Iowa, a summary of activities for the 1998 certification programs. This applies to persons engaging in well construction, supervising operation of water treatment, and operating sanitary landfill disposal facilities.

January 8, 1999

DEPARTMENT OF CORRECTIONAL SERVICES

Report on the issue of implementation of intermediate criminal sanction programs, as provided by section 901B.1.

DEPARTMENT OF HUMAN SERVICES

Report on a proposal for seamless child care assistance system, as directed by Senate File 2410.

Report regarding the affordability, availability, accessibility and quality of child care in Iowa, as directed by Senate File 2312, Section 5.

Report on families receiving the Family Support Subsidy for FY '98, pursuant to Iowa Code 235C.42.

DEPARTMENT OF MANAGEMENT

Reports for Targeted Small Business and Contract Compliance for FY '98, in accordance with Iowa Code 19B.7.

IOWA DEPARTMENT OF PUBLIC HEALTH

1998 Annual Report.

IOWA UTILITIES BOARD

Report detailing the status of utility customer contributions funds, pursuant to Iowa Code 476.66(6).

January 11, 1999

HAWK-I BOARD

Report on issues and problems regarding insuring special needs children within the HAWK-I Plan, as mandated by HF 2517.

January 12, 1999

STATE BOARD OF REGENTS

Annual Report from the Center for Health Effects of Environmental Contamination, in accordance with 263.17 of the Code of Iowa.

January 13, 1999

DEPARTMENT OF HUMAN SERVICES

Report summarizing the demographics and outcomes of families receiving the Family Support Subsidy for FY '96, pursuant to Iowa Code 235C.42.

Progress report on Electronic Benefit Transfer, pursuant to SF 2410, Section 5.

IOWA LAW ENFORCEMENT ACADEMY

1998 Annual Report.

January 14, 1999

DEPARTMENT OF CORRECTIONS

Institutions Division Inmate Vocational Education Program Report, as required by 1998 HF 2539.

IOWA DEPARTMENT OF PUBLIC HEALTH

Report on the access to Obstetrical Care in Iowa, pursuant to 1997 Acts, Chapter 197, Subsection 1.

STATE BOARD OF REGENTS

FY 2000-FY 2004 report on the Five-Year Capital Building Program, in accordance with 262A.3 of the Code of Iowa.

IOWA COMMISSION ON THE STATUS OF WOMEN

Proposals to the Governor and the 78th General Assembly coded for legislative action, administrative action, and for study purposes.

January 15, 1999

IOWA UTILITIES BOARD

Report on the implementation of the telecommunications price regulation statute, as directed by Iowa Code 476.97.

January 19, 1999

DEPARTMENT OF CORRECTIONAL SERVICES

1998 Intermediate Criminal Sanctions Policy Group Overview.

DEPARTMENT OF EDUCATION

Annual Condition of Education Report.

DEPARTMENT OF ELDER AFFAIRS

1998 report detailing the activities and recommendations of the Iowa Long Term Care Resident's Advocate/Ombudsman Program, as required by Section 231.42, subpart 7, of the Iowa Code.

DEPARTMENT OF HUMAN SERVICES

Employer Verification Pilot Project Legislative Report, pursuant to 1998 Iowa Acts, Chapter 1218, Section 5, subsection 3, paragraph "d."

STATE LIBRARY OF IOWA

Annual Report FY '98.

DEPARTMENT OF PUBLIC DEFENSE

Annual report on the status of Iowa's E911 implementation and operations of wireline and wireless service within the state, pursuant to Iowa Code Chapter 34A.7A.

IOWA DEPARTMENT OF PUBLIC HEALTH

Report from Unintended Pregnancy Committee on recommendations to reduce the frequency of abortions and unplanned pregnancies in the state.

January 21, 1999

IOWA COMMISSION ON THE STATUS OF WOMEN

Annual Report FY '98.

SUPREME COURT

Report concerning Enhanced Court Collections Fund and Court Technology Fund.

January 22, 1999

IOWA DEPARTMENT FOR THE BLIND

Report detailing the amount of plastic, recycled products, and soy-based inks purchased by the department in 1998.

January 25, 1999

IOWA DEPARTMENT OF PUBLIC SAFETY

1997 Crime Rate Comparisons.

January 26, 1999

DEPARTMENT OF NATURAL RESOURCES

Annual report of the Toxic Cleanup Day Program.

LEGISLATIVE FISCAL BUREAU

Summary of FY 2000 Budget and Governor's Recommendations.

January 27, 1999

CITIZENS' AIDE OMBUDSMAN

Copy of Investigative Report 98-2, investigation of how the Des Moines Police Department handles complaints about its officers, pursuant to Chapter 2C, Code of Iowa.

IOWA DEPARTMENT OF COMMERCE

Report on behalf of the Professional Licensing and Regulation Division and the six professions encompassed within, pursuant to Iowa Code, Section 272c.4 (2).

IOWA'S ENVIRONMENTAL AND PUBLIC HEALTH LABORATORY

Annual Report FY '98.

January 28, 1999

DEPARTMENT OF NATURAL RESOURCES

State Preserves Biennial Report.

January 29, 1999

ALCOHOL BEVERAGE DIVISION DEPARTMENT OF COMMERCE

1998 Annual Report for fiscal year ending June 30, 1998, in accordance with Iowa Code Chapter 123.

OFFICE OF TREASURER OF STATE

Linked Investments for Tomorrow Annual Report for year 1998.

February 1, 1999

CITIZENS' AIDE OMBUDSMAN

Report reviewing fairness and due process in Iowa's child protection system, pursuant to SF 2359.

DEPARTMENT OF CORRECTIONAL SERVICES

A report on the Treatment and Supervision of Probation and Parole Violators.

DEPARTMENT OF HUMAN SERVICES

Report entitled "Study of State Institution-Cost Recovery," requested by 1998 Legislature.

IOWA FINANCE AUTHORITY

Report on the progress of the Title Guaranty Division of the Iowa Finance Authority.

February 2, 1999

IOWA DEPARTMENT OF TRANSPORTATION

1998 Annual Report of the Iowa Railway Finance Authority, as required by the Iowa Code Section 327I.8(6).

February 3, 1999

THE UNIVERSITY OF IOWA

Copies of letters regarding the publication of the University of Iowa's annual report, Surpassing Expectations.

February 4, 1999

IOWA CENTER FOR AGRICULTURE SAFETY AND HEALTH

I-CASH Annual Report Distribution.

MUNICIPAL FIRE AND POLICE RETIREMENT SYSTEM OF IOWA

Annual Report FY '98.

February 8, 1999

DEPARTMENT OF INSPECTIONS AND APPEALS

Annual Report FY '98.

February 9, 1999

DEPARTMENT OF PUBLIC HEALTH

1998 Annual Donation and Compliance Report.

February 15, 1999

DEPARTMENT OF PUBLIC HEALTH

Iowa Child Death Review Team Report.

February 17, 1999

DEPARTMENT OF EDUCATION

Reading Recovery Report.

DEPARTMENT OF HUMAN SERVICES

Examination of Fairness and Due Process in Iowa's Child Protection System Report.

AGENCY ICN REPORTS

November 18, 1998

IOWA CIVIL RIGHTS COMMISSION

Report on Iowa Communications Network Usage for FY '98.

December 2, 1998

IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION

Report on five-year financial plan for the Network, according to Code of Iowa Chapter 8D.3.

Report on existing maintenance contracts and past contracts to determine vendor capability to perform the obligations under such contracts.

December 9, 1998

DEPARTMENT OF COMMERCE

Report on saving incurred by using ICN Network, pursuant to 8D.10, Code of Iowa.

December 17, 1998

GOVERNOR'S ALLIANCE ON SUBSTANCE ABUSE

Agency's ICN Savings Report for FY '98.

December 21, 1998

DEPARTMENT OF HUMAN SERVICES

Annual Savings Report for ICN usage for FY '98, in accordance with Chapter 8D.10, Code of Iowa.

December 22, 1998

IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD

Annual Report FY '98 for ICN Network usage, in accordance with Chapter 8D.10.

December 28, 1998

IOWA VETERANS HOME

Annual Savings Report for ICN usage FY '98.

January 4, 1999

WOODWARD STATE HOSPITAL SCHOOL

Annual Savings Report for ICN usage FY '98.

January 5, 1999

IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION

Annual Savings Report for ICN usage FY '98.

January 6, 1999

AUDITOR OF STATE

Annual Savings Report for ICN usage FY '98.

DEPARTMENT OF PUBLIC HEALTH

Annual Savings Report for ICN usage FY '98.

January 14, 1999

DEPARTMENT FOR THE BLIND

Annual Savings Report for ICN usage FY '98.

January 15, 1999

IOWA DEPARTMENT OF INSPECTIONS AND APPEALS

Report regarding usage of video services provided by the Iowa Communications Network (ICN) for fiscal year ending June 30, 1998, pursuant to Iowa Code Section 8D.10.

IOWA WORKFORCE DEVELOPMENT

1998 Annual Report for the agency's use of videoconferencing on the network, pursuant to Iowa Code Section 8D.10.

January 20, 1999

IOWA DEPARTMENT OF TRANSPORTATION

Annual report of Highway Research and Development in Iowa, in accordance with Sections 310.36 and 312.3A of the Code of Iowa.

Report on identified savings associated with agency's use of ICN Network, as required by Iowa Code Section 8D.10

January 22, 1999

DEPARTMENT OF JUSTICE

Report concerning the savings associated with using the ICN Network, in accordance with Iowa Code Section 8D.10.

February 4, 1999

DEPARTMENT OF EDUCATION

Iowa Communication Network usage reports for Iowa Public Television and the Division of Vocational Rehabilitation Services.

March 1, 1999

DEPARTMENT OF PERSONNEL

Report on FY '98 ICN Usage.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT AND COMMUNICATIONS

Convened: February 25, 1999, 9:45 a.m.

Members Present: King, Chair; Lundby, Vice Chair; Deluhery, Ranking Member; Harper and Rittmer.

Members Absent: None.

Committee Business: Presentation by the Dept. of Revenue and Finance with discussion of the IDRF Tax Gap Compliance Project.

Adjourned: 11:45 a.m.

BUSINESS AND LABOR RELATIONS

Convened: March 1, 1999, 2:17 p.m.

Members Present: McKibben, Chair; Freeman, Vice Chair; Dearden, Ranking Member; Behn, Fraise, Hansen, Hedge, and King.

Members Absent: Horn, Rife, and Schuerer (all excused).

Committee Business: Subcommittee assignment.

Adjourned: 2:18 p.m.

COMMERCE

Convened: March 1, 1999, 3:50 p.m.

Members Present: Jensen, Chair; Maddox, Vice Chair; Deluhery, Ranking Member; Bolkcom, Flynn, Gronstal, Hansen, King, Lamberti, Lundby, McCoy, Redfern, Redwine, and Schuerer.

Members Absent: Johnson (excused).

Committee Business: Subcommittee assignments.

Adjourned: 3:52 p.m.

EDUCATION

Convened: March 1, 1999, 2:19 p.m.

Members Present: Redfern, Chair; Rehberg, Vice Chair; Connolly, Ranking Member; Angelo, Boettger, Fink, Gaskill, Harper, Redwine, Sexton, Shearer, Szymoniak, Tinsman, and Veenstra.

Members Absent: Dvorsky (excused).

Committee Business: Subcommittee assignments. Approved SSB 1157. Passed SF 140.

Adjourned: 2:31 p.m.

HUMAN RESOURCES

Convened: March 1, 1999, 2:40 p.m.

Members Present: Boettger, Chair; Redwine, Vice Chair; Szymoniak, Ranking Member; Bartz, Behn, Dvorsky, Hammond, Harper, Miller, Schuerer, Shearer, Tinsman, and Veenstra.

Members Absent: None.

Committee Business: Approved SSBs 1078 and 1161. Amended and passed SFs 109 and 177.

Adjourned: 3:45 p.m.

TRANSPORTATION

Convened: March 1, 1999, 2:35 p.m.

Members Present: Drake, Chair; Sexton, Vice chair; Fink, Fraise, Freeman, Jensen, Judge, Kibbie, McKean, McKibben, Rittmer, and Zieman.

Members Absent: McCoy, Ranking Member (excused).

Committee Business: Subcommittee assignments. Passed HF 200.

Adjourned: 2:50 p.m.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Mark Hangsleben, Urbandale – For being declared Class 3-A Individual Wrestling Champ. Senator Maddox (03/01/99).

INTRODUCTION OF BILLS

Senate File 253, by committee on Natural Resources and Environment, a bill for an act concerning reporting requirements for real estate conveyances relating to the identification of wells, disposal sites for solid waste, underground storage tanks, and hazardous waste.

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

Senate File 254, by committee on State Government, a bill for an act relating to the emergency management division of the department of public defense by authorizing fees for radiological detection equipment maintenance services, by authorizing financial assistance to local governments for emergency management purposes, by directing a report to the general assembly by the division director, and by providing an effective date.

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

Senate File 255, by King, Schuerer, Rehberg, Angelo, Johnson, Freeman, Miller, and Hedge, a bill for an act relating to subjects of child abuse reports by providing for monitoring and review of state officials, employees, and judicial compliance with requirements under law and providing an effective date.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 256, by Bartz, a bill for an act relating to the penalty for the criminal offense of indecent exposure.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 257, by Bartz, a bill for an act exempting the sale of feed for use by animals in commercial establishments from state sales and use tax.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 258, by Bartz, a bill for an act prohibiting the unauthorized use of equipment to make a visual image or audio recording of animal facilities and providing penalties.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 259, by King, Veenstra, Freeman, Kibbie, Gaskill, Lundby, and Miller, a bill for an act relating to the criteria for evaluation of lakes for the purpose of improvement or rehabilitation.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 260, by Flynn, a bill for an act relating to the definition of accredited private institution as used by the college student aid commission to determine eligibility for state student financial assistance.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 261, by Lundby, a bill for an act relating to the ability of a city utility to compete with private enterprise.

Read first time under Rule 28 and referred to committee on **Commerce**.

Senate File 262, by Flynn, a bill for an act exempting sales of personal property to persons in the business of leasing or renting that type of property from the sales and use tax.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 5, by Drake, a concurrent resolution relating to a biennial memorial session.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate Concurrent Resolution 6, by Drake, a concurrent resolution relating to Pioneer Lawmakers.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate Concurrent Resolution 7, by committee on Education, a concurrent resolution recognizing and endorsing Read Across America Day, and calling for the citizens of the State of Iowa to reaffirm the importance and the joy of reading.

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

STUDY BILLS RECEIVED

SSB 1161 Human Resources

Relating to health care service and treatment coverage by providing for continuity of care, discussion and advocacy of treatment options, coverage of emergency room services, utilization review requirements, and an external review process.

SSB 1162 Human Resources

Establishing an Iowa drug utilization review commission within the department of human services and providing an effective date.

SSB 1163 State Government

Relating to destruction of unvoted ballots.

SSB 1164 Commerce

Relating to the preexisting condition provisions under a small group health coverage or individual health insurance benefit plan.

SSB 1165 State Government

Relating to the minimum training standards for operation of radiation machines.

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 4

STATE GOVERNMENT: Rittmer, Chair; Dearden and Sexton

Senate File 183

WAYS AND MEANS: McKibben, Chair; Flynn and Hedge

Senate File 185

WAYS AND MEANS: McKibben, Chair; Redwine and Soukup

Senate File 194

HUMAN RESOURCES: Miller, Chair; Shearer and Veenstra

Senate File 195

HUMAN RESOURCES: Boettger, Chair; Redwine and Szymoniak

Senate File 201

HUMAN RESOURCES: Veenstra, Chair; Harper and Tinsman

Senate File 202

HUMAN RESOURCES: Boettger, Chair; Harper and Redwine

Senate File 206

EDUCATION: Veenstra, Chair; Gaskill and Shearer

Senate File 207

EDUCATION: Gaskill, Chair; Connolly and Tinsman

Senate File 210

APPROPRIATIONS: Rife, Chair; Deluhery and Hedge

Senate File 211

HUMAN RESOURCES: Tinsman, Chair; Hammond and Veenstra

Senate File 215

NATURAL RESOURCES AND ENVIRONMENT: Bartz, Chair; Fink and King

Senate File 217

NATURAL RESOURCES AND ENVIRONMENT: Bartz, Chair; Fink and King

Senate File 219

WAYS AND MEANS: McKibben, Chair; Connolly and Redwine

Senate File 220

NATURAL RESOURCES AND ENVIRONMENT: Johnson, Chair; Black and Rehberg

Senate File 225

HUMAN RESOURCES: Tinsman, Chair; Behn and Dvorsky

Senate File 226

STATE GOVERNMENT: Lamberti, Chair; Fink, and Schuerer

Senate File 227

NATURAL RESOURCES AND ENVIRONMENT: Bartz, Chair; Fink and King

Senate File 232

APPROPRIATIONS: Rehberg, Chair; Behn and Connolly

Senate File 234

HUMAN RESOURCES: Redwine, Chair; Boettger and Harper

Senate File 235

NATURAL RESOURCES AND ENVIRONMENT: Drake, Chair; Bolkcom and Gaskill

Senate File 236

STATE GOVERNMENT: Szymoniak, Chair; McLaren and Rittmer

Senate File 237

WAYS AND MEANS: Johnson, Chair; Hedge and Soukup

Senate File 238

STATE GOVERNMENT: Schuerer, Chair; Deluhery and King

Senate File 239

HUMAN RESOURCES: Tinsman, Chair; Dvorsky and Redwine

Senate File 240

COMMERCE: Johnson, Chair; Jensen and McCoy

Senate File 241

WAYS AND MEANS: McLaren, Chair; Bartz and Deluhery

Senate File 242

WAYS AND MEANS: McKibben, Chair; Deluhery and Maddox

Senate File 244

WAYS AND MEANS: Drake, Chair; Flynn and Johnson

Senate File 245

HUMAN RESOURCES: Boettger, Chair; Harper and Veenstra

Senate File 247

HUMAN RESOURCES: Boettger, Chair; Shearer and Veenstra

SSB 1161

HUMAN RESOURCES: Redwine, Chair; Boettger and Szymoniak

SSB 1162

HUMAN RESOURCES: Veenstra, Chair; Miller and Shearer

SSB 1163

STATE GOVERNMENT: Connolly, Chair; Lundby and Rittmer

SSB 1164

COMMERCE: Hansen, Chair; King and Redwine

SSB 1165

STATE GOVERNMENT: Rittmer, Chair; Szymoniak and Lundby

COMMITTEE REPORTS**COMMERCE**

Final Bill Action: *SENATE FILE 249 (SSB 1139), a bill for an act relating to the operation and regulation of insurance companies, including the treatment of certain confidential information by the commissioner, the operation of certain types of insurance companies, and the rights and duties of insurance companies under certain policies issued in this state.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Jensen, Maddox, Deluhery, Bolkom, Flynn, Gronstal, Hansen, Johnson, King, Lamberti, Lundby, McCoy, Redfern, Redwine, and Schuerer. 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.

EDUCATION

Final Bill Action: *SENATE CONCURRENT RESOLUTION 7 (SSB 1157), a concurrent resolution recognizing and endorsing Read Across America Day, and calling for the citizens of the State of Iowa to reaffirm the importance and the joy of reading.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 14: Redfern, Rehberg, Connolly, Angelo, Boettger, Fink, Gaskill, Harper, Redwine, Sexton, Shearer, Szymoniak, Tinsman, and Veenstra. Nays, none. Absent or not voting, 1: Dvorsky.

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 Concurrent Resolution 7, and they were attached to the committee report.

NATURAL RESOURCES AND ENVIRONMENT

Final Bill Action: *SENATE FILE 253 (SSB 1011), a bill for an act concerning reporting requirements for real estate conveyances relating to the identification of wells, disposal sites for solid waste, underground storage tanks, and hazardous waste.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Bartz, King, Fink, Black, Bolkom, Dearden, Deluhery, Drake, Freeman, Gaskill, Johnson, Kibbie, Rehberg, and Rife. Nays, none. Absent or not voting, 1: Miller.

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 and Environment Committee on Senate File 253, and they were attached to the committee report.

STATE GOVERNMENT

Final Bill Action: *SENATE FILE 254 (SSB 1051), a bill for an act relating to the emergency management division of the department of public defense by authorizing fees for radiological detection equipment maintenance services, by authorizing financial assistance to local governments for emergency management purposes, by directing a report to the general assembly by the division director, and by providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Rittmer, Lamberti, Dearden, Deluhery, Drake, Fink, King, Lundby, Maddox, McLaren, Schuerer, Sexton, and Szymoniak. Nays, none. Absent or not voting, 2: Kibbie and Connolly.

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 254, and they were attached to the committee report.

TRANSPORTATION

Final Bill Action: HOUSE FILE 200, a bill for an act relating to special registration plates for motor vehicles.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Drake, Sexton, Fink, Fraise, Freeman, Jensen, Judge, Kibbie, McKean, McKibben, Rittmer, and Zieman. Nays, none. Absent or not voting, 1: McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3024	S.F. 248	John Redwine
S-3025	S.F. 232	Elaine Szymoniak
S-3026	S.F. 203	Matt McCoy

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 1:25 p.m., until 9:00 a.m., Tuesday, March 2, 1999.

JOURNAL OF THE SENATE

FIFTY-FIRST CALENDAR DAY
THIRTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 2, 1999

The Senate met in regular session at 9:11 a.m., President Kramer presiding.

Prayer was offered by the Honorable Maggie Tinsman, member of the Senate from Scott County, Davenport, Iowa.

The Journal of Monday, March 1, 1999, was approved.

HOUSE MESSAGES RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 1, 1999, passed the following bills in which the concurrence of the Senate is asked:

House File 310, a bill for an act relating to the licensure or regulation of alarm system, bail enforcement, private investigative, or private security businesses, and providing a penalty and an effective date.

Read first time and referred to committee on **State Government**.

House File 312, a bill for an act relating to regulation of the grain industry and providing for civil penalties.

Read first time and referred to committee on **Agriculture**.

House File 345, a bill for an act relating to permissible fees to be charged for maintaining a demand deposit account with a line of credit.

Read first time and referred to committee on **Commerce**.

House File 347, a bill for an act relating to rulemaking duties of the department of natural resources regarding baled solid waste.

Read first time and referred to committee on **Natural Resources and Environment**.

ALSO: That the House has on March 2, 1999, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 11, a concurrent resolution recognizing and endorsing Read Across America Day, and calling for the citizens of the State of Iowa to reaffirm the importance and the joy of reading.

SPECIAL GUEST

Senator Iverson welcomed the Honorable John Soorholtz, former member of the Senate from Marshall County, Melbourne, Iowa.

ADOPTION OF RESOLUTION (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 7.

Senate Concurrent Resolution 7

On motion of Senator Redfern, **Senate Concurrent Resolution 7**, a resolution recognizing and endorsing Read Across America Day, and calling for the citizens of the State of Iowa to reaffirm the importance and the joy of reading, was taken up for consideration.

Senator Redfern asked and received unanimous consent that **House Concurrent Resolution 11** be substituted for **Senate Concurrent Resolution 7**.

House Concurrent Resolution 11

On motion of Senator Redfern, **House Concurrent Resolution 11**, a concurrent resolution recognizing and endorsing Read Across America Day, and calling for the citizens of the State of Iowa to reaffirm the importance and the joy of reading, was taken up for consideration.

Senator Redfern moved the adoption of House Concurrent Resolution 11, which motion prevailed by a voice vote and the resolution was adopted.

WITHDRAWN

Senator Redfern asked and received unanimous consent that **Senate Concurrent Resolution 7** be **withdrawn** from further consideration of the Senate.

BILL REFERRED TO COMMITTEE

Senator Iverson asked and received unanimous consent that **Senate File 214** be referred from the **Regular Calendar** to the committee on **Appropriations**.

RECESS

On motion of Senator Iverson, the Senate recessed at 10:31 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: March 2, 1999, 10:25 a.m.

Members Present: Redwine, Chair; Bartz, Vice Chair; McCoy, Ranking Member; Flynn and Sexton.

Members Absent: None.

Committee Business: FTEs.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: March 2, 1999, 10:00 a.m.

Members Present: Behn, Chair; Hedge, Vice Chair; Black, Ranking Member; Fink and Gaskill.

Members Absent: None.

Committee Business: Presentation by DNR.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: March 2, 1999, 9:50 a.m.

Members Present: Rehberg, Chair; Redfern, Vice Chair; Horn, Ranking Member; Kibbie and McLaren.

Members Absent: None.

Committee Business: Discussion of line items in the Education Appropriations Budget.

Recessed: 10:01 a.m.

Reconvened: 10:25 a.m.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: March 2, 1999, 9:55 a.m.

Members Present: Rife, Chair; Zieman, Vice Chair; Bolkcom, Ranking Member; and McKibben.

Members Absent: Dearden (excused).

Committee Business: Discussion of subcommittee appropriations and proposed bill.

Adjourned: 10:17 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: March 2, 1999, 10:05 a.m.

Members Present: Tinsman, Chair; Veenstra, Vice Chair; Hammond, Ranking Member; Miller and Szymoniak.

Members Absent: None.

Committee Business: Discussion of policy language for FY 2000.

Adjourned: 12:10 p.m.

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT AND COMMUNICATIONS

Convened: March 2, 1999, 9:55 a.m.

Members Present: King, Chair; Lundby, Vice Chair; and Harper.

Members Absent: Rittmer and Deluhery, Ranking Member (excused).

Committee Business: Budget and policy discussion and decision making on the oversight presentations for the committee.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

Convened: March 2, 1999, 9:55 a.m.

Members Present: Freeman, Chair; Jensen, Vice Chair; Connolly, Ranking Member; and Shearer.

Members Absent: Johnson (excused).

Committee Business: Presentations by Dept. of Management and Dept. of Education. Approved SSB 1150.

Adjourned: 11:22 a.m.

AGRICULTURE

Convened: March 2, 1999, 8:04 a.m.

Members Present: Gaskill, Chair; Miller, Vice Chair; Fraise, Ranking Member; Angelo, Bartz, Behn, Hedge, Judge, Kibbie, Sexton, Shearer, Soukup, Veenstra, and Zieman.

Members Absent: Black (excused).

Committee Business: Presentations by Hy-Vee, Inc.

Adjourned: 8:58 a.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: March 2, 1999, 1:04 p.m.

Members Present: Bartz, Chair; King, Vice Chair; Fink, Ranking Member; Black, Bolkcom, Dearden, Freeman, Gaskill, Kibbie, Miller, and Rehberg.

Members Absent: Deluhery, Drake, Johnson, and Rife (all excused).

Committee Business: Substituted HF 208 for SF 148 and passed HF 208.

Adjourned: 1:15 p.m.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Iowa City-City High School Little Hawk Wrestling Team, Coach Brad Smith – For winning the Class III A Championship. Senator Dvorsky (03/02/99).

Lee D. Nauman, Anamosa – For achieving the rank of Eagle Scout. Senator McKean (03/02/99).

STUDY BILLS RECEIVED

SSB 1166 Judiciary

Prohibiting the mistreatment of animals and providing for penalties.

SSB 1167 Local Government

Imposing moratoria on annexation by a city and on certain development actions by counties and providing an effective date.

SSB 1168 Local Government

Relating to the purchase of certain parcels with delinquent taxes by a city, county, or the Iowa finance authority, and providing effective and applicability dates.

SSB 1169 Judiciary

Prohibiting the loaning of money for gambling purposes through a credit card or an electronic or mechanical device at a licensed gambling facility.

SSB 1170 Local Government

Relating to the exercise of the power of eminent domain and to condemnation proceedings and providing for the Act's applicability.

SSB 1171 Appropriations

Making a supplemental appropriation for the fiscal year beginning July 1, 1998, for replacement of certain embedded chips in the technology and equipment of state departments and providing an effective date.

SSB 1172 Judiciary

Relating to the department of corrections by providing for purchases from Iowa prison industries, the establishment of reserve peace officers by judicial district departments of correctional services, the applicability of occupational health and safety provisions to inmate workers, the establishment of a criminal offense for attempts to escape, the crediting of time served by inmates, inmate work program agreements, the revolving farm fund, and deductions from inmate work program earnings, and making penalties applicable.

SSB 1173 Human Resources

Relating to grandparents and great-grandparent visitation rights.

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 5**

STATE GOVERNMENT: Drake, Chair; Kibbie and Lundby

Senate Concurrent Resolution 6

STATE GOVERNMENT: Drake, Chair; Kibbie and Lundby

Senate File 166

APPROPRIATIONS: Lamberti, Chair; Jensen and Soukup

Senate File 243

JUDICIARY: Maddox, Chair; Fraise and McKean

Senate File 250

JUDICIARY: Redfern, Chair; Boettger and Hansen

Senate File 256

JUDICIARY: McKean, Chair; Dvorsky and Lamberti

Senate File 258

JUDICIARY: Miller, Chair; Dvorsky and Redfern

Senate File 259

NATURAL RESOURCES AND ENVIRONMENT: Bartz, Chair; Kibbie and King

House File 296

JUDICIARY: Tinsman, Chair; Angelo and Dvorsky

House File 310

STATE GOVERNMENT: Lamberti, Chair; Fink and Sexton

SSB 1166

JUDICIARY: Miller, Chair; Dvorsky and Redfern

SSB 1167

LOCAL GOVERNMENT: Angelo, Chair; Fraise and McKean

SSB 1168

LOCAL GOVERNMENT: Judge, Chair; Gaskill and Zieman

SSB 1169

JUDICIARY: McKean, Chair; Hammond and Redfern

SSB 1170

LOCAL GOVERNMENT: Angelo, Chair; Bartz, Rife, Judge, and McCoy

SSB 1171

APPROPRIATIONS: King, Chair; Jensen and Deluhery

SSB 1172

JUDICIARY: Angelo, Chair; Maddox and Fraise

SSB 1173

HUMAN RESOURCES: Miller, Chair; Boettger and Dvorsky

COMMITTEE REPORTS**EDUCATION**

Final Bill Action: *SENATE FILE 266 (Formerly SF 140), a bill for an act providing for an increase in the community college facilities levy.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Redfern, Angelo, Boettger, Fink, Gaskill, Harper, Redwine, Sexton, Szymoniak, Tinsman, and Veenstra. Nays, 3: Rehberg, Connolly, and Shearer. Absent or not voting, 1: Dvorsky.

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 266, and they were attached to the committee report.

NATURAL RESOURCES AND ENVIRONMENT

Final Bill Action: SENATE FILE 263 (Formerly SF 143), a bill for an act relating to the issuance of a hunter safety and ethics certificate to certain honorably discharged military veterans.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Bartz, King, Fink, Black, Bolkcom, Dearden, Deluhery, Drake, Freeman, Gaskill, Johnson, Kibbie, Rehberg, and Rife. Nays, none. Absent or not voting, 1: Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 264 (Formerly SF 124), a bill for an act relating to the regulatory authority of the natural resource commission on the Sac and Fox tribe of the Mississippi in Iowa settlement in Tama county.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Bartz, King, Fink, Black, Bolkcom, Dearden, Deluhery, Freeman, Gaskill, Johnson, Kibbie, Rehberg, and Rife. Nays, 1: Drake. Absent or not voting, 1: Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 265 (Formerly SF 77), a bill for an act relating to the taking of muskrats by colony trap.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Bartz, King, Fink, Dearden, Deluhery, Drake, Freeman, Gaskill, Johnson, Kibbie, Rehberg, and Rife. Nays, 2: Black and Bolkcom. Absent or not voting, 1: Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3027	S.F. 203	Mike Sexton
S-3028	S.F. 203	Merlin E. Bartz
S-3029	S.F. 203	Merlin E. Bartz
S-3030	S.F. 203	Jeff Lamberti
S-3031	S.F. 216	Jeff Angelo
S-3032	S.F. 8	Gene Maddox

AFTERNOON SESSION

The Senate reconvened at 4:43 p.m., President Kramer presiding.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House Concurrent Resolution 11** be **immediately messaged** to the House.

QUORUM CALL

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

The vote revealed 46 present, 4 absent, and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Johnson for the remainder of the day, on request of Senator Iverson.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 59, Senator Iverson called up the following eligible appointees on the En Bloc Confirmation Calendar:

Dr. Richard M. Reay, Board of Dental Examiners

George M. Price, Board of Dietetic Examiners

Robert C. Bocken, Iowa Economic Development Board

Judith Anne Conlin, Director of the Department of Elder Affairs

John R. Krogh, Iowa Emergency Response Commission

Edwin J. Hershberger, Iowa Grain Indemnity Fund Board

Michael J. Wolnerman, Board for the Licensing and Regulation of Hearing Aid Dealers

Thomas D. Whitson, Investment Board of the IPERS

Jill M. Kochel, Board of Examiners for Massage Therapy

Lois A. Leytem, Board of Examiners for Massage Therapy

Gloria J. Pezzetti, Board of Examiners for Massage Therapy

E. Howard Sonksen, Board of Examiners for Massage Therapy

Ralph R. Stephens, Board of Examiners for Massage Therapy

Dr. Kim T. Lozier, Board of Podiatry Examiners

Dr. Kyle F. Whitten, Board of Podiatry Examiners

James L. Yeast, Board of Social Work Examiners

Senator Iverson moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Sexton	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

Johnson

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McCoy until he returns, on request of President Kramer.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 248, 8, 160, 209, and 68.

Senate File 248

On motion of Senator Redwine, **Senate File 248**, a bill for an act relating to acquired immune deficiency syndrome, providing penalties, and providing for a repeal, was taken up for consideration.

Senator Redwine offered amendment S-3024 filed by him on March 1, 1999, to pages 14 and 15 of the bill and moved its adoption.

Amendment S-3024 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 248), the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Shearer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, none.

Absent or not voting, 2:

Johnson

McCoy

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

Senate File 8

On motion of Senator Maddox, **Senate File 8**, a bill for an act relating to coverage under a policy or contract providing for third-party payment or prepayment of health or medical expenses by providing coverage for costs associated with equipment, supplies, and education for the treatment of diabetes, with report of committee recommending passage, was taken up for consideration.

Senator Maddox offered amendment S-3022 filed by Senators Maddox, Jensen, and Deluhery on February 25, 1999, striking everything after the enacting clause of the bill.

Senator Maddox offered amendment S-3032 filed by him from the floor to amendment S-3022 and moved its adoption.

Amendment S-3032 was adopted by a voice vote.

Senator Maddox moved adoption of amendment S-3022 as amended.

Amendment S-3022 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 8), the vote was:

Ayes, 45:

Angelo
Bolkcom
Drake
Fraise
Hammond
Horn
Kibbie

Bartz
Connolly
Dvorsky
Freeman
Hansen
Iverson
Kramer

Black
Dearden
Fink
Gaskill
Harper
Jensen
Lamberti

Boettger
Deluhery
Flynn
Gronstal
Hedge
Judge
Lundby

Maddox	McCoy	McKean	McKibben
McLaren	Miller	Redfern	Rehberg
Rife	Rittmer	Schuerer	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, 4:

Behn	King	Redwine	Sexton
------	------	---------	--------

Absent or not voting, 1:

Johnson

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

Senate File 160

On motion of Senator Rehberg, **Senate File 160**, a bill for an act relating to pipelines, interstate natural gas pipelines, and hazardous liquid pipelines, and the restoration of agricultural lands, making penalties applicable, and providing an effective date, was taken up for consideration.

Senator Rehberg offered amendment S-3023 filed by her on February 25, 1999, to pages 6, 13, 20 and 21 of the bill and moved its adoption.

Amendment S-3023 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 160), the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Judge	Kibbie	King	Kramer

Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Sexton	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

Johnson

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

Senate File 209

On motion of Senator McKibben, **Senate File 209**, a bill for an act establishing a uniform standard for determination of death, was taken up for consideration.

Senator McKibben moved that the bill be read the last time now and placed upon its passage, 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, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Sexton	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

Johnson

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

Senate File 68

On motion of Senator Lundby, **Senate File 68**, a bill for an act relating to counties included in the mid-America port commission, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 68), the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Sexton	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

Johnson

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that Senate Files 248, 8, 160, 209, and 68 be immediately messaged to the House.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS
(Individual Confirmation Calendar)

Senator Iverson called up the appointment of Diann Wilder-Tomlinson, as Director of the Iowa State Civil Rights Commission, placed on the Individual Confirmation Calendar on February 16, 1999, and found on page 313 of the Senate Journal.

Senator McKean moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Sexton	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

Johnson

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

President pro tempore Redfern took the chair at 5:35 p.m.

Senator Iverson called up the appointment of Kevin W. Techau, as Director of the Department of Inspections and Appeals, placed on the Individual Confirmation Calendar on February 23, 1999, and found on page 371 of the Senate Journal.

Senator Szymoniak moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Sexton	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

Johnson

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Iverson called up the appointment of E.A. "Penny" Westfall, as Commissioner of Public Safety, placed on the Individual Confirmation Calendar on February 15, 1999, and found on page 303 of the Senate Journal.

Senator Drake moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Sexton	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

Johnson

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 216 and 233.

Senate File 216

On motion of Senator Angelo, **Senate File 216**, a bill for an act relating to the commitment of sexually violent predators, by changing the deadline for filing a petition by the attorney general; providing for waiver or continuance of the probable cause hearing; granting greater enforcement power to the prosecuting attorney; extending the time to hold a trial; establishing supervised release for sexually violent persons who have been rehabilitated; providing for the preservation of certain child abuse reports; and providing the department of justice with access to such reports, was taken up for consideration.

Senator Angelo offered amendment S-3031 filed by him from the floor to pages 1, 3 and 4 of the bill and moved its adoption.

Amendment S-3031 was adopted by a voice vote.

Senator Angelo moved that the bill be read the last time now and placed upon its passage, 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:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Sexton	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

Johnson

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

Senate File 233

On motion of Senator Jensen, **Senate File 233**, a bill for an act relating to the preservation of records held by financial institutions, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 233), the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Shearer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, 1:

McKean

Absent or not voting, 1:

Johnson

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 216 and 233** be **immediately messaged** to the House.

BILL RETURNED TO CALENDAR

Senator Iverson asked and received unanimous consent that **Senate File 214** be returned from the committee on Appropriations to the **Regular Calendar**.

HOUSE MESSAGES RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 1, 1999, passed the following bill in which the **concurrence** of the **Senate** is asked:

House File 331, a bill for an act relating to transfers of structured settlement payment rights for tort and workers' compensation claims, providing civil remedies, and an applicability date.

Read first time and referred to committee on **Commerce**.

ALSO: That the House has on March 2, 1999, passed the following bills in which the concurrence of the Senate is asked:

House File 313, a bill for an act creating the new criminal offense of disarming a peace officer of a dangerous weapon.

Read first time and referred to committee on **Judiciary**.

House File 330, a bill for an act relating to the supervisory authority of the state banking division with regard to bank holding company acquisitions and the ability of state banks to make loans to any one person. (Companion to Senate File 229).

House File 332, a bill for an act relating to energy conservation including making appropriations of petroleum overcharge funds.

Read first time and referred to committee on **Appropriations**.

House File 349, a bill for an act eliminating requirements relating to the department of natural resources adopting rules requiring public water systems to test source water.

Read first time and referred to committee on **Natural Resources and Environment**.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: March 2, 1999, 4:10 p.m.

Members Present: McLaren, Chair; Kramer, Vice Chair; Flynn, Ranking Member; Behn, Black, Bolkcom, Connolly, Deluhery, Dvorsky, Freeman, Hammond, Hedge, Horn, Jensen, King, Lamberti, McCoy, Redwine, Rehberg, Rife, Schuerer, Soukup, and Tinsman.

Members Absent: Johnson and Maddox (both excused).

Committee Business: Approved SSB 1144. Passed SFs 210 and 232.

Adjourned: 4:35 p.m.

JUDICIARY

Convened: March 2, 1999, 3:10 p.m.

Members Present: McKean, Chair; Lamberti, Vice Chair; Hansen, Ranking Member; Angelo, Boettger, Dvorsky, Fraise, Hammond, Horn, Maddox, McCoy, McKibben, Miller, Redfern, and Tinsman.

Members Absent: None.

Committee Business: Approved SSB 1110. Passed HF's 164 and 222.

Adjourned: 4:05 p.m.

LOCAL GOVERNMENT

Convened: March 2, 1999, 2:19 p.m.

Members Present: Angelo, Chair; Bartz, Vice Chair; Bolkcom, Ranking Member; Fraise, Gaskill, Hammond, Judge, McKibben, Miller, and Ziemann.

Members Absent: McCoy, McKean, and Rife (all excused).

Committee Business: Subcommittee assignments.

Adjourned: 2:23 p.m.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Convened: March 2, 1999, 1:05 p.m.

Members Present: Lundby, Chair; Behn, Vice Chair; Shearer, Ranking Member; Boettger, Flynn, Judge, Rittmer, Sexton, Soukup, Tinsman, Veenstra, and Zieman.

Members Absent: Hansen (excused).

Committee Business: Approved SSBs 1063, 1081, 1097, and 1098. Presentation on the West Carlisle situation.

Adjourned: 2:10 p.m.

STATE GOVERNMENT

Convened: March 2, 1999, 2:20 p.m.

Members Present: Rittmer, Chair; Lamberti, Vice Chair; Kibbie, Ranking Member; Connolly, Dearden, Drake, Fink, King, Lundby, Maddox, Schuerer, Sexton, and Szymoniak.

Members Absent: Deluhery and McLaren (both excused).

Committee Business: Recommended governor's appointee for confirmation. Approved SCR 5 and 6. Approved SSBs 1007, 1112, and 1129. Passed SFs 35, 120, and 145.

Adjourned: 3:10 p.m.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 6, by committee on Natural Resources and Environment, a joint resolution nullifying amendments to an administrative rule of the department of natural resources eliminating the open season for the commercial harvesting of washboard mussels and providing an effective date.

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

Senate Joint Resolution 7, by Black, a joint resolution proposing an amendment to the Constitution of the State of Iowa removing the privilege from arrest for members of the general assembly.

Read first time under Rule 28 and referred to committee on **State Government**.

INTRODUCTION OF BILLS

Senate File 263, by committee on Natural Resources and Environment, a bill for an act relating to the issuance of a hunter safety and ethics certificate to certain honorably discharged military veterans.

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

Senate File 264, by committee on Natural Resources and Environment, a bill for an act relating to the regulatory authority of the natural resource commission on the Sac and Fox tribe of the Mississippi in Iowa settlement in Tama county.

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

Senate File 265, by committee on Natural Resources and Environment, a bill for an act relating to the taking of muskrats by colony trap.

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

Senate File 266, by committee on Education, a bill for an act providing for an increase in the community college facilities levy.

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

Senate File 267, by Kibbie, Fink, Connolly, Gronstal, Deluhery, Horn, Black, and Dvorsky, a bill for an act creating an Iowa school district revolving loan fund program and providing an exemption from state taxation.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 268, by Hammond, Dvorsky, Harper, Connolly, Bolkcom, and Redfern, a bill for an act exempting the sales of textbooks from the state sales and use taxes.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 269, by Rehberg, Fraise, Kibbie, and Jensen, a bill for an act relating to emergency programs to support livestock producers, providing appropriations, and providing an effective date.

Read first time under Rule 28 and referred to committee on **Agriculture**.

Senate File 270, by Lamberti, a bill for an act to establish a home campus program for juvenile delinquents fund, providing for the imposition of a home campus program for juvenile delinquents surcharge, and requesting a study of juvenile programming.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 271, by Schuerer, a bill for an act making an appropriation from the rebuild Iowa infrastructure fund to the department of general services for projects at the Toledo juvenile home.

Read first time under Rule 28 and referred to committee on **Appropriations**.

Senate File 272, by Boettger, a bill for an act increasing civil penalties assessed for violations by commercial applicators of pesticides.

Read first time under Rule 28 and referred to committee on **Agriculture**.

Senate File 273, by Flynn and Rehberg, a bill for an act relating to child care provisions administered by the department of human services and to the terminology used to describe child care, and including an effective date and applicability provision.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 274, by King, Boettger, Redwine, Rittmer, Redfern, Angelo, Johnson, Freeman, Kibbie, Dearden, Gaskill, Lundby, Miller, Hedge, Hansen, Gronstal, Shearer, Harper, Connolly, Deluhery,

Soukup, Bolkcom, Fraise, Black, Dvorsky, Sexton, Hammond, McCoy, Fink and McLaren, a bill for an act creating a loess hills preservation and development alliance, providing for its membership, powers and duties, and providing for other properly related matters.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 275, by committee on Human Resources, a bill for an act relating to services for children by requiring the department of human services to establish certification or licensing standards for children's centers.

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

Senate File 276, by committee on Human Resources, a bill for an act relating to health care service and treatment coverage by providing for continuity of care, discussion and advocacy of treatment options, coverage of emergency room services, utilization review requirements, and an external review process.

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

Senate File 277, by committee on State Government, a bill for an act relating to hospital clinical privileges of a physician assistant or advanced registered nurse practitioner.

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

Senate File 278, by committee on State Government, a bill for an act relating to hospital license fees and creating a hospital education fund.

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

COMPANION BILL RECEIVED

On March 2, 1999, **House File 330** was received and attached to companion **Senate File 229** on the Senate calendar.

SUBCOMMITTEE ASSIGNMENT

Senate File 222

HUMAN RESOURCES: Redwine, Chair; Boettger and Dvorsky

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 210, a bill for an act increasing the minimum daily pay for members of the Iowa national guard while in state active service.

Recommendation: DO PASS.

Final Vote: Ayes, 22: McLaren, Kramer, Flynn, Behn, Black, Bolckcom, Connolly, Dvorsky, Freeman, Hammond, Hedge, Horn, Jensen, King, Lamberti, McCoy, Redwine, Rehberg, Rife, Schuerer, Soukup, and Tinsman. Nays, none. Absent or not voting, 3: Deluhery, Johnson, and Maddox.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 232 (Formerly SF 40), a bill for an act relating to the establishment of a beginning teacher induction program and making an appropriation.

Recommendation: DO PASS.

Final Vote: Ayes, 23: McLaren, Kramer, Flynn, Behn, Black, Bolckcom, Connolly, Deluhery, Dvorsky, Freeman, Hammond, Hedge, Horn, Jensen, King, Lamberti, McCoy, Redwine, Rehberg, Rife, Schuerer, Soukup, and Tinsman. Nays, none. Absent or not voting, 2: Johnson and Maddox.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: *SENATE FILE 275 (Formerly SF 177), a bill for an act relating to services for children by requiring the department of human services to establish certification or licensing standards for children's centers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Boettger, Redwine, Szymoniak, Bartz, Behn, Dvorsky, Hammond, Harper, Miller, Schuerer, Shearer, Tinsman, and Veenstra. 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 275, and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 276 (SSB 1161), a bill for an act relating to health care service and treatment coverage by providing for continuity of care, discussion and advocacy of treatment options, coverage of emergency room services, utilization review requirements, and an external review process.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Boettger, Redwine, Szymoniak, Bartz, Behn, Dvorsky, Hammond, Harper, Miller, Schuerer, Shearer, and Veenstra. Nays, none. Present, 1: Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Human Resources Committee on Senate File 276, and they were attached to the committee report.

JUDICIARY

Final Bill Action: HOUSE FILE 222, a bill for an act relating to crime victim rights.

Recommendation: DO PASS.

Final Vote: Ayes, 14: McKean, Hansen, Angelo, Boettger, Dvorsky, Fraise, Hammond, Horn, Maddox, McCoy, McKibben, Miller, Redfern, and Tinsman. Nays, none. Absent or not voting, 1: Lamberti.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: HOUSE FILE 164, a bill for an act concerning the open meetings statute by permitting the awarding of appellate attorney fees for a successful action involving the statute.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Angelo, Bartz, Bolcom, Fraise, Gaskill, Hammond, Judge, McKean, McKibben, Miller, Rife, and Zieman. Nays, none. Absent or not voting, 1: McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Final Bill Action: *SENATE JOINT RESOLUTION 6 (SSB 1062), a bill for a joint resolution nullifying amendments to an administrative rule of the department of natural resources eliminating the open season for the commercial harvesting of washboard mussels and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Bartz, King, Freeman, Johnson, Kibbie, Miller, and Rehberg. Nays, 6: Fink, Black, Bolkcom, Dearden, Deluhery, and Gaskill. Absent or not voting, 2: Drake and Rife.

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 and Environment Committee on Senate Joint Resolution 6, and they were attached to the committee report.

ALSO:

Final Bill Action: HOUSE FILE 208, a bill for an act establishing a southern Iowa development and conservation authority, specifying membership, powers, and duties, creating a southern Iowa development and conservation fund, and providing for other properly related matters.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Bartz, King, Fink, Black, Bolkcom, Dearden, Freeman, Gaskill, Kibbie, Miller, and Rehberg. Nays, none. Absent or not voting, 4: Deluhery, Drake, Johnson, and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE CONCURRENT RESOLUTION 5, a senate concurrent resolution relating to a biennial memorial session.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Rittmer, Lamberti, Kibbie, Dearden, Drake, Fink, King, Lundby, Maddox, Schuerer, Sexton, and Szymoniak. Nays, none. Absent or not voting, 3: Connolly, Deluhery, and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 6, a senate concurrent resolution relating to Pioneer Lawmakers.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Rittmer, Lamberti, Kibbie, Dearden, Drake, Fink, King, Lundby, Maddox, Schuerer, Sexton, and Szymoniak. Nays, none. Absent or not voting, 3: Connolly, Deluhery, and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 120, a bill for an act relating to televising proceedings of the Iowa general assembly and providing funding.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Rittmer, Lamberti, Kibbie, Connolly, Dearden, Drake, Fink, King, Lundby, Maddox, Sexton, and Szymoniak. Nays, 1: Schuerer. Absent or not voting, 2: Deluhery and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 277 (SSB 1007), a bill for an act relating to hospital clinical privileges of a physician assistant or advanced registered nurse practitioner.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Rittmer, Lamberti, Kibbie, Connolly, Dearden, Drake, Fink, King, Lundby, Maddox, Schuerer, Sexton, and Szymoniak. Nays, none. Absent or not voting, 2: Deluhery and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 278 (SSB 1129), a bill for an act relating to hospital license fees and creating a hospital education fund.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Rittmer, Kibbie, Connolly, Dearden, Drake, Fink, King, Lundby, Maddox, Sexton, Szymoniak. Nays, 2: Lamberti and Schuerer. Absent or not voting, 2: Deluhery and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3033	S.F. 224	Tom Flynn
		John W. Jensen
S-3034	S.F. 232	Jeff Angelo

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 6:02 p.m., until 9:00 a.m., Wednesday, March 3, 1999.

JOURNAL OF THE SENATE

FIFTY-SECOND CALENDAR DAY
THIRTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 3, 1999

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

Prayer was offered by Reverend Roy Nilsen, of St. John's Lutheran Church, Des Moines, Iowa.

The Journal of Tuesday, March 2, 1999, was approved.

INTRODUCTION OF GUESTS

Senator Boettger introduced the following state officers and sponsors of the Future Homemakers of America: Emily Kinser, State Vice-President; Staci Friedman, State Family First Chair; Michael Halloran, State Parliamentarian/Historian, National Officer candidate; Sponsor Paulette Madson; Sponsor Mary Rushton; and Sponsor Maxine Freeman.

HOUSE MESSAGE RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 3, 1999, passed the following bill in which the concurrence of the Senate is asked:

House File 224, a bill for an act relating to qualifications of commissioners for a city, county, or joint memorial hospital.

Read first time and referred to committee on **State Government**.

RECESS

On motion of Senator Iverson, the Senate recessed at 9:54 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: March 3, 1999, 10:08 a.m.

Members Present: Redwine, Chair; Bartz, Vice Chair; McCoy, Ranking Member; Flynn and Sexton.

Members Absent: None.

Committee Business: Discussion of proposed amendments to committee bill.

Adjourned: 10:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: March 3, 1999, 10:05 a.m.

Members Present: Behn, Chair; Hedge, Vice Chair; Black, Ranking Member; Fink and Gaskill.

Members Absent: None.

Committee Business: Continued budget discussion.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: March 3, 1999, 10:00 a.m.

Members Present: Rife, Chair; Ziemann, Vice Chair; Bolkcom, Ranking Member; Dearden and McKibben.

Members Absent: None.

Committee Business: Discussion of rankings of technology initiatives.

Adjourned: 10:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: March 3, 1999, 10:09 a.m.

Members Present: Tinsman, Chair; Veenstra, Vice Chair; Hammond, Ranking Member; Miller and Szymoniak.

Members Absent: None.

Committee Business: Discussion on proposed language for the appropriations bill.

Adjourned: 12:02 p.m.

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT AND COMMUNICATIONS

Convened: March 3, 1999, 10:00 a.m.

Members Present: King, Chair; Lundby, Vice Chair; and Harper.

Members Absent: Rittmer and Deluhery, Ranking Member (excused).

Committee Business: Discussion on budget and policy decisions pertaining to technology.

Adjourned: 10:50 a.m.

EDUCATION

Convened: March 3, 1999, 1:04 p.m.

Members Present: Redfern, Chair; Rehberg, Vice Chair; Connolly, Ranking Member; Angelo, Boettger, Dvorsky, Fink, Gaskill, Harper, Redwine, Sexton, Shearer, Tinsman, and Veenstra.

Members Absent: Szymoniak (excused).

Committee Business: Approved SSB 1070. Subcommittee assignment.

Adjourned: 1:14 p.m.

GOVERNOR'S APPOINTEE PLACED ON EN BLOC CALENDAR

The following appointee, assigned to standing committee for investigation, was placed on the En Bloc Calendar with recommendation for confirmation on March 2, 1999:

STATE GOVERNMENT

Janet A. Gentle -- Board of Examiners for Massage Therapy

INTRODUCTION OF BILLS

Senate File 279, by Redwine, a bill for an act relating to vehicles driven on divided, multilaned highways, requiring the department of transportation to post signs, and applying a penalty.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 280, by committee on Small Business, Economic Development and Tourism, a bill for an act providing for investments by banks and certain insurance companies in Iowa agricultural industry finance corporations.

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

Senate File 281, by committee on Small Business, Economic Development and Tourism, a bill for an act concerning the workforce development department, by providing for the establishment of a workforce development corporation, expenses for members of the regional advisory board to the workforce development board, authority to charge fees for certain services of the department, and Iowa conservation corps employee rights.

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

Senate File 282, by committee on State Government, a bill for an act relating to practices and procedures of the department of general services, regulating state purchasing of recycled paper, modifying an appropriation to the department, and providing an effective date.

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

Senate File 283, 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.

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

Senate File 284, by committee on Human Resources, a bill for an act providing for the liability of a person with supervisory or other administrative responsibilities over an individual who the person knew or was informed committed sexual abuse of a child.

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

Senate File 285, by committee on State Government, a bill for an act relating to the practice of hypnotherapy and providing penalties.

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

Senate File 286, by committee on Small Business, Economic Development and Tourism, a bill for an act relating to the new investment tax credit under the new jobs and income program.

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

Senate File 287, by committee on Human Resources, a bill for an act relating to child welfare provisions involving foster home damages, voluntary foster care placements of children with mental retardation or other developmental disability, release of child abuse information, and annual group foster care and decategorization plans, and providing a contingent effective date.

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

Senate File 288, by Boettger, a bill for an act providing for directional signs for historic sites listed on the national register of historic places.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 289, by Dearden, a bill for an act relating to establishment of satellite absentee voting stations.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 290, by Schuerer, a bill for an act relating to unemployment compensation employer contribution rates.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 291, by committee on State Government, a bill for an act relating to veterans' benefits, veterans preference, veterans' claims, reimbursement for military service tax exemption, and providing a penalty and applicability date.

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

STUDY BILLS RECEIVED

SSB 1072.1 Commerce

Relating to certain franchise agreements and the rights and responsibilities of the parties under such agreements.

SSB 1174 Education

Providing an exemption from certain requirements of self-insured accident and health insurance plans provided by school corporations.

SSB 1175 Appropriations

Relating to enforcement, prevention, education, and treatment for substance abuse and sexual abuse, and providing appropriations.

SSB 1176 Commerce

Relating to the restructuring of the electric utility industry by providing for consumer choice for certain electric services, providing penalties, and providing an effective date.

SSB 1177 Natural Resources and Environment

Allowing county attorneys to seek judicial enforcement through imposition of civil penalties for violations relating to illegal dumping or discarding of solid waste.

SUBCOMMITTEE ASSIGNMENTS

Senate File 251

HUMAN RESOURCES: Boettger, Chair; Harper and Redwine

Senate File 252

HUMAN RESOURCES: Boettger, Chair; Harper and Redwine

Senate File 255

HUMAN RESOURCES: Miller, Chair; Behn and Harper

Senate File 273

HUMAN RESOURCES: Bartz, Chair; Behn and Dvorsky

Senate File 274

NATURAL RESOURCES AND ENVIRONMENT: King, Chair; Deluhery and Freeman

SSB 1072.1

COMMERCE: Jensen, Chair; Redfern, Deluhery, Gronstal, and Johnson

SSB 1174

EDUCATION: Redfern, Chair; Rehberg and Connolly

SSB 1175

APPROPRIATIONS: Maddox, Chair; Kramer, Redwine, Dvorsky, and Hammond

SSB 1176

COMMERCE: Jensen, Chair; Lundby, Schuerer, Gronstal, and Deluhery

SSB 1177

NATURAL RESOURCES AND ENVIRONMENT: Miller, Chair; Dearden and Drake

COMMITTEE REPORTS**APPROPRIATIONS**

Final Bill Action: SENATE FILE 283 (SSB 1144), 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.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 22: McLaren, Kramer, Flynn, Behn, Black, Bolkom, Connolly, Dvorsky, Freeman, Hammond, Hedge, Horn, Jensen, King, Lamberti, McCoy, Redwine, Rehberg, Rife, Schuerer, Soukup, and Tinsman. Nays, none. Absent or not voting, 3: Deluhery, Johnson, and Maddox.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: *SENATE FILE 284 (Formerly SF 109), a bill for an act providing for the liability of a person with supervisory or other administrative responsibilities over an individual who the person knew or was informed committed sexual abuse of a child.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 11: Boettger, Redwine, Szymoniak, Bartz, Behn, Dvorsky, Hammond, Harper, Shearer, Tinsman, and Veenstra. Nays, 2: Miller and Schuerer.

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 284, and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 287 (SSB 1078), a bill for an act relating to child welfare provisions involving foster home damages, voluntary foster care placements of children with mental retardation or other developmental disability, release of child abuse information, and annual group foster care and decategorization plans, and providing a contingent effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Boettger, Redwine, Szymoniak, Bartz, Behn, Dvorsky, Hammond, Harper, Miller, Schuerer, Shearer, Tinsman, and Veenstra. 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 287, and they were attached to the committee report.

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM

Final Bill Action: SENATE FILE 280 (SSB 1097), a bill for an act providing for investments by banks and certain insurance companies in Iowa agricultural industry finance corporations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Lundby, Behn, Shearer, Boettger, Flynn, Judge, Rittmer, Sexton, Soukup, Tinsman, Veenstra, and Zieman. Nays, none. Absent or not voting, 1: Hansen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 281 (SSB 1098), a bill for an act concerning the workforce development department, by providing for the establishment of a workforce development corporation, expenses for members of the regional advisory board to the workforce development board, authority to charge fees for certain services of the department, and Iowa conservation corps employee rights.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Lundby, Behn, Shearer, Boettger, Flynn, Judge, Rittmer, Sexton, Soukup, Tinsman, Veenstra, and Ziemann. Nays, none. Absent or not voting, 1: Hansen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 286 (SSB 1081), a bill for an act relating to the new investment tax credit under the new jobs and income program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Lundby, Behn, Shearer, Boettger, Flynn, Judge, Rittmer, Sexton, Soukup, Tinsman, Veenstra, and Ziemann. Nays, none. Absent or not voting, 1: Hansen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: *SENATE FILE 282 (SSB 1112), a bill for an act relating to practices and procedures of the department of general services, regulating state purchasing of recycled paper, modifying an appropriation to the department, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Rittmer, Lamberti, Kibbie, Connolly, Dearden, Drake, Fink, King, Lundby, Maddox, Schuerer, Sexton, and Szymoniak. Nays, none. Absent or not voting, 2: Deluhery and 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 282, and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 285 (Formerly SF 35), a bill for an act relating to the practice of hypnotherapy and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Rittmer, Lamberti, Kibbie, Connolly, Dearden, Drake, Fink, King, Lundby, Maddox, Sexton, and Szymoniak. Nays, 1: Schuerer. Absent or not voting, 2: Deluhery and 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 285, and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 291 (Formerly SF 145), a bill for an act relating to veterans' benefits, veterans preference, veterans' claims, reimbursement for military service tax exemption, and providing a penalty and applicability date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Rittmer, Lamberti, Kibbie, Dearden, Drake, Fink, King, Lundby, Maddox, Schuerer, Sexton, Szymoniak. Nays, 1: Connolly. Absent or not voting, 2: Deluhery and 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 291, and they were attached to the committee report.

AMENDMENTS FILED

S-3035	S.F. 276	John Redwine
S-3036	S.F. 203	Matt McCoy
S-3037	S.F. 203	Michael E. Gronstal
S-3038	S.F. 203	Richard F. Drake
S-3039	S.F. 276	John Redwine

AFTERNOON SESSION

The Senate reconvened at 4:39 p.m., Senator Hedge presiding.

QUORUM CALL

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

The vote revealed 41 present, 9 absent, and a quorum present.

BILLS REFERRED TO COMMITTEE

Senator Iverson asked and received unanimous consent that **Senate Files 266 and 291** be referred from the **Regular Calendar** to the committee on **Ways and Means**.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 229, 232, and 276.

Senate File 229

On motion of Senator Redfern, **Senate File 229**, a bill for an act relating to the supervisory authority of the state banking division with regard to bank holding company acquisitions and the ability of state banks to make loans to any one person, was taken up for consideration.

Senator Redfern asked and received unanimous consent that **House File 330** be substituted for **Senate File 229**.

House File 330

On motion of Senator Redfern, **House File 330**, a bill for an act relating to the supervisory authority of the state banking division with regard to bank holding company acquisitions and the ability of state banks to make loans to any one person, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 330), the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Jensen	Johnson
Judge	Kibbie	King	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Miller	Redfern	Redwine
Rehberg	Rife	Rittmer	Schuerer
Sexton	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 3:

Iverson	Kramer	Lamberti
---------	--------	----------

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

Senate File 232

On motion of Senator Angelo, **Senate File 232**, a bill for an act relating to the establishment of a beginning teacher induction program and making an appropriation, with report of committee on Appropriations recommending passage, was taken up for consideration.

Senator Angelo offered amendment S-3034 filed by him on March 2, 1999, to pages 2-4 of the bill and moved its adoption.

Amendment S-3034 was adopted by a voice vote.

Senator Szymoniak offered amendment S-3025 filed by her on March 1, 1999, to page 3 of the bill and moved its adoption.

Amendment S-3025 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 232), the vote was:

Ayes, 50:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Sexton
Shearer	Soukup	Szymoniak	Tinsman
Veenstra	Zieman		

Nays, none.

Absent or not voting, none.

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 Redwine, **Senate File 276**, a bill for an act relating to health care service and treatment coverage by providing for continuity of care, discussion and advocacy of treatment options, coverage of emergency room services, utilization review requirements, and an external review process, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that action on **Senate File 276** be deferred.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Kramer and Lamberti until they arrive, on request of Senator Iverson.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 186.

Senate File 186

On motion of Senator Angelo, **Senate File 186**, a bill for an act providing that a county enterprise includes housing for persons who are elderly or persons with physical disabilities, was taken up for consideration.

Senator Angelo moved that the bill be read the last time now and placed upon its passage, 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:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rittmer	Schuerer
Sexton	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 3:

Kramer	Lamberti	Rife
--------	----------	------

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House File 330** and **Senate Files 232** and **186** be **immediately messaged** to the House.

WITHDRAWN

Senator Redfern asked and received unanimous consent that **Senate File 229** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 224 and 203.

Senate File 224

On motion of Senator Flynn, **Senate File 224**, a bill for an act relating to proceedings before the utilities board and the provision of competitive utility services by allocating costs incurred by the utilities board and the office of consumer advocate to certain persons in certain proceedings related to providing competitive utility services, and by providing for the certification of competitive natural gas providers and aggregators, and providing an effective date, was taken up for consideration.

Senator Flynn offered amendment S-3033 filed by Senators Flynn and Jensen on March 2, 1999, to page 2 of the bill and moved its adoption.

Amendment S-3033 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 224), the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Shearer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, none.

Absent or not voting, 2:

Kramer Lamberti

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

Senate File 203

On motion of Senator Jensen, **Senate File 203**, a bill for an act relating to transportation, including regulation of school buses and special trucks, vehicle titling and registration, commercial driver's licenses, regulations on motor carriers, regulations on motor vehicle manufacturers, distributors, and dealers, size, weight, and load restrictions on vehicles, driver education, and administrative procedures of the state department of transportation, and providing for fees and penalties and an effective date, was taken up for consideration.

Senator Sexton asked and received unanimous consent to withdraw amendment S-3027 filed by him on March 2, 1999, to pages 1, 2 and to the title page of the bill.

Senator Drake offered amendment S-3040 filed by Senators Drake, Jensen, and McCoy from the floor to page 8 of the bill and moved its adoption.

Amendment S-3040 was adopted by a voice vote.

Senator Kibbie offered amendment S-3041 filed by Senators Kibbie and Drake from the floor to page 8 and to the title page of the bill and moved its adoption.

Amendment S-3041 was adopted by a voice vote.

Senator Bartz asked and received unanimous consent to withdraw amendment S-3028 filed by him on March 2, 1999, to page 10 of the bill.

Senator Bartz asked and received unanimous consent to withdraw amendment S-3029 filed by him on March 2, 1999, to page 10 of the bill.

Senator Lamberti offered amendment S-3030 filed by him on March 2, 1999, to pages 10, 11, 13 and to the title page of the bill and moved its adoption.

Amendment S-3030 was adopted by a voice vote.

Senator McCoy offered amendment S-3036 filed by him from the floor to pages 10 and 11 of the bill and moved its adoption.

Amendment S-3036 was adopted by a voice vote.

Senator Gronstal offered amendment S-3037 filed by him from the floor to page 12 and to the title page of the bill, moved its adoption, and requested a record roll call.

On the question "Shall amendment S-3037 be adopted?" (S.F. 203), the vote was:

Ayes, 22:

Bartz
Dearden
Flynn
Hansen
Kibbie
Soukup

Black
Deluhery
Fraise
Harper
Lundby
Szymoniak

Bolkcom
Dvorsky
Gronstal
Horn
McCoy

Connolly
Fink
Hammond
Judge
Shearer

Nays, 28:

Angelo	Behn	Boettger	Drake
Freeman	Gaskill	Hedge	Iverson
Jensen	Johnson	King	Kramer
Lamberti	Maddox	McKean	McKibben
McLaren	Miller	Redfern	Redwine
Rehberg	Rife	Rittmer	Schuerer
Sexton	Tinsman	Veenstra	Zieman

Absent or not voting, none.

Amendment S-3037 lost.

President Kramer took the chair at 6:19 p.m.

Senator McCoy offered amendment S-3026 filed by him on March 1, 1999, to page 13 of the bill and moved its adoption.

Amendment S-3026 was adopted by a voice vote.

Senator Veenstra offered amendment S-3042 filed by him from the floor to pages 8, 12 and to the title page of the bill and moved its adoption.

Amendment S-3042 was adopted by a voice vote.

Senator Bartz offered amendment S-3043 filed by him from the floor to page 10 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S-3043 be adopted?" (S.F. 203), the vote was:

Ayes, 24:

Bartz	Black	Boettger	Fink
Fraise	Freeman	Gaskill	Hansen
Harper	Iverson	Johnson	Judge
Kibbie	King	Lundby	McKean
McKibben	Miller	Redfern	Redwine
Soukup	Tinsman	Veenstra	Zieman

Nays, 26:

Angelo	Behn	Bolkcom	Connolly
Dearden	Deluhery	Drake	Dvorsky
Flynn	Gronstal	Hammond	Hedge
Horn	Jensen	Kramer	Lamberti
Maddox	McCoy	McLaren	Rehberg
Rife	Rittmer	Schuerer	Sexton
Shearer	Szymoniak		

Absent or not voting, none.

Amendment S-3043 lost.

Senator Bartz asked and received unanimous consent that action on **Senate File 203** be **deferred**.

HOUSE MESSAGES RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 3, 1999, passed the following bills in which the **concurrence** of the **Senate** is asked:

House File 386, a bill for an act relating to increasing the penalties for an assault on a jailer.

Read first time and referred to committee on **Judiciary**.

House File 387, a bill for an act relating to confidentiality for certain taxpayer communications.

Read first time and referred to committee on **Judiciary**.

House File 395, a bill for an act providing that defendants convicted of class "C" vehicular manslaughter are not bailable on appeal.

Read first time and referred to committee on **Judiciary**.

ALSO: That the House has on March 3, 1999, passed the following bill in which the **concurrence** of the **House** was asked:

Senate File 70, a bill for an act concerning unemployment insurance by providing for the distribution of certain moneys in the unemployment trust fund and the transfer of experience for unemployment insurance tax purposes.

INTRODUCTION OF BILLS

Senate File 292, by committee on Education, a bill for an act providing for the designation of investigative information possessed by the board of educational examiners as privileged and confidential.

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

Senate File 293, by committee on Small Business, Economic Development and Tourism, a bill for an act relating to the development and management of land, by providing for planning and revenue, providing an effective date, and making a provision retroactively applicable.

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

Senate File 294, by committee on Judiciary, a bill for an act relating to lifetime registration for certain sex offenders, the performance of sex offender risk assessments, and the procedures for dissemination of registry information to agencies and the public.

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

Senate File 295, by Gronstal, a bill for an act relating to the department of public safety assessing a fee for a criminal history check.

Read first time and referred to committee on **Judiciary**.

Senate File 296, by Johnson, a bill for an act relating to information required to be placed on property tax statements.

Read first time and referred to committee on **Ways and Means**.

Senate File 297, by Soukup, a bill for an act relating to registration of all-terrain vehicles and snowmobiles and providing for and applying penalties.

Read first time and referred to committee on **Transportation**.

Senate File 298, by King, a bill for an act relating to the liability of volunteer fire departments for penalties for occupational safety and health violations.

Read first time and referred to committee on **State Government**.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: March 3, 1999, 2:03 p.m.

Members Present: Boettger, Chair; Redwine, Vice Chair; Szymoniak, Ranking Member; Bartz, Behn, Dvorsky, Hammond, Harper, Miller, Schuerer, Shearer, Tinsman, and Veenstra.

Members Absent: None.

Committee Business: Approved SSBs 1155, 1156, and 1173. Passed SFs 179 and 194.

Adjourned: 3:10 p.m.

JUDICIARY

Convened: March 3, 1999, 3:10 p.m.

Members Present: McKean, Chair; Lamberti, Vice Chair; Hansen, Ranking Member; Angelo, Boettger, Dvorsky, Fraise, Hammond, Horn, Maddox, McCoy, McKibben, Miller, Redfern, and Tinsman.

Members Absent: None.

Committee Business: Approved SSBs 1109 and 1132. Passed HF 209.

Adjourned: 4:07 p.m.

WAYS AND MEANS

Convened: March 3, 1999, 4:14 p.m.

Members Present: Johnson, Chair; McKibben, Vice Chair; Harper, Ranking Member; Bartz, Bolkcom, Connolly, Drake, Hedge, Lamberti, Maddox, Redwine, and Soukup.

Members Absent: Deluhery, Flynn, and McLaren (all excused).

Committee Business: Passed SFs 183 and 185.

Adjourned: 4:20 p.m.

INTRODUCTION OF BILLS

Senate File 299, by Sexton, a bill for an act relating to remediation of agrichemical sites, providing fees, and making an appropriation.

Read first time under Rule 28 and referred to committee on **Agriculture**.

Senate File 300, by committee on Human Resources, a bill for an act relating to health care facility enforcement procedures.

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

Senate File 301, by committee on Human Resources, a bill for an act relating to grandparent and great-grandparent visitation rights.

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

Senate File 302, by Fink, a bill for an act providing for the establishment of an enrichment fund by the board of directors of a school district, providing for a personal income tax credit and corporate income tax deduction for contributions to an enrichment fund, and including a retroactive applicability provision.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 303, by committee on Judiciary, a bill for an act requiring that the clerk of the district court confirm that notice has been given to required parties prior to the filing of a nonstatutory lien.

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

Senate File 304, by committee on Human Resources, a bill for an act providing for conditional employment pending the outcome of background checks for health care facility employees.

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

SUBCOMMITTEE ASSIGNMENT

Senate File 198

AGRICULTURE: Miller, Chair; Fraise and Ziemann

COMMITTEE REPORTS

EDUCATION

Final Bill Action: *SENATE FILE 292 (SSB 1070), a bill for an act providing for the designation of investigative information possessed by the board of educational examiners as privileged and confidential.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Redfern, Rehberg, Connolly, Angelo, Boettger, Dvorsky, Fink, Gaskill, Harper, Redwine, Sexton, Shearer, Tinsman, and Veenstra. Nays, none. 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 Education Committee on Senate File 292, and they were attached to the committee report.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 179, a bill for an act relating to requests and hearings for correction and expungement of child abuse information.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Boettger, Redwine, Szymoniak, Bartz, Behn, Dvorsky, Hammond, Harper, Miller, Schuerer, Tinsman, and Veenstra. Nays, 1: Shearer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 194, a bill for an act relating to acceptable accreditation of psychiatric medical institutions for children for the purpose of licensing.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Boettger, Redwine, Szymoniak, Bartz, Behn, Dvorsky, Hammond, Harper, Miller, Schuerer, Shearer, Tinsman, and Veenstra. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 300 (SSB 1155), a bill for an act relating to health care facility enforcement procedures.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Boettger, Redwine, Szymoniak, Bartz, Behn, Dvorsky, Hammond, Harper, Miller, Schuerer, Shearer, Tinsman, and Veenstra. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 301 (SSB 1173), a bill for an act relating to grandparent and great-grandparent visitation rights.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Boettger, Redwine, Szymoniak, Bartz, Dvorsky, Miller, Shearer, Tinsman, and Veenstra. Nays, 4: Behn, Hammond, Harper, and Schuerer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 304 (SSB 1156), a bill for an act providing for conditional employment pending the outcome of background checks for health care facility employees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Boettger, Redwine, Szymoniak, Bartz, Behn, Hammond, Harper, Miller, Schuerer, Shearer, and Veenstra. Nays, 2: Dvorsky and Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: *SENATE FILE 294 (SSB 1110), a bill for an act relating to lifetime registration for certain sex offenders, the performance of sex offender risk assessments, and the procedures for dissemination of registry information to agencies and the public.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: McKean, Hansen, Angelo, Boettger, Fraise, Horn, Maddox, McCoy, McKibben, Miller, Redfern, and Tinsman. Nays, 1: Dvorsky. Pass, 1: Hammond. Absent or not voting, 1: Lamberti.

Fiscal Note: 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 294, and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 303 (SSB 1109), a bill for an act requiring that the clerk of the district court confirm that notice has been given to required parties prior to the filing of a nonstatutory lien.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: McKean, Lamberti, Hansen, Angelo, Dvorsky, Fraise, Horn, Maddox, McCoy, McKibben, Miller, Redfern, and Tinsman. Nays, none. Absent or not voting, 2: Boettger and Hammond.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 209, a bill for an act relating to increasing the penalty for eluding or attempting to elude an official law enforcement vehicle.

Recommendation: DO PASS.

Final Vote: Ayes, 8: McKean, Lamberti, Angelo, Boettger, McCoy, McKibben, Miller, and Redfern. Nays, 4: Hammond, Horn, Maddox, and Tinsman. Pass, 3: Hansen, Dvorsky, and Fraise.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM

Final Bill Action: *SENATE FILE 293 (SSB 1063), a bill for an act relating to the development and management of land, by providing for planning and revenue, providing an effective date, and making a provision retroactively applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Lundby, Boettger, Judge, Rittmer, Sexton, Soukup, Veenstra, and Zieman. Nays, 2: Behn and Flynn. Pass, 1: Tinsman. Absent or not voting, 2: Shearer and Hansen.

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 Small Business, Economic Development, and Tourism Committee on Senate File 293, and they were attached to the committee report.

AMENDMENTS FILED

S-3040	S.F. 203	Richard F. Drake John W. Jensen Matt McCoy
S-3041	S.F. 203	John P. Kibbie Richard F. Drake
S-3042	S.F. 203	Ken Veenstra
S-3043	S.F. 203	Merlin E. Bartz

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 6:43 p.m., until 9:00 a.m., Thursday, March 4, 1999.

JOURNAL OF THE SENATE

FIFTY-THIRD CALENDAR DAY
THIRTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 4, 1999

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

Prayer was offered by Reverend Richard Sipe, pastor of First Baptist Church, Marshalltown, Iowa.

The Journal of Wednesday, March 3, 1999, was approved.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 283.

Senate File 283

On motion of Senator Tinsman, **Senate File 283**, 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, 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. 283), the vote was:

Ayes, 50:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Sexton
Shearer	Soukup	Szymoniak	Tinsman
Veenstra	Zieman		

Nays, none.

Absent or not voting, none.

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate File 283** be **immediately messaged** to the House.

BILL REFERRED TO COMMITTEE

Senator Iverson asked and received unanimous consent that **Senate File 293** be **referred** from the **Regular Calendar** to the committee on **Local Government**.

INTRODUCTION OF BILLS

Senate File 305, by committee on Ways and Means, a bill for an act relating to the payment by a county of the family farm tax credit and reimbursement to the county of its payment and including an effective date.

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

Senate File 306, by Tinsman, a bill for an act providing for recognition of high quality child day care providers.

Read first time and referred to committee on **Human Resources**.

Senate File 307, by Schuerer, a bill for an act relating to the authority to regulate passenger elevators.

Read first time and referred to committee on **State Government**.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: March 4, 1999, 10:35 a.m.

Members Present: Behn, Chair; Hedge, Vice Chair; Black, Ranking Member; Fink and Gaskill.

Members Absent: None.

Committee Business: Continued budget discussion.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: March 4, 1999, 10:40 a.m.

Members Present: Schuerer, Chair; Boettger, Vice Chair; Soukup, Ranking Member; Lamberti and Judge.

Members Absent: None.

Committee Business: Discussion of committee's appropriations budget.

Adjourned: 11:12 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: March 4, 1999, 10:37 a.m.

Members Present: Rife, Chair; Zieman, Vice Chair; Bolkcom, Ranking Member; Dearden and McKibben.

Members Absent: None.

Committee Business: Passed LSB 1132JA, Appropriations bill.

Adjourned: 11:17 a.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: March 4, 1999, 3:04 p.m.

Members Present: Bartz, Chair; King, Vice Chair; Fink, Ranking Member; Black, Bolkcom, Dearden, Deluhery, Drake, Gaskill, Johnson, Kibbie, Miller, Rehberg, and Rife.

Members Absent: Freeman (excused).

Committee Business: Passed SFs 142, 220, 274, and HF 347.

Adjourned: 3:30 p.m.

STATE GOVERNMENT

Convened: March 4, 1999, 2:35 p.m.

Members Present: Rittmer, Chair; Kibbie, Ranking Member; Dearden, Deluhery, Drake, Fink, King, Lundby, Maddox, McLaren, Schuerer, Sexton, and Szymoniak.

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

Committee Business: Recommended governor's appointees for confirmation. Approved SSBs 1154, 1165, and 1179. Passed SFs 27 and 238.

Adjourned: 2:55 p.m.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Ruby Hermeier, Ringsted – For being named Iowa Mother of the Year. Senator Kibbie (03/03/99).

Krista Janssen, Sibley – For receiving the Girl Scout Gold Award. Senator Veenstra (03/03/99).

Isaac Martin, Decatur – For recognition of your service during World War I, and for receiving the Legion of Honor from the French Emissary. Senator Angelo (03/03/99).

Brian Swenson, Waukon – For achieving the rank of Eagle Scout. Senator Ziemann (03/04/99).

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 8, by Lamberti, a joint resolution proposing an amendment to the Constitution of the State of Iowa to reconvene the general assembly in order to reconsider vetoed bills and items of appropriation bills after adjournment sine die.

Read first time under Rule 28 and referred to committee on **State Government**.

INTRODUCTION OF BILLS

Senate File 308, by committee on Ways and Means, a bill for an act relating to the levy rate for fire protection imposed in an area of a benefited fire district and including an effective date.

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

Senate File 309, by committee on Judiciary, a bill for an act relating to the interception of communications and providing penalties.

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

Senate File 310, by Angelo, a bill for an act relating to adequate care for inmates at correctional facilities.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 311, by McKean, a bill for an act relating to limitations on the use of engine brakes and providing a penalty.

Read first time under Rule 28 and referred to committee on **Transportation**.

STUDY BILLS RECEIVED

SSB 1178 Human Resources

Relating to coverage under an insurance policy for services of a registered nurse first assistant.

SSB 1179 State Government

Concerning state government personnel benefit programs for state employees and related tax exemption, and providing an effective and retroactive applicability date.

SSB 1180 Business and Labor Relations

Providing for drug and alcohol testing of private sector employees and prospective employees.

SSB 1181 Ways and Means

Exempting the sales of textbooks from the state sales and use taxes.

SSB 1182 Ways and Means

Relating to the Iowa educational savings plan trust, and including an effective date and retroactive applicability provision.

SSB 1183 Commerce

Relating to the limited licensure of motor vehicle rental companies by authorizing motor vehicle rental companies to offer and sell certain types of insurance with the rental of vehicles and providing for a fee for license issuance.

SSB 1184 Agriculture

Relating to the Iowa egg council by providing for its administration and membership.

SUBCOMMITTEE ASSIGNMENTS**Senate File 246**

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM: Sexton, Chair; Shearer and Tinsman

Senate File 257

WAYS AND MEANS: Hedge, Chair; Bartz and Connolly

Senate File 261

COMMERCE: Lundby, Chair; McCoy and Redfern

Senate File 262

WAYS AND MEANS: Flynn, Chair; Deluhery and Johnson

Senate File 266

WAYS AND MEANS: McLaren, Chair; Connolly and Maddox

Senate File 268

WAYS AND MEANS: McKibben, Chair; Flynn and Johnson

Senate File 269

AGRICULTURE: Gaskill, Chair; Hedge and Judge

Senate File 272

AGRICULTURE: Kibbie, Chair; Angelo and Bartz

Senate File 289

STATE GOVERNMENT: Rittmer, Chair; Dearden and Drake

Senate File 290

STATE GOVERNMENT: Schuerer, Chair; Dearden and Drake

Senate File 291

WAYS AND MEANS: Drake, Chair; Deluhery and Johnson

Senate File 293

LOCAL GOVERNMENT: McKean, Chair; Angelo, Bartz, Bolkcom, and Fraise

Senate File 296

WAYS AND MEANS: McKibben, Chair; Drake and Soukup

Senate File 298

STATE GOVERNMENT: King, Chair; Kibbie and Lamberti

Senate File 299

AGRICULTURE: Sexton, Chair; Behn and Fraise

Senate File 307

STATE GOVERNMENT: Schuerer, Chair; Dearden and Sexton

House File 312

AGRICULTURE: Bartz, Chair; Black and Veenstra

SSB 1178

HUMAN RESOURCES: Boettger, Chair; Behn and Szymoniak

SSB 1179

STATE GOVERNMENT: Rittmer, Chair; Deluhery and Lundby

SSB 1180

BUSINESS AND LABOR RELATIONS: King, Chair; Dearden and McKibben

SSB 1181

WAYS AND MEANS: Johnson, Chair; Bartz and Flynn

SSB 1182

WAYS AND MEANS: McKibben, Chair; Flynn and Johnson

SSB 1183

COMMERCE: King, Chair; Deluhery and Schuerer

SSB 1184

AGRICULTURE: Behn, Chair; Hedge and Shearer

COMMITTEE REPORTS**JUDICIARY**

Final Bill Action: *SENATE FILE 309 (SSB 1132), a bill for an act relating to the interception of communications and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: McKean, Lamberti, Hansen, Boettger, Fraise, Horn, Maddox, McCoy, McKibben, Miller, and Redfern. Nays, 3: Angelo, Dvorsky, and Tinsman. Pass, 1: Hammond.

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 309, and they were attached to the committee report.

NATURAL RESOURCES AND ENVIRONMENT

Final Bill Action: HOUSE FILE 347, a bill for an act relating to rulemaking duties of the department of natural resources regarding baled solid waste.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Bartz, King, Fink, Black, Bolkcom, Dearden, Deluhery, Drake, Gaskill, Johnson, Kibbie, Miller, Rehberg, and Rife. Nays, none. Absent or not voting, 1: Freeman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 238, a bill for an act relating to drawing the Sac and Fox Indian settlement precinct in Tama county.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Rittmer, Kibbie, Dearden, Deluhery, Drake, Fink, King, Lundby, Maddox, McLaren, Schuerer, Sexton, and Szymoniak. Nays, none. Absent or not voting, 2: Lamberti and Connolly.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 305 (Formerly SF 183), a bill for an act relating to the payment by a county of the family farm tax credit and reimbursement to the county of its payment and including an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Johnson, McKibben, Harper, Bartz, Bolkcom, Connolly, Drake, Hedge, Lamberti, Maddox, Redwine, and Soukup. Nays, none. Absent or not voting, 3: Deluhery, Flynn, and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 308 (Formerly SF 185), a bill for an act relating to the levy rate for fire protection imposed in an area of a benefited fire district and including an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Johnson, McKibben, Harper, Bartz, Bolkcom, Connolly, Drake, Hedge, Lamberti, Maddox, Redwine, and Soukup. Nays, none. Absent or not voting, 3: Deluhery, Flynn, and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Calendar with recommendations for confirmation on March 4, 1999:

STATE GOVERNMENT

Robert G. Buchanan – Board of Examiners for Massage Therapy

Dr. Jacob O. Sines – Board of Psychology Examiners

Jennifer L. Oman – Board of Social Work Examiners

AMENDMENTS FILED

S-3044	S.F. 203	Andy McKean
S-3045	S.F. 80	John P. Kibbie
S-3046	S.F. 266	John P. Kibbie
		Bill Fink

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 9:26 a.m., until 1:00 p.m., Monday, March 8, 1999.

JOURNAL OF THE SENATE

FIFTY-SEVENTH CALENDAR DAY
THIRTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 8, 1999

The Senate met in regular session at 1:04 p.m., President Kramer presiding.

Prayer was offered by the Honorable Ken Veenstra, member of the Senate from Sioux County, Orange City, Iowa.

The Journal of Thursday, March 4, 1999, was approved.

HOUSE MESSAGES RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 4, 1999, passed the following bills in which the concurrence of the Senate is asked:

House File 299, a bill for an act relating to applications for motor vehicle registration and issuance of certificate of title.

Read first time and referred to committee on **Transportation**.

House File 418, a bill for an act exempting the sale of argon and similar gases used in the manufacturing process from the sales and use taxes, providing limited refunds, and including effective and retroactive applicability date provisions.

Read first time and referred to committee on **Ways and Means**.

INTRODUCTION OF BILLS

Senate File 312, by committee on Natural Resources and Environment, a bill for an act establishing the senior conservation and outdoor recreation employment program under the administration of the department of workforce development.

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

Senate File 313, by committee on Natural Resources and Environment, a bill for an act prohibiting the sale or distribution of purple loosestrife.

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

Senate File 314, by committee on State Government, a bill for an act relating to the minimum training standards for operation of radiation machines.

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

Senate File 315, by committee on Natural Resources and Environment, a bill for an act creating a loess hills preservation and development alliance, providing for its membership, powers and duties, and providing for other properly related matters.

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

Senate File 316, by committee on State Government, a bill for an act concerning state government personnel benefit programs for state employees and a related tax exemption, and providing an effective and retroactive applicability date.

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

Senate File 317, by committee on State Government, a bill for an act relating to the student member of the state board of regents and providing a contingent effective date.

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

Senate File 318, by committee on Commerce, a bill for an act relating to permissible fees and charges which may be assessed and collected with respect to certain consumer credit transactions.

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

Senate File 319, by committee on Commerce, a bill for an act relating to the deposit of public funds and the conditions which must be met by a savings and loan association or savings bank to be eligible to receive such deposits.

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

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT AND COMMUNICATIONS

Convened: March 4, 1999, 9:55 a.m.

Members Present: King, Chair; and Harper.

Members Absent: Lundby, Vice Chair; Deluhery, Ranking Member; and Rittmer.

Committee Business: Discussion of budget and policy concerning technology for the year.

Adjourned: 10:55 a.m.

COMMERCE

Convened: March 4, 1999, 1:05 p.m.

Members Present: Jensen, Chair; Maddox, Vice Chair; Deluhery, Ranking Member; Bolkcom, Flynn, Gronstal, Hansen, Johnson, King, Lamberti, Lundby, McCoy, Redfern, Redwine, and Schuerer.

Members Absent: None.

Committee Business: Approved SSBs 1072.1, 1101, 1124, 1138, and 1142.

Adjourned: 2:28 p.m.

LOCAL GOVERNMENT

Convened: March 4, 1999, 2:06 p.m.

Members Present: Angelo, Chair; Bartz, Vice Chair; Bolkcom, Ranking Member; Fraïse, Gaskill, Hammond, Judge, McCoy, McKean, Miller, Rife, and Ziemann.

Members Absent: McKibben (excused).

Committee Business: Approved SSBs 1118 and 1170.

Adjourned: 2:30 p.m.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

The following appointee, assigned to standing committee for investigation, was placed on the En Bloc Calendar with recommendation for confirmation on February 16, 1999:

COMMERCE

Christine A. Hunziker – Title Guaranty Division Board

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Calendar with recommendations for confirmation on February 22, 1999:

HUMAN RESOURCES

Dr. Timothy A. Gibbons – Board of Examiners for Athletic Training

Carolyn D. Olson-Illg – Iowa Empowerment Board

Joseph B. Ryan – Health Facilities Council

Sister Helen M. Huewe – Healthy and Well Kids in Iowa (HAWK-I) Board

Dr. Don C. Van Dyke – Prevention of Disabilities Policy Council

The following appointee, assigned to standing committee for investigation, was placed on the En Bloc Calendar with recommendation for confirmation on February 24, 1999:

HUMAN RESOURCES

Rose A. Vasquez – Director of the Department of Human Rights

INTRODUCTION OF BILLS

Senate File 320, by Fink, Shearer, Kibbie, Connolly, Deluhery, Gronstal, Soukup, Judge, Horn, Bolkcom, Black, Dvorsky, and Fraise, a bill for an act relating to surface water and groundwater monitoring, establishing a biological marker system task force, and making appropriations.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 321, by Boettger, a bill for an act relating to contracts between school districts and postsecondary institutions for postsecondary-level instruction at secondary schools.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 322, by Kibbie, Soukup, Fraise, Fink, Hansen, Dvorsky, and Bolkcom, a bill for an act providing for unformed manure storage structures associated with animal feeding operations, by providing for their regulation and elimination, providing assistance to close the structures, making penalties applicable, providing for the repeal of sections, and providing an effective date.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 323, by committee on State Government, a bill for an act relating to the use of professional designations by audiologists and speech pathologists.

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

Senate File 324, by committee on Commerce, a bill for an act relating to certain franchise agreements and the rights and responsibilities of the parties under such agreements.

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

Senate File 325, by Shearer, a bill for an act providing for the elimination of special education deficits incurred by school districts, making an appropriation, and including an effective date and applicability provision.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 326, by Maddox, a bill for an act establishing the rates of compensation for private, noncontract, court-appointed attorneys.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 327, by Shearer, a bill for an act providing disability benefits for special service members of the Iowa public employees' retirement system.

Read first time under Rule 28 and referred to committee on State Government.

Senate File 328, by McLaren, Freeman, Jensen, Connolly, Kibbie, Veenstra, King, Boettger, and Johnson, a bill for an act establishing a tourism 2000 fund and providing for activities related to a tourism 2000 congress.

Read first time under Rule 28 and referred to committee on State Government.

Senate File 329, by Kibbie, Shearer, Fink, Connolly, Gronstal, Deluhery, Soukup, Horn, Bolkcom, Flynn, Black, Dvorsky, Hammond, Dearden, Fraise, Hansen, Harper, Judge, McCoy, and Szymoniak, a bill for an act establishing the enrich Iowa program for eligible public libraries, making an appropriation, and providing an effective date.

Read first time under Rule 28 and referred to committee on Education.

Senate File 330, by Kibbie, Dvorsky, Bolkcom, and Connolly, a bill for an act allowing certain school district bond issues to be issued jointly by two or more school districts.

Read first time under Rule 28 and referred to committee on Education.

Senate File 331, by Kibbie, Black, Bolkcom, Connolly, Dearden, Deluhery, Dvorsky, Fink, Flynn, Fraise, Gronstal, Hammond, Hansen, Harper, Horn, Judge, McCoy, Shearer, Szymoniak, and Soukup, a bill for an act relating to and making appropriations to the property tax relief fund for county mental health, mental retardation, and developmental disability expenditures and including an effective date and applicability provision.

Read first time under Rule 28 and referred to committee on Appropriations.

Senate File 332, by Boettger and King, a bill for an act relating to public policy involving the use of the English language and assistance

to legal immigrants and foreign nationals and providing a future repeal.

Read first time under Rule 28 and referred to committee on **Small Business, Economic Development, and Tourism.**

Senate File 333, by Shearer, a bill for an act relating to the allocation of local option sales tax for school infrastructure revenue, and including an effective date and retroactive applicability provision.

Read first time under Rule 28 and referred to committee on **Ways and Means.**

Senate File 334, by Szymoniak, Shearer, Kibbie, Connolly, Soukup, McCoy, Horn, Harper, Bolkom, Black, Gronstal, Deluhery, Hammond, Flynn, Dvorsky, Fraise, and Judge, a bill for an act relating to and making appropriations for early childhood programs involving community empowerment areas and the child development coordinating council.

Read first time under Rule 28 and referred to committee on **Human Resources.**

Senate File 335, by committee on Commerce, a bill for an act relating to the transfer of real estate, the filing of a release of mortgage, and providing a remedy.

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

Senate File 336, by committee on Commerce, a bill for an act prohibiting unauthorized changes in telecommunications service, prohibiting certain acts in the advertisement or solicitation of changes in telecommunications service, and providing remedies and penalties.

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

STUDY BILLS RECEIVED**SSB 1185 Human Resources**

Relating to the Iowa community empowerment Act and related provisions, and providing an effective date.

SSB 1186 Judiciary

Relating to fees and costs associated with the filing of a petition for relief from domestic abuse, and permitting the extension or renewal of protective orders against domestic abuse.

SSB 1187 Judiciary

To extend the jurisdiction of the juvenile court to include adoption and termination of parental rights proceedings.

SSB 1189 Natural Resources and Environment

Relating to a civil penalty for violating administrative rules of the department of natural resources.

SUBCOMMITTEE ASSIGNMENTS**Senate File 270**

JUDICIARY: Lamberti, Chair; Hammond and McKean

Senate File 271

APPROPRIATIONS: Freeman, Chair; Dvorsky and Maddox

Senate File 279

TRANSPORTATION: Drake, Chair; Jensen and McCoy

Senate File 288

TRANSPORTATION: Drake, Chair; Jensen and McCoy

Senate File 295

JUDICIARY: Maddox, Chair; Horn and McKean

Senate File 297

TRANSPORTATION: Fraise, Chair; Drake and Jensen

Senate File 306

HUMAN RESOURCES: Tinsman, Chair; Boettger and Hammond

Senate File 311

TRANSPORTATION: Drake, Chair; Fraise and Jensen

House File 332

APPROPRIATIONS: Freeman, Chair; Behn and Soukup

SSB 1185

HUMAN RESOURCES: Boettger, Chair; Redwine and Szymoniak

SSB 1186

JUDICIARY: Boettger, Chair; Hammond and Redfern

SSB 1187

JUDICIARY: Maddox, Chair; Hansen and Lamberti

SSB 1189

NATURAL RESOURCES AND ENVIRONMENT: Fink, Chair; Miller and Black

COMMITTEE REPORTS**COMMERCE**

Final Bill Action: *SENATE FILE 318 (SSB 1101), a bill for an act relating to permissible fees and charges which may be assessed and collected with respect to certain consumer credit transactions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Jensen, Maddox, Deluhery, Flynn, Gronstal, Hansen, Johnson, King, Lamberti, Lundby, McCoy, Redfern, Redwine, and Schuerer. Nays, none. Absent or not voting, 1: Bolckcom.

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 318, and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 319 (SSB 1124), a bill for an act relating to the deposit of public funds and the conditions which must be met by a savings and loan association or savings bank to be eligible to receive such deposits.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Jensen, Maddox, Deluhery, Bolkcom, Flynn, Gronstal, Hansen, Johnson, King, Lamberti, Lundby, McCoy, Redfern, Redwine, and Schuerer. 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 319, and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 324 (SSB 1072.1), a bill for an act relating to certain franchise agreements and the rights and responsibilities of the parties under such agreements.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Jensen, Maddox, Deluhery, Bolkcom, Flynn, Gronstal, Hansen, Johnson, King, McCoy, Redfern, Redwine, and Schuerer. Nays, none. Present, 2: Lamberti and Lundby.

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 324, and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 335 (SSB 1142), a bill for an act relating to the transfer of real estate, the filing of a release of mortgage, and providing a remedy.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Jensen, Maddox, Deluhery, Bolkcom, Flynn, Gronstal, Hansen, Johnson, King, Lamberti, Lundby, McCoy, Redfern, Redwine, and Schuerer. 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 335, and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 336 (SSB 1138), a bill for an act prohibiting unauthorized changes in telecommunications service, prohibiting certain acts in the advertisement or solicitation of changes in telecommunications service, and providing remedies and penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Jensen, Maddox, Deluhery, Bolkcom, Flynn, Gronstal, Hansen, Johnson, King, Lamberti, Lundby, McCoy, Redfern, Redwine, and Schuerer. 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 336, and they were attached to the committee report.

NATURAL RESOURCES AND ENVIRONMENT

Final Bill Action: SENATE FILE 312 (Formerly SF 142), a bill for an act establishing the senior conservation and outdoor recreation employment program under the administration of the department of workforce development.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Bartz, King, Fink, Black, Bolkcom, Dearden, Deluhery, Drake, Gaskill, Johnson, Kibbie, Miller, Rehberg, and Rife. Nays, none. Absent or not voting, 1: Freeman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 313 (Formerly SF 220), a bill for an act prohibiting the sale or distribution of purple loosestrife.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Bartz, King, Fink, Black, Bolkcom, Dearden, Deluhery, Drake, Gaskill, Johnson, Kibbie, Miller, Rehberg, and Rife. Nays, none. Absent or not voting, 1: Freeman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 315 (Formerly SF 274), a bill for an act creating a loess hills preservation and development alliance, providing for its membership, powers and duties, and providing for other properly related matters.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Bartz, King, Fink, Black, Bolcom, Dearden, Deluhery, Drake, Gaskill, Johnson, Kibbie, Miller, Rehberg, and Rife. Nays, none. Absent or not voting, 1: Freeman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: *SENATE FILE 314 (SSB 1165), a bill for an act relating to the minimum training standards for operation of radiation machines.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Rittmer, Kibbie, Dearden, Deluhery, Drake, Fink, King, Lundby, McLaren, Schuerer, Sexton, and Szymoniak. Nays, none. Absent or not voting, 3: Lamberti, Connolly, and Maddox.

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 314, and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 316 (SSB 1179), a bill for an act concerning state government personnel benefit programs for state employees and a related tax exemption, and providing an effective and retroactive applicability date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Rittmer, Kibbie, Dearden, Deluhery, Drake, Fink, King, Lundby, Maddox, McLaren, Schuerer, Sexton, and Szymoniak. Nays, none. Absent or not voting, 2: Lamberti and Connolly.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 317 (SSB 1154), a bill for an act relating to the student member of the state board of regents and providing a contingent effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Rittmer, Kibbie, Dearden, Deluhery, Drake, Fink, King, Lundby, Maddox, McLaren, Schuerer, Sexton, and Szymoniak. Nays, none. Absent or not voting, 2: Lamberti and Connolly.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 323 (Formerly SF 27), a bill for an act relating to the use of professional designations by audiologists and speech pathologists.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Rittmer, Kibbie, Dearden, Deluhery, Drake, Fink, King, Lundby, Maddox, McLaren, Schuerer, Sexton, and Szymoniak. Nays, none. Absent or not voting, 2: Lamberti and Connolly.

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 323, and they were attached to the committee report.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 1:11 p.m., until 9:00 a.m., Tuesday, March 9, 1999.

JOURNAL OF THE SENATE

FIFTY-EIGHTH CALENDAR DAY
THIRTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 9, 1999

The Senate met in regular session at 9:12 a.m., Senator Bartz presiding.

Prayer was offered by the Honorable Bill Fink, member of the Senate from Warren County, Carlisle, Iowa.

The Journal of Monday, March 8, 1999, was approved.

INTRODUCTION OF BILL

Senate File 337, by committee on Local Government , a bill for an act relating to landlords' and tenants' relations, by providing notice requirements, establishing a tenant's duty to properly maintain utility facilities, and providing for other properly related matters and an effective date.

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

BILL REFERRED TO COMMITTEE

Senator Hedge asked and received unanimous consent that **Senate File 317** be referred from the **Regular Calendar** to the committee on **Education**.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: March 4, 1999, 10:36 a.m.

Members Present: Redwine, Chair; Bartz, Vice Chair; McCoy, Ranking Member; Flynn and Sexton.

Members Absent: None.

Committee Business: Approved SSB 1159.

Adjourned: 12:30 p.m.

COMMERCE

Convened: March 8, 1999, 2:25 p.m.

Members Present: Jensen, Chair; Maddox, Vice Chair; Deluhery, Ranking Member; Bolcom, Flynn, Gronstal, King, Lamberti, McCoy, Redfern, and Redwine.

Members Absent: Hansen, Johnson, Lundby, and Schuerer (all excused).

Committee Business: Approved SSBs 1071 and 1135.

Adjourned: 3:15 p.m.

HUMAN RESOURCES

Convened: March 8, 1999, 1:33 p.m.

Members Present: Boettger, Chair; Redwine, Vice Chair; Szymoniak, Ranking Member; Bartz, Behn, Harper, Miller, Shearer, Tinsman, and Veenstra.

Members Absent: Dvorsky, Hammond, and Schuerer (all excused).

Committee Business: Passed SFs 211 and 306.

Adjourned: 2:45 p.m.

TRANSPORTATION

Convened: March 8, 1999, 1:30 p.m.

Members Present: Drake, Chair; Sexton, Vice Chair; McCoy, Ranking Member; Fraise, Freeman, Jensen, Judge, Kibbie, McKean, Rittmer, and Ziemann.

Members Absent: Fink and McKibben (both excused).

Committee Business: Passed SFs 218, 288, and 297.

Adjourned: 1:55 p.m.

AGRICULTURE

Convened: March 9, 1999, 8:06 a.m.

Members Present: Gaskill, Chair; Miller, Vice Chair; Fraise, Ranking Member; Angelo, Bartz, Behn, Hedge, Judge, Kibbie, Sexton, Shearer, Veenstra, and Ziemann.

Members Absent: Black and Soukup (both excused).

Committee Business: Approved SSBs 1126 and 1188. Passed SF 131.

Adjourned: 8:57 a.m.

APPROPRIATIONS

Convened: March 9, 1999, 11:52 a.m.

Members Present: McLaren, Chair; Kramer, Vice Chair; Flynn, Ranking Member; Behn, Black, Bolkcom, Connolly, Deluhery, Dvorsky, Freeman, Hammond, Hedge, Horn, Jensen, Johnson, King, Lamberti, Maddox, McCoy, Redwine, Rehberg, and Tinsman.

Members Absent: Rife, Schuerer, and Soukup (all excused).

Committee Business: Approved SSBs 1171 and 1175.

Adjourned: 12:36 p.m.

BUSINESS AND LABOR RELATIONS

Convened: March 9, 1999, 3:48 p.m.

Members Present: McKibben, Chair; Dearden, Ranking Member; Fraise, Hansen, Hedge, Horn, King, Rife, and Schuerer.

Members Absent: Freeman, Vice Chair; and Behn (both excused).

Committee Business: Subcommittee assignments.

Adjourned: 3:51 p.m.

JUDICIARY

Convened: March 9, 1999, 2:45 p.m.

Members Present: McKean, Chair; Lamberti, Vice Chair; Hansen, Ranking Member; Angelo, Boettger, Dvorsky, Fraise, Horn, Maddox, McCoy, McKibben, Miller, and Tinsman.

Members Absent: Hammond and Redfern (both excused).

Committee Business: Subcommittee assignments. Approved SSB 1172. Passed SF 129.

Adjourned: 3:15 p.m.

LOCAL GOVERNMENT

Convened: March 9, 1999, 10:37 a.m.

Members Present: Angelo, Chair; Fraise, Hammond, Judge, McCoy, McKibben, and Zieman.

Members Absent: Bartz, Vice Chair; Bolkcom, Ranking Member; Gaskill, McKean, Miller, and Rife (all excused).

Committee Business: Subcommittee assignments.

Adjourned: 10:41 a.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: March 9, 1999, 9:35 a.m.

Members Present: Bartz, Chair; King, Vice Chair; Fink, Ranking Member; Bolkcom, Dearden, Deluhery, Drake, Freeman, Gaskill, Johnson, Kibbie, Miller, and Rife.

Members Absent: Black and Rehberg (both excused).

Committee Business: Passed HF 349. Approved SSBs 1031 and 1090.

Adjourned: 10:40 a.m.

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM

Convened: March 9, 1999, 9:35 a.m.

Members Present: Lundby, Chair; Behn, Vice Chair; Shearer, Ranking Member; Boettger, Flynn, Judge, Rittmer, Sexton, Tinsman, Veenstra, and Zieman.

Members Absent: Hansen and Soukup (both excused).

Committee Business: Approved SSB 1080.

Adjourned: 10:00 a.m.

INTRODUCTION OF BILLS

Senate File 338, by committee on Commerce, a bill for an act relating to access privileges to certain buildings and structures by certified local exchange carriers and franchised cable television providers.

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

Senate File 339, by committee on Transportation, a bill for an act providing for directional signs for historic sites listed on the national register of historic places.

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

Senate File 340, by King, a bill for an act providing for drug and alcohol testing of public sector employees and prospective public sector employees, establishing a civil penalty, and providing an effective date.

Read first time under Rule 28 and referred to committee on **Business and Labor Relations**.

Senate File 341, by Kibbie, Hammond, Bolckcom, Hansen, Horn, Soukup, Deluhery, Connolly, Fink, Black, Dvorsky, Fraise, and Flynn, a bill for an act regulating the siting of confinement feeding operations by counties.

Read first time under Rule 28 and referred to committee on **Agriculture**.

Senate File 342, by Bolckcom, Deluhery, Gronstal, Horn, Connolly, Kibbie, Hansen, Fraise, and Judge, a bill for an act establishing a commission on the status of Iowans of Asian and Pacific Islander heritage within the department of human rights.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 343, by Dvorsky, Deluhery, Gronstal, and Horn, a bill for an act relating to the rate of compensation for attorneys

representing certain indigents and changing the procedure for approval of indigent defense costs.

Read first time under Rule 28 and referred to committee on **Judiciary.**

Senate File 344, by Dvorsky, Deluhery, Gronstal, and Horn, a bill for an act relating to the payment of the legal defense costs of indigent persons, expanding the duties of the state public defender, and providing for the appointment and removal of certain state public defender personnel.

Read first time under Rule 28 and referred to committee on **Judiciary.**

Senate File 345, by Dvorsky, a bill for an act requiring practitioner preparation program students and licensed teachers to successfully complete instruction relating to the teaching of students with disabilities.

Read first time under Rule 28 and referred to committee on **Education.**

Senate File 346, by Fink, a bill for an act relating to public meeting requirements for involuntary annexations and elections on annexation petitions or plans.

Read first time under Rule 28 and referred to committee on **Local Government.**

Senate File 347, by Connolly, Shearer, Fink, Kibbie, Deluhery, McCoy, Horn, Harper, Flynn, Black, Dvorsky, Hammond, Bolkcom, Gronstal, Dearden, Fraise, Hansen, Judge, Soukup, and Szymoniak, a bill for an act relating to the establishment of an Iowa early intervention program, and making appropriations.

Read first time under Rule 28 and referred to committee on **Education.**

Senate File 348, by Connolly, Horn, Harper, Gronstal, Black, Deluhery, McCoy, Hammond, Szymoniak, Shearer, Dvorsky, Kibbie,

and Bolkcom, a bill for an act relating to the career pathways program and to reimbursement claims for the costs of career pathways employability skills assessments, and making an appropriation.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 349, by Hammond, Kibbie, Gronstal, Connolly, Deluhery, Horn, Hansen, Dvorsky, McCoy, Szymoniak, Fraise, Harper, Bolkcom, and Judge, a bill for an act to establish standards for improvement of the quality of health care benefits for children provided by insurance carriers or organized delivery systems.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 350, by Rehberg, a bill for an act relating to the deduction of certain distributions in computing the state corporate income tax and including a retroactive applicability date provision.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 351, by committee on Local Government, a bill for an act relating to the exercise of the power of eminent domain and to condemnation proceedings and providing for the Act's applicability.

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

Senate File 352, by committee on Transportation, a bill for an act relating to reflective devices on slow-moving vehicles.

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

Senate File 353, by committee on Small Business, Economic Development and Tourism, a bill for an act establishing the community attraction and tourism development program and fund, making an appropriation, and providing an effective date.

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

Senate File 354, by Deluhery, Jensen, and Bolkcom, a bill for an act providing for the regulation of viatical settlement contracts when sold as investments.

Read first time under Rule 28 and referred to committee on **Commerce**.

Senate File 355, by Deluhery and Maddox, a bill for an act relating to the disposition of certain lost property.

Read first time under Rule 28 and referred to committee on **Local Government**.

Senate File 356, by McKean, a bill for an act relating to nonprofit housing corporations, municipal housing projects, related property tax exemptions, and property assessment considerations, and providing an effective date.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 357, by King, a bill for an act creating an Iowa products of high quality commission.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 358, by Connolly, a bill for an act relating to the establishment of a country schools historical resource preservation grant program to be administered by the historical division of the department of cultural affairs and providing for an appropriation for the program.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 359, by Maddox, a bill for an act relating to urban renewal, by amending provisions relating to urban renewal plans, to certification of urban renewal debt, and to tax increment financing in urban renewal areas, and providing for the Act's applicability.

Read first time under Rule 28 and referred to committee on **Local Government**.

Senate File 360, by Jensen, a bill for an act establishing a protocol for visitors to the state capitol.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 361, by committee on Appropriations, a bill for an act relating to enforcement, prevention, education, and treatment for substance abuse and sexual abuse, and providing appropriations.

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

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 9, by Kibbie, Deluhery, Horn, Gronstal, Connolly, Dvorsky, Bolckcom, and Fraise, a joint resolution directing the Secretary of State to conduct a nonbinding election on Iowa's state slogan to be held in conjunction with a statewide special election for submission of constitutional amendments to the people and providing an effective date.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate Concurrent Resolution 8, by Maddox and Harper, a concurrent resolution designating March 1999 as Iowa Women's History Month.

Read first time under Rule 28 and referred to committee on **State Government**.

STUDY BILLS RECEIVED

SSB 1188 **Agriculture**

A Concurrent Resolution relating to the livestock industry, by requesting that the United States Congress take actions necessary to

stabilize the agricultural economy and to request that the United States Department of Justice investigate unfair practices by meatpackers.

SSB 1190 Local Government

Relating to the declaration of marijuana to be a primary noxious weed.

SSB 1191 Natural Resources and Environment

Relating to surface water and groundwater monitoring, establishing a biological marker system task force, and making appropriations.

SSB 1192 Education

Allowing certain school district bond issues to be issued jointly by two or more school districts.

SSB 1193 Business and Labor Relations

Providing for employer contribution rates under the unemployment compensation program.

SSB 1194 Judiciary

Relating to the payment of the legal defense costs of indigent persons, expanding the duties of the state public defender, and providing for the appointment and removal of certain state public defender personnel.

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 7

STATE GOVERNMENT: Rittmer, Chair; Deluhery and Lamberti

Senate Joint Resolution 8

STATE GOVERNMENT: Lamberti, Chair; Fink and King

Senate File 62

(Reassignment)

STATE GOVERNMENT: Kibbie, Chair; Lundby and Rittmer

Senate File 212

STATE GOVERNMENT: Rittmer, Chair; Dearden and King

Senate File 260

EDUCATION: Gaskill, Chair; Sexton and Shearer

Senate File 289

(Reassignment)

STATE GOVERNMENT: Dearden, Chair; Drake and Rittmer

Senate File 302

EDUCATION: Sexton, Chair; Fink and Veenstra

Senate File 310

JUDICIARY: Maddox, Chair; Fraise and McKean

Senate File 326

JUDICIARY: Maddox, Chair; Fraise and McKibben

Senate File 332SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM: Boettger, Chair;
Judge and Tinsman**Senate File 333**

WAYS AND MEANS: Redwine, Chair; Bolcom and McLaren

House File 418

WAYS AND MEANS: McKibben, Chair; Flynn and Maddox

SSB 1188

AGRICULTURE: Bartz, Chair; Angelo and Fraise

SSB 1190

LOCAL GOVERNMENT: Bartz, Chair; Bolkcom and McKean

SSB 1191

NATURAL RESOURCES AND ENVIRONMENT: Bartz, Chair; Bolkcom and Rife

SSB 1192

EDUCATION: Veenstra, Chair; Gaskill and Shearer

SSB 1193

BUSINESS AND LABOR RELATIONS: Schuerer, Chair; Behn and Fraise

SSB 1194

JUDICIARY: Maddox, Chair; Fraise and McKibben

COMMITTEE REPORTS**APPROPRIATIONS**

Final Bill Action: *SENATE FILE 361 (SSB 1175), a bill for an act relating to enforcement, prevention, education, and treatment for substance abuse and sexual abuse, and providing appropriations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 21: McLaren, Kramer, Flynn, Behn, Black, Bolkcom, Connolly, Deluhery, Freeman, Hammond, Hedge, Horn, Jensen, Johnson, King, Lamberti, Maddox, McCoy, Redwine, Rehberg, and Tinsman. Nays, 1: Dvorsky. Absent or not voting, 3: Rife, Schuerer, and Soukup.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Appropriations Committee on Senate File 361, and they were attached to the committee report.

COMMERCE

Final Bill Action: SENATE FILE 338 (SSB 1135), a bill for an act relating to access privileges to certain buildings and structures by certified local exchange carriers and franchised cable television providers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Jensen, Maddox, Deluhery, Bolckcom, Flynn, Gronstal, King, Lamberti, McCoy, Redfern, and Redwine. Nays, none. Absent or not voting, 4: Hansen, Johnson, Lundby, and Schuerer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 211, a bill for an act relating to eligibility of certain disabled persons under the optional services coverage category of medical assistance.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Boettger, Redwine, Szymoniak, Bartz, Behn, Harper, Miller, Shearer, Tinsman, and Veenstra. Nays, none. Absent or not voting, 3: Dvorsky, Hammond, and Schuerer.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 306, a bill for an act providing for recognition of high quality child day care providers.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Boettger, Redwine, Szymoniak, Bartz, Harper, Miller, Shearer, Tinsman, and Veenstra. Nays, 1: Behn. Absent or not voting, 3: Dvorsky, Hammond, and Schuerer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 337 (SSB 1118), a bill for an act relating to landlords' and tenants' relations, by providing notice requirements, establishing a tenant's duty to properly maintain utility facilities, and providing for other properly related matters and an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Angelo, Bartz, Fraise, Gaskill, Judge, McKean, Miller, Rife, and Ziemann. Nays, none. Absent or not voting, 4: Bolckcom, Hammond, McCoy, and McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 351 (SSB 1170), a bill for an act relating to the exercise of the power of eminent domain and to condemnation proceedings and providing for the Act's applicability.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Angelo, Bartz, Bolkcom, Fraise, Gaskill, Hammond, Judge, McCoy, McKean, Miller, Rife, and Ziemann. Nays, none. Absent or not voting, 1: McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Final Bill Action: HOUSE FILE 349, a bill for an act eliminating requirements relating to the department of natural resources adopting rules requiring public water systems to test source water.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Bartz, King, Fink, Bolkcom, Dearden, Deluhery, Drake, Freeman, Gaskill, Johnson, Kibbie, Miller, and Rehberg. Nays, none. Absent or not voting, 2: Black and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM

Final Bill Action: SENATE FILE 353 (SSB 1080), a bill for an act establishing the community attraction and tourism development program and fund, making an appropriation, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Lundby, Behn, Shearer, Boettger, Flynn, Judge, Rittmer, Sexton, Tinsman, Veenstra, and Ziemann. Nays, none. Absent or not voting, 2: Hansen and Soukup.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 298, a bill for an act relating to the liability of volunteer fire departments for penalties for occupational safety and health violations.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Rittmer, Lamberti, Kibbie, Connolly, Deluhery, Drake, Fink, King, Lundby, Maddox, McLaren, Sexton, and Szymoniak. Nays, 1: Dearden. Absent or not voting, 1: Schuerer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 339 (Formerly SF 288), a bill for an act providing for directional signs for historic sites listed on the national register of historic places.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Drake, Sexton, McCoy, Fraise, Freeman, Jensen, Judge, Kibbie, McKean, Rittmer, and Zieman. Nays, none. Absent or not voting, 2: Fink and McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 352 (Formerly SF 218), a bill for an act relating to reflective devices on slow-moving vehicles.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Drake, Sexton, McCoy, Fraise, Freeman, Jensen, Judge, Kibbie, McKean, Rittmer, and Zieman. Nays, none. Absent or not voting, 2: Fink and McKibben.

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 352, and they were attached to the committee report.

AMENDMENTS FILED

S-3047	S.F. 291	Mike Connolly
S-3048	S.F. 276	John Redwine
S-3049	S.F. 276	John Redwine
S-3050	S.F. 276	Elaine Szymoniak John Redwine

ADJOURNMENT

On motion of Senator Hedge, the Senate adjourned at 9:26 a.m., until 9:00 a.m., Wednesday, March 10, 1999.

JOURNAL OF THE SENATE

FIFTY-NINTH CALENDAR DAY
THIRTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 10, 1999

The Senate met in regular session at 9:04 a.m., President Kramer presiding.

Prayer was offered by Father Gerald Condon, of St. Patrick's Catholic Church, Hampton, Iowa.

The Journal of Tuesday, March 9, 1999, was approved.

PRESENTATION OF VISITORS

President Kramer welcomed members of the West Des Moines Association of Retired Persons who were present in the Senate balcony.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Harper for the day and March 11, 1999, on request of Senator Hammond.

UNFINISHED BUSINESS (Deferred March 3, 1999)

Senate File 276

The Senate resumed consideration of **Senate File 276**, a bill for an act relating to health care service and treatment coverage by providing for continuity of care, discussion and advocacy of treatment options, coverage of emergency room services, utilization review requirements, and an external review process, deferred March 3, 1999.

Senator Redwine offered amendment S-3039 filed by him on March 3, 1999, to page 2 of the bill and moved its adoption.

Amendment S-3039 was adopted by a voice vote.

Senator Redwine offered amendment S-3052 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S-3052 was adopted by a voice vote.

Senator Redwine offered amendment S-3053 filed by him from the floor to pages 3 and 4 of the bill and moved its adoption.

Amendment S-3053 was adopted by a voice vote.

Senator Redwine offered amendment S-3048 filed by him on March 9, 1999, to pages 5-7 and 9 of the bill and moved its adoption.

Amendment S-3048 was adopted by a voice vote.

Senator Redwine offered amendment S-3035 filed by him on March 3, 1999, to page 5 of the bill and moved its adoption.

Amendment S-3035 was adopted by a voice vote.

Senator Redwine offered amendment S-3049 filed by him on March 9, 1999, to page 11 and to the title page of the bill and moved its adoption.

Amendment S-3049 was adopted by a voice vote.

Senator Szymoniak offered amendment S-3050 filed by Senators Szymoniak and Redwine on March 3, 1999, to page 11 of the bill and moved its adoption.

Amendment S-3050 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 276), the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Sexton	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

Harper

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 Iverson asked and received unanimous consent that **Senate File 276** be **immediately messaged** to the House.

UNFINISHED BUSINESS

(Deferred March 3, 1999)

Senate File 203

The Senate resumed consideration of **Senate File 203**, a bill for an act relating to transportation, including regulation of school buses and special trucks, vehicle titling and registration, commercial driver's licenses, regulations on motor carriers, regulations on motor vehicle manufacturers, distributors, and dealers, size, weight, and load restrictions on vehicles, driver education, and administrative procedures of the state department of transportation, and providing for fees and penalties and an effective date, deferred March 3, 1999.

With the adoption of amendment S-3041 on March 3, 1999, the chair ruled amendment S-3038 filed by Senator Drake on March 3, 1999, to page 8 and to the title page of the bill, out of order.

Senator McKean offered amendment S-3044 filed by him on March 4, 1999, to pages 8, 12 and to the title page of the bill.

Senator Drake offered amendment S-3057 filed by Senators Drake, McKean, and Jensen from the floor to amendment S-3044 and moved its adoption.

Amendment S-3057 was adopted by a voice vote.

Senator McKean moved adoption of amendment S-3044 as amended.

Amendment S-3044 lost 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. 203), the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Flynn
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Hedge	Horn
Iverson	Jensen	Johnson	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Shearer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, 1:

Fink

Absent or not voting, 1:

Harper

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 Iverson asked and received unanimous consent that Senate File 203 be **immediately messaged** to the House.

INTRODUCTION OF GUESTS

Senator Szymoniak introduced a group of exchange students from Kofu First High School, Kofu, Japan, who are attending Hoover High School in Des Moines. The students were accompanied by Judy Renoux and Takahito Takesa.

President pro tempore Redfern took the chair at 10:12 a.m.

CONSIDERATION OF BILLS (Ways and Means Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 305 and 308.

Senate File 305

On motion of Senator McKibben, **Senate File 305**, a bill for an act relating to the payment by a county of the family farm tax credit and reimbursement to the county of its payment and including an effective date, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 305), the vote was:

Ayes, 49:

Angelo
Boettger
Deluhery
Flynn
Gronstal

Bartz
Bolkcom
Drake
Fraise
Hammond

Behn
Connolly
Dvorsky
Freeman
Hansen

Black
Dearden
Fink
Gaskill
Hedge

Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Sexton	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

Harper

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 McKibben, **Senate File 308**, a bill for an act relating to the levy rate for fire protection imposed in an area of a benefited fire district and including an effective date, was taken up for consideration.

Senator McKibben moved that the bill be read the last time now and placed upon its passage, 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, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Sexton	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

Harper

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

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 361.

Senate File 361

On motion of Senator Maddox, **Senate File 361**, a bill for an act relating to enforcement, prevention, education, and treatment for substance abuse and sexual abuse, and providing appropriations, was taken up for consideration.

Senator Judge offered amendment S-3054 filed by Senators Judge and Flynn 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-3054 be adopted?" (S.F. 361), the vote was:

Ayes, 19:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gronstal	Hammond	Hansen
Horn	Judge	Kibbie	McCoy
Shearer	Soukup	Szymoniak	

Nays, 29:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Johnson	King	Kramer
Lamberti	Lundby	Maddox	McKean
McKibben	McLaren	Miller	Redfern

Redwine
Schuerer
Zieman

Rehberg
Sexton

Rife
Tinsman

Rittmer
Veenstra

Absent or not voting, 2:

Harper

Jensen

Amendment S-3054 lost.

Senator Flynn asked and received unanimous consent to withdraw amendment S-3055 filed by him from the floor to page 1 of the bill.

Senator Maddox offered amendment S-3056 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S-3056 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 361), the vote was:

Ayes, 49:

Angelo
Boettger
Deluhery
Flynn
Gronstal
Horn
Judge
Lamberti
McKean
Redfern
Rittmer
Soukup
Zieman

Bartz
Bolkcom
Drake
Fraise
Hammond
Iverson
Kibbie
Lundby
McKibben
Redwine
Schuerer
Szymoniak

Behn
Connolly
Dvorsky
Freeman
Hansen
Jensen
King
Maddox
McLaren
Rehberg
Sexton
Tinsman

Black
Dearden
Fink
Gaskill
Hedge
Johnson
Kramer
McCoy
Miller
Rife
Shearer
Veenstra

Nays, none.

Absent or not voting, 1:

Harper

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 305, 308 and 361** be **immediately messaged** to the House.

INTRODUCTION OF BILLS

Senate File 362, by committee on State Government, a bill for an act relating to destruction of unvoted ballots.

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

Senate File 363, by King, Gronstal, Rife, McKean, McCoy, Behn, Rehberg, Freeman, and Horn, a bill for an act relating to limitations of liability pertaining to certain construction contracts.

Read first time and referred to committee on **Business and Labor Relations**.

Senate File 364, by Deluhery, Gronstal, Black, Shearer, Kibbie, McCoy, Horn, Flynn, Dvorsky, Fink, Soukup, Hansen, Bolkcom, Szymoniak, Hammond, Connolly, Dearden, Fraise, and Judge, a bill for an act relating to enforcement, prevention, education, and treatment for substance abuse and sexual abuse, and providing appropriations.

Read first time and referred to committee on **Appropriations**.

Senate File 365, by Deluhery, Gronstal, Kibbie, Connolly, Black, Soukup, Horn, Hammond, Dearden, Szymoniak, and Judge, a bill for an act providing an appropriation for juvenile court liaison officers in schools.

Read first time and referred to committee on **Appropriations**.

Senate File 366, by committee on Appropriations, a bill for an act making a supplemental appropriation for the fiscal year beginning

July 1, 1998, for replacement of certain embedded chips in the technology and equipment of state departments and providing an effective date.

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

Senate File 367, by committee on Judiciary, a bill for an act adopting the Uniform Child Custody Jurisdiction and Enforcement Act.

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

Senate File 368, by committee on Natural Resources and Environment, a bill for an act relating to designation of endangered and threatened species of fish, plants, or wildlife and providing civil and criminal penalties for illegal acts affecting endangered or threatened species of fish, plants, or wildlife.

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

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 9, by committee on Agriculture, a concurrent resolution relating to the livestock industry, by requesting that the United States Congress take actions necessary to stabilize the agricultural economy and to request that the United States Department of Justice investigate unfair practices by meatpackers.

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

HOUSE MESSAGES RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 10, 1999, passed the following bills in which the **concurrence** of the Senate is asked:

House File 293, a bill for an act providing for the administration of assessments collected by the Iowa sheep and wool promotion board.

Read first time and referred to committee on **Agriculture**.

House File 337, a bill for an act relating to the workforce development fund account and fees paid by community colleges and generated by the funding of new jobs training programs.

Read first time and referred to committee on **Small Business, Economic Development and Tourism**.

House File 379, a bill for an act changing the name of care review committee to resident advocate committee.

Read first time and referred to committee on **Human Resources**.

House File 402, a bill for an act providing for the establishment of a scope of practice review committee regarding the proposed licensure of certified professional midwives.

Read first time and referred to committee on **Human Resources**.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: March 9, 1999, 3:18 p.m.

Members Present: Redfern, Chair; Rehberg, Vice Chair; Connolly, Ranking Member; Angelo, Boettger, Dvorsky, Fink, Gaskill, Harper, Redwine, Sexton, Shearer, Tinsman, and Veenstra.

Members Absent: Szymoniak (excused).

Committee Business: Subcommittee assignments. Approved SSB 1174.

Adjourned: 3:35 p.m.

STATE GOVERNMENT

Convened: March 9, 1999, 10:50 a.m.

Members Present: Rittmer, Chair; Lamberti, Vice Chair; Kibbie, Ranking Member; Connolly, Dearden, Deluhery, Drake, Fink, King, Lundby, Maddox, McLaren, Sexton, and Szymoniak.

Members Absent: Schuerer (excused).

Committee Business: Subcommittee assignments. Approved SSB 1163. Passed SFs 236 and 298.

Adjourned: 11:28 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: March 10, 1999, 7:36 a.m.

Members Present: Schuerer, Chair; Boettger, Vice Chair; Soukup, Ranking Member; Judge and Lamberti.

Members Absent: None.

Committee Business: Appropriation bill discussion.

Adjourned: 8:35 a.m.

BUSINESS AND LABOR RELATIONS

Convened: March 10, 1999, 1:09 p.m.

Members Present: McKibben, Chair; Freeman, Vice Chair; Dearden, Ranking Member; Behn, Fraise, Hansen, Hedge, Horn, King, Rife, and Schuerer.

Members Absent: None.

Committee Business: Amended and passed SFs 135 and 138. Approved SSBs 1180 and 1193.

Adjourned: 1:55 p.m.

EDUCATION

Convened: March 10, 1999, 1:06 p.m.

Members Present: Redfern, Chair; Rehberg, Vice Chair; Connolly, Ranking Member; Angelo, Boettger, Dvorsky, Fink, Gaskill, Redwine, Sexton, Shearer, Szymoniak, Tinsman, and Veenstra.

Members Absent: Harper (excused).

Committee Business: Subcommittee assignments. Approved SSBs 1192 and 1195. Passed SF 358.

Adjourned: 2:00 p.m.

ETHICS

Convened: March 10, 1999, 3:38 p.m.

Members Present: Hedge, Chair; Drake, Vice Chair; Szymoniak, Ranking Member; Connolly, Hammond, and McKean.

Members Absent: None.

Committee Business: Discussed proposed changes in financial reporting for senators.

Adjourned: 4:00 p.m.

HUMAN RESOURCES

Convened: March 10, 1999, 2:10 p.m.

Members Present: Boettger, Chair; Redwine, Vice Chair; Szymoniak, Ranking Member; Bartz, Behn, Dvorsky, Hammond, Miller, Schuerer, Shearer, Tinsman, and Veenstra.

Members Absent: Harper (excused).

Committee Business: Approved SSBs 1178 and 1185. Passed SF 182.

Adjourned: 2:59 p.m.

TRANSPORTATION

Convened: March 10, 1999, 2:05 p.m.

Members Present: Drake, Chair; Sexton, Vice Chair; McCoy, Ranking Member; Fink, Fraise, Freeman, Jensen, Judge, Kibbie, McKibben, Rittmer, and Zieman.

Members Absent: McKean (excused).

Committee Business: Subcommittee assignments. Approved SSB 1198 and 1200. Passed HF 299.

Adjourned: 2:25 p.m.

WAYS AND MEANS

Convened: March 10, 1999, 11:05 a.m.

Members Present: Johnson, Chair; McKibben, Vice Chair; Bartz, Bolcom, Connolly, Deluhery, Drake, Flynn, Hedge, Lamberti, Maddox, Redwine, and Soukup.

Members Absent: Harper, Ranking Member; and McLaren (both excused).

Committee Business: Amended and passed SF 6.

Adjourned: 11:17 a.m.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Lester Ashing, Gilman – For celebrating your 90th birthday on March 10, 1999. Senator Black (03/10/99).

Bettendorf High School Swim Team, Bettendorf – For winning the State Championship. Senator Tinsman (03/09/99).

Tysen Christensen, Lenox – For being named State Champion Wrestler in the 125 pound weight class. Senator Angelo (03/09/99).

Andrew Hayes, Creston – For being named State Champion Wrestler. Senator Angelo (03/09/99).

Dylan Long, Creston – For being named State Champion Wrestler in the 133 pound weight class. Senator Angelo (03/09/99).

BILL ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 10th day of March, 1999:

Senate File 70.

MICHAEL E. MARSHALL
Secretary of the Senate

INTRODUCTION OF BILLS

Senate File 369, by McCoy, Kibbie, Gronstal, Connolly, Deluhery, Horn, Harper, Black, Dvorsky, Hammond, Bolkcom, and Fraise, a bill for an act establishing a practitioner shortage forgivable loan program and fund to replace the industrial technology forgivable loan program and fund, making an appropriation, and providing an effective date.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 370, by McCoy, Shearer, Deluhery, Horn, Connolly, Kibbie, Fink, Dvorsky, Gronstal, Hammond, Bolkcom, Fraise, and Szymoniak, a bill for an act relating to government efficiency by providing retirement incentives for certain government employees, providing for the reduction in certain governmental positions due to early retirement, and providing an effective date.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 371, by McCoy, Gronstal, Deluhery, Connolly, Horn, Bolkcom, Soukup, Szymoniak, Dvorsky, Fraise, and Judge, a bill for an act establishing a governor's award for quality care in health care facilities.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 372, by McCoy, Gronstal, Deluhery, Black, Horn, and Bolkcom, a bill for an act providing for the operational location of the

drug enforcement and abuse prevention coordinator and the governor's alliance on substance abuse.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 373, by Deluhery, a bill for an act relating to the state individual income tax by reducing the tax rates, increasing the standard deductions, increasing the amount of and eligibility for the child and dependent care credit, and including a retroactive applicability date provision.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 374, by Deluhery, Gronstal, Dvorsky, Black, McCoy, Soukup, Kibbie, Shearer, Szymoniak, Horn, Dearden, and Bolkcom, a bill for an act relating to the establishment of an Iowa worker retraining forgivable loan program and fund and making an appropriation.

Read first time under Rule 28 and referred to committee on **Business and Labor Relations**.

Senate File 375, by McCoy, Kibbie, Gronstal, Deluhery, Horn, and Black, a bill for an act allowing the suspension or revocation of a juvenile's driver's license for certain delinquent acts.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 376, by committee on State Government, a bill for an act relating to the supervision of the office of state medical examiner.

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

Senate File 377, by Gronstal, a bill for an act providing additional funding for community colleges experiencing increases in enrollment, and making an appropriation.

Read first time under Rule 28 and referred to committee on **Education.**

Senate File 378, by McCoy, a bill for an act relating to personal financial disclosure by statewide elected officials, members of the general assembly, and candidates for state office and making a penalty applicable.

Read first time under Rule 28 and referred to committee on **State Government.**

Senate File 379, by Black, Gronstal, Deluhery, Kibbie, Judge, Hammond, Fraise, Shearer, Bolkcom, and Dvorsky, a bill for an act relating to linked investment deposits by providing a low- interest loan program to assist persons involved in value- added agricultural processing.

Read first time under Rule 28 and referred to committee on **Small Business, Economic Development and Tourism.**

Senate File 380, by Black, Kibbie, Connolly, Deluhery, Gronstal, Judge, Horn, Bolkcom, Dvorsky, Hansen, and Hammond, a bill for an act relating to a watershed protection task force and creating a watershed protection program and a watershed protection account within the water protection fund.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment.**

Senate File 381, by Black, Flynn, Soukup, Kibbie, Shearer, Gronstal, Deluhery, Bolkcom, Judge, Hammond, Fraise, and Dvorsky, a bill for an act providing for the demonstration of best management practices to assist livestock producers in storing, transporting, and applying manure.

Read first time under Rule 28 and referred to committee on **Agriculture.**

Senate File 382, by Black, Shearer, Gronstal, Deluhery, Dvorsky, Bolkcom, Connolly, Dearden, Fink, Flynn, Fraise, Hammond, Hansen, Harper, Horn, Judge, Kibbie, McCoy, Soukup, and

Szymoniak, a bill for an act establishing the community economic betterment recreational and cultural program and community economic betterment recreational and cultural program account.

Read first time under Rule 28 and referred to committee on **Appropriations.**

Senate File 383, by Black, Gronstal, Deluhery, Kibbie, Judge, and Flynn, a bill for an act providing for investments by banks and insurance companies in Iowa agricultural industry finance corporations.

Read first time under Rule 28 and referred to committee on **Commerce.**

Senate File 384, by Deluhery, a bill for an act relating to crime prevention by creating a local corrections infrastructure grant program, authorizing the use of bonding, making appropriations, imposing a surcharge on criminal fines and forfeitures, providing for mandatory wage assignment for certain delinquent fines, and providing an effective date.

Read first time under Rule 28 and referred to committee on **Judiciary.**

Senate File 385, by Horn, Fink, Hansen, Connolly, Fraise, Dearden, Gronstal, Dvorsky, Kibbie, Flynn, and Judge, a bill for an act relating to railroad safety by providing for a minimum number of persons on a train crew and providing a penalty.

Read first time under Rule 28 and referred to committee on **Transportation.**

Senate File 386, by Johnson, Angelo, Gaskill, Boettger, Freeman, Hammond, Hedge, Jensen, Rehberg, Kibbie, and Szymoniak, a bill for an act relating to the management and operation of certain public hospitals.

Read first time under Rule 28 and referred to committee on **Local Government.**

Senate File 387, by Fink, a bill for an act relating to the involuntary annexation of territory in an adjacent county.

Read first time under Rule 28 and referred to committee on **Local Government**.

Senate File 388, by Johnson, a bill for an act providing for the sunset of new state programs requiring a state appropriation.

Read first time under Rule 28 and referred to committee on **Appropriations**.

Senate File 389, by Dvorsky, Gronstal, Deluhery, and Horn, a bill for an act providing for the reclassification and changing of penalties for certain misdemeanor offenses.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 390, by Dvorsky, Deluhery, Gronstal, and Horn, a bill for an act relating to compensation for the legal defense of indigent persons in criminal, appellate, and certain civil cases.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 391, by Gronstal, Hammond, Dvorsky, Kibbie, and Bolkcom, a bill for an act to provide a student bridge loan program for loans to needy taxpayers who will receive federal education income tax credits for payment of certain postsecondary education tuition costs and related expenses and including a one-year appropriation to a revolving fund to provide for the loans.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 392, by committee on Commerce, a bill for an act relating to telecommunications systems or services which may be provided by a city utility, establishing certain requirements on such city, and including effective date and retroactive applicability provisions.

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

Senate File 393, by committee on Education, a bill for an act allowing certain school district bond issues to be issued jointly by two or more school districts.

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

Senate File 394, by committee on Business and Labor Relations, a bill for an act providing for employer contribution rates under the unemployment compensation program.

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

Senate File 395, by committee on Judiciary, a bill for an act relating to the department of corrections by providing for purchases from Iowa prison industries, the study of inmate worker safety issues, the establishment of a criminal offense for attempts to escape, the crediting of time served by inmates, inmate work program agreements, the revolving farm fund, and deductions from inmate work program earnings, and making penalties applicable.

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

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 10, by King, Angelo, and Lamberti, a Joint Resolution requesting the proposal of an amendment to the Constitution of the United States on the subject of judicial taxation.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

STUDY BILLS RECEIVED

SSB 1195 **Education**

Relating to state school aid for budget years commencing with the budget years beginning July 1, 1999, and making appropriations and including effective and applicability date provisions.

SSB 1196 Education

Relating to the local option sales tax for school infrastructure, and including an effective date and retroactive applicability provision.

SSB 1197 Education

Establishing the enrich Iowa program for eligible public libraries, making an appropriation, and providing an effective date.

SSB 1198 Transportation

Providing a protective headgear requirement for juvenile bicyclists, creating a bicycle safety fund, and providing for a helmet rental fee and a penalty.

SSB 1199 State Government

Relating to the moving of duties and responsibilities for providing telecommunications cabling necessary to provide state communications services from the department of general services to the Iowa telecommunications and technology commission.

SSB 1200 Transportation

Relating to the requirements for issuance of intermediate driver's licenses and full driver's licenses.

SSB 1201 Agriculture

Providing for an emergency assistance linked deposit program for swine or cattle producers, and providing an effective date.

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 8**

STATE GOVERNMENT: Lundby, Chair; Sexton and Szymoniak

Senate File 267

EDUCATION: Angelo, Chair; Dvorsky and Tinsman

Senate File 317

EDUCATION: Redfern, Chair; Dvorsky and Rehberg

Senate File 320

NATURAL RESOURCES AND ENVIRONMENT: Bartz, Chair; Fink and King

Senate File 321

EDUCATION: Boettger, Chair; Fink and Veenstra

Senate File 322

NATURAL RESOURCES AND ENVIRONMENT: Kibbie, Chair; Bartz and Johnson

Senate File 325

EDUCATION: Redfern, Chair; Rehberg and Shearer

Senate File 327

STATE GOVERNMENT: Rittmer, Chair; Drake and Kibbie

Senate File 328

STATE GOVERNMENT: McLaren, Chair; Kibbie and King

Senate File 329

EDUCATION: Rehberg, Chair; Harper and Redwine

Senate File 330

EDUCATION: Veenstra, Chair; Gaskill and Shearer

Senate File 331

APPROPRIATIONS: Johnson, Chair; Lamberti and Soukup

Senate File 334

HUMAN RESOURCES: Boettger, Chair; Redwine and Szymoniak

Senate File 340

BUSINESS AND LABOR RELATIONS: King, Chair; Hansen and McKibben

Senate File 345

EDUCATION: Boettger, Chair; Angelo and Dvorsky

Senate File 347

EDUCATION: Redfern, Chair; Szymoniak and Tinsman

Senate File 348

EDUCATION: Redwine, Chair; Boettger and Harper

Senate File 349

HUMAN RESOURCES: Redwine, Chair; Boettger and Szymoniak

Senate File 354

COMMERCE: Deluhery, Chair; Jensen and Johnson

Senate File 356

WAYS AND MEANS: Bartz, Chair; Harper and McKibben

Senate File 357

STATE GOVERNMENT: King, Chair; Fink and Schuerer

Senate File 358

EDUCATION: Sexton, Chair; Angelo and Shearer

Senate File 360

STATE GOVERNMENT: McLaren, Chair; Rittmer and Szymoniak

Senate File 363

BUSINESS AND LABOR RELATIONS: King, Chair; Freeman and Horn

Senate File 374

BUSINESS AND LABOR RELATIONS: Freeman, Chair; Behn and Horn

House File 299

TRANSPORTATION: Sexton, Chair; Drake and Fraise

House File 345

COMMERCE: Schuerer, Chair; Flynn and Johnson

SSB 1195

EDUCATION: Redfern, Chair; Connolly, Redwine, Rehberg, and Szymoniak

SSB 1196

EDUCATION: Redwine, Chair; Connolly and Tinsman

SSB 1197

EDUCATION: Rehberg, Chair; Dvorsky and Redwine

SSB 1198

TRANSPORTATION: McCoy, Chair; Drake and Jensen

SSB 1199

STATE GOVERNMENT: King, Chair; Deluhery and Sexton

SSB 1200

TRANSPORTATION: Drake, Chair; Jensen and Kibbie

SSB 1201

AGRICULTURE: Miller, Chair; Fraise and Gaskill

COMMITTEE REPORTS**AGRICULTURE**

Final Bill Action: SENATE CONCURRENT RESOLUTION 9 (SSB 1188), a Concurrent Resolution relating to the livestock industry, by requesting that the United States Congress take actions necessary to stabilize the agricultural economy and to request that the United States Department of Justice investigate unfair practices by meatpackers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Gaskill, Miller, Fraise, Angelo, Bartz, Behn, Hedge, Judge, Kibbie, Sexton, Shearer, Veenstra, and Zieman. Nays, none. Absent or not voting, 2: Black and Soukup.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

APPROPRIATIONS

Final Bill Action: *SENATE FILE 366 (SSB 1171), a bill for an act making a supplemental appropriation for the fiscal year beginning July 1, 1998, for replacement of certain embedded chips in the technology and equipment of state departments and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 22: McLaren, Kramer, Flynn, Behn, Black, Bolkcom, Connolly, Deluhery, Dvorsky, Freeman, Hammond, Hedge, Horn, Jensen, Johnson, King, Lamberti, Maddox, McCoy, Redwine, Rehberg, and Tinsman. Nays, none. Absent or not voting, 3: Rife, Schuerer, and Soukup.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Appropriations Committee on Senate File 366, and they were attached to the committee report.

BUSINESS AND LABOR RELATIONS

Final Bill Action: *SENATE FILE 394 (SSB 1193), a bill for an act providing for employer contribution rates under the unemployment compensation program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: McKibben, Freeman, Behn, Hedge, King, and Schuerer. Nays, 5: Dearden, Fraise, Hansen, Horn, and Rife.

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 File 394, and they were attached to the committee report.

COMMERCE

Final Bill Action: SENATE FILE 392 (SSB 1071), a bill for an act relating to telecommunications systems or services which may be provided by a city utility, establishing certain requirements on such city, and including effective date and retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Jensen, Maddox, Deluhery, Bolkcom, Flynn, Gronstal, King, Lamberti, and McCoy. Nays, 1: Redwine. Pass, 1: Redfern. Absent or not voting, 4: Hansen, Johnson, Lundby, Schuerer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 393 (SSB 1192), a bill for an act allowing certain school district bond issues to be issued jointly by two or more school districts.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Redfern, Rehberg, Connolly, Angelo, Boettger, Dvorsky, Fink, Gaskill, Redwine, Shearer, Szymoniak, Tinsman, and Veenstra. Nays, none. Absent or not voting, 2: Harper and Sexton.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 182, a bill for an act requiring licensure to practice acupuncture.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Boettger, Redwine, Szymoniak, Bartz, Behn, Dvorsky, Hammond, Miller, Schuerer, Shearer, Tinsman, and Veenstra. Nays, none. Absent or not voting, 1: Harper.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: *SENATE FILE 367 (Formerly SF 129), a bill for an act adopting the Uniform Child Custody Jurisdiction and Enforcement Act.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: McKean, Lamberti, Hansen, Angelo, Boettger, Dvorsky, Fraise, Horn, Maddox, McCoy, McKibben, Miller, and Tinsman. Nays, none. Absent or not voting, 2: Hammond and Redfern.

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 367, and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 395 (SSB 1172), a bill for an act relating to the department of corrections by providing for purchases from Iowa prison industries, the study of inmate worker safety issues, the establishment of a criminal offense for attempts to escape, the crediting of time served by inmates, inmate work program agreements, the revolving farm fund, and deductions from inmate work program earnings, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: McKean, Lamberti, Hansen, Angelo, Boettger, Dvorsky, Fraise, Horn, Maddox, McCoy, McKibben, Miller, and Tinsman. Nays, none. Absent or not voting, 2: Hammond and Redfern.

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 395, and they were attached to the committee report.

NATURAL RESOURCES AND ENVIRONMENT

Final Bill Action: *SENATE FILE 368 (SSB 1031), a bill for an act relating to the designation of endangered and threatened species of fish, plants, or wildlife and providing civil and criminal penalties for illegal acts affecting endangered or threatened species of fish, plants, or wildlife.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Bartz, King, Fink, Bolkcom, Dearden, Deluhery, Drake, Freeman, Gaskill, Johnson, Kibbie, Miller, and Rehberg. Nays, none. Absent or not voting, 2: Black and Rife.

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 and Environment Committee on Senate File 368, and they were attached to the committee report.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 362 (SSB 1163), a bill for an act relating to destruction of unvoted ballots.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Rittmer, Lamberti, Kibbie, Connolly, Dearden, Deluhery, Drake, Fink, King, Lundby, Maddox, McLaren, Sexton, and Szymoniak. Nays, none. Absent or not voting, 1: Schuerer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 376 (Formerly SF 236), a bill for an act relating to the supervision of the office of state medical examiner.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Rittmer, Lamberti, Kibbie, Dearden, Deluhery, Drake, Fink, King, Lundby, Maddox, McLaren, Sexton, and Szymoniak. Nays, 1: Connolly. Absent or not voting, 1: Schuerer.

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 376, and they were attached to the committee report.

TRANSPORTATION

Final Bill Action: HOUSE FILE 299, a bill for an act relating to applications for motor vehicle registration and issuance of certificate of title.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Drake, Sexton, McCoy, Fink, Fraise, Freeman, Jensen, Judge, Kibbie, McKibben, Rittmer, and Zieman. Nays, none. Absent or not voting, 1: McKean.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORTS OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 203, the following corrections were made:

1. Page 16, line 27, the word and number "Section 13" were changed to the word and number "Section 17".
2. Page 16, line 28, the word and number "Section 100" were changed to the word and number "Section 19".
3. Page 16, line 29, the word and number "Section 15" were changed to the word and number "Section 20".
4. Page 16, line 30, the word and number "Section 16" were changed to the word and number "Section 21".
5. Page 16, line 31, the word and number "Section 200" were changed to the word and number "Section 22".
6. Page 16, line 32, the word and number "Section 21" were changed to the word and number "Section 28".

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 276 and Amendment S-3049, the following correction was made:

1. Page 14, line 19, the words and numbers "Sections 5 through 18" were changed to the words and numbers "Sections 7 through 20".

Michael E. Marshall
Secretary of the Senate

AMENDMENTS FILED

S-3051	S.F. 228	Mike Connolly Donald B. Redfern
S-3052	S.F. 276	John Redwine
S-3053	S.F. 276	John Redwine
S-3054	S.F. 361	John Judge Tom Flynn
S-3055	S.F. 361	Tom Flynn
S-3056	S.F. 361	Gene Maddox
S-3057	S.F. 203	Richard F. Drake Andy McKean John W. Jensen
S-3058	S.F. 306	Merlin E. Bartz

ADJOURNMENT

On motion of Senator Hedge, the Senate adjourned at 10:40 a.m., until 9:00 a.m., Thursday, March 11, 1999.

JOURNAL OF THE SENATE

SIXTIETH CALENDAR DAY
THIRTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 11, 1999

The Senate met in regular session at 9:16 a.m., President Kramer presiding.

Prayer was offered by Reverend Jim Altenbaumer, pastor of the United Church of Christ, Cedar Falls, Iowa.

The Journal of Wednesday, March 10, 1999, was approved.

HOUSE MESSAGES RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 10, 1999, passed the following bills in which the **concurrence** of the **Senate** is asked:

House File 218, a bill for an act creating a loess hills preservation and development alliance, providing for its responsibilities, and providing for other properly related matters. (Similar to SF 315)

House File 378, a bill for an act providing for the adoption of administrative rules related to the issuance of a license for bail enforcement agents, private investigators, and security agents who may not otherwise qualify for a license.

Read first time and referred to committee on **State Government**.

House File 412, a bill for an act providing for the membership of the advisory board to the Leopold center for sustainable agriculture.

Read first time and referred to committee on **Agriculture**.

INTRODUCTION OF BILLS

Senate File 396, by committee on Transportation, a bill for an act providing a protective headgear requirement for juvenile bicyclists, creating a bicycle safety fund, and providing for a helmet rental fee and a penalty.

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

Senate File 397, by committee on Human Resources, a bill for an act relating to coverage under an insurance policy for services of a registered nurse first assistant.

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

Senate File 398, by committee on Transportation, a bill for an act relating to the requirements for issuance of intermediate driver's licenses and full driver's licenses.

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

Senate File 399, by committee on Ways and Means, a bill for an act relating to tax exemptions for livestock-related pollution-control or recycling property.

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

Senate File 400, by committee on Natural Resources and Environment, a bill for an act providing for a healthy environmental and value-added energy initiative, providing for tax revenues, the allocation of moneys, and making penalties applicable.

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

APPENDIX

SIMILAR BILL RECEIVED

On March 11, 1999, **House File 218** was received and attached to similar **Senate File 315** on the Senate calendar.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Students from Dallas Center-Grimes, Iowa, accompanied by Bill Wineland. Senator Maddox.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: March 10, 1999, 4:18 p.m.

Members Present: McLaren, Chair; Kramer, Vice Chair; Flynn, Ranking Member; Behn, Black, Bolcom, Connolly, Deluhery, Dvorsky, Freeman, Hammond, Hedge, Horn, Jensen, Johnson, King, Lamberti, Maddox, McCoy, Redwine, Rehberg, Rife, Schuerer, Soukup, and Tinsman.

Members Absent: None.

Committee Business: Approved SSBs 1116 and 1150. Passed SF 166 and HF 332.

Adjourned: 4:56 p.m.

COMMERCE

Convened: March 10, 1999, 3:10 p.m.

Members Present: Jensen, Chair; Maddox, Vice Chair; Deluhery, Ranking Member; Bolcom, Flynn, Gronstal, Hansen, Johnson, King, Lamberti, Lundby, McCoy, Redfern, Redwine, and Schuerer.

Members Absent: None.

Committee Business: Approved SSBs 1122, 1123, 1136, 1164. Passed SFs 240 and 354. Passed SF 190, as amended.

Adjourned: 4:08 p.m.

AGRICULTURE

Convened: March 11, 1999, 8:10 a.m.

Members Present: Gaskill, Chair; Miller, Vice Chair; Fraise, Ranking Member; Angelo, Bartz, Behn, Black, Hedge, Judge, Kibbie, Sexton, Shearer, Soukup, Veenstra, and Zieman.

Members Absent: None.

Committee Business: Approved SSB 1184. Passed SFs 198 and 299, as amended.

Adjourned: 9:10 a.m.

BUSINESS AND LABOR RELATIONS

Convened: March 11, 1999, 2:18 p.m.

Members Present: McKibben, Chair; Freeman, Vice Chair; Dearden, Ranking Member; Behn, Fraise, Hansen, Hedge, Horn, King, and Schuerer.

Members Absent: Rife (excused).

Committee Business: Passed SF 363, as amended.

Adjourned: 2:29 p.m.

JUDICIARY

Convened: March 11, 1999, 1:05 p.m.

Members Present: McKean, Chair; Lamberti, Vice Chair; Hansen, Ranking Member; Angelo, Boettger, Dvorsky, Fraise, Hammond, Horn, Maddox, McCoy, McKibben, Miller, Redfern, and Tinsman.

Members Absent: None.

Committee Business: Subcommittee assignments. Approved SSBs 1016, 1045, 1076, 1169, 1187, and 1194.

Adjourned: 2:17 p.m.

LOCAL GOVERNMENT

Convened: March 11, 1999, 11:13 a.m.

Members Present: Angelo, Chair; Bartz, Vice Chair; Bolcom, Ranking Member; Fraise, Gaskill, Hammond, Judge, McCoy, McKean, McKibben, Miller, Rife, and Zieman.

Members Absent: None.

Committee Business: Approved SSB 1168. Passed SF 293.

Adjourned: 11:58 a.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: March 11, 1999, 10:08 a.m.

Members Present: Bartz, Chair; King, Vice Chair; Fink, Ranking Member; Black, Bolkom, Dearden, Deluhery, Drake, Freeman, Gaskill, Johnson, Kibbie, Miller, Rehberg, and Rife.

Members Absent: None.

Committee Business: Approved SSBs 1146 and 1147. Passed SFs 259. Passed SF 322, as amended

Adjourned: 11:10 a.m.

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM

Convened: March 11, 1999, 10:05 a.m.

Members Present: Lundby, Chair; Behn, Vice Chair; Shearer, Ranking Member; Boettger, Flynn, Hansen, Rittmer, Sexton, Soukup, Tinsman, Judge, Veenstra, and Ziemann.

Members Absent: None.

Committee Business: Approved SSB 1127. Passed SF 332, as amended.

Recessed: 10:28 a.m.

Reconvened: March 11, 1999, 2:37 p.m.

Adjourned: 3:45 p.m.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Greg Blair, Urbandale Middle School – For being a winner in the “Write Women Back Into History” Essay Contest. Senator Maddox (03/18/99).

Cliff Hammann, Bellevue – For being the recipient of the School Administrator’s Award for 1999. Senator Connolly (03/20/99).

Don Moody, Dubuque – For being the recipient of the School Administrator’s Award for 1999. Senator Connolly (03/20/99).

Opal Paris, Manchester – For celebrating your 100th Birthday on March 6, 1999.
Senator Rehberg (03/11/99).

INTRODUCTION OF BILLS

Senate File 401, by Tinsman, a bill for an act relating to practitioner preparation and testing, teacher shortages, beginning teacher induction, and testing prior to initial teacher licensure, and making appropriations.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 402, by Lundby, a bill for an act relating to providing family and medical leave for employees and providing a penalty.

Read first time under Rule 28 and referred to committee on **Business and Labor Relations**.

Senate File 403, by Lundby, a bill for an act relating to application and protest of assessment equalization orders for purposes of property taxation.

Read first time under Rule 28 and referred to committee on **Local Government**.

Senate File 404, by committee on Commerce, a bill for an act relating to a relationship involving real estate licensees and real estate clients, and establishing restrictions on the payment of commissions or other consideration.

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

Senate File 405, by committee on Commerce, a bill for an act limiting the liability of financial institutions for certain actions arising out of the failure of information technology as the result of a year 2000 problem.

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

Senate File 406, by committee on Commerce, a bill for an act relating to entities and subject matter under the regulatory authority of the insurance division, including securities, business opportunities,

cemetery merchandise and residential service contracts, providing for fees, and establishing penalties.

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

Senate File 407, by committee on Transportation, a bill for an act relating to registration of all-terrain vehicles and snowmobiles and providing for and applying penalties.

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

Senate File 408, by committee on Business and Labor Relations, a bill for an act relating to drug and alcohol testing of private sector employees and prospective employees pursuant to an employer's drug and alcohol testing program.

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

Senate File 409, by committee on Commerce, a bill for an act relating to the preexisting condition provisions under a small group health coverage or individual health insurance benefit plan.

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

Senate File 410, by committee on Commerce, a bill for an act providing for the regulation of viatical settlement contracts when sold as investments.

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

Senate File 411, by committee on Business and Labor Relations, a bill for an act authorizing the establishment of an accelerated career education program and providing a tax credit from withholding.

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

Senate File 412, by committee on Education, a bill for an act relating to the establishment of a country schools historical resource preservation grant program to be administered by the historical

division of the department of cultural affairs and providing for an appropriation for the program.

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

Senate File 413, by committee on Commerce, a bill for an act providing for access to a safe deposit box on the death of the owner or lessee of such box, and exempting state banks from liability associated with such access.

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

Senate File 414, by committee on Business and Labor Relations, a bill for an act relating to allowable disciplinary actions following alcohol testing of private sector employees.

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

Senate File 415, by Dearden, Dvorsky, Szymoniak, Hammond, Gronstal, Fink, Soukup, and Bolkcom, a bill for an act relating to wage discrimination by providing for the determination of wage discrimination, applicable remedies, and providing an effective date.

Read first time under Rule 28 and referred to committee on **Business and Labor Relations**.

Senate File 416, by Rehberg, a bill for an act providing an individual income tax credit for families where one spouse remains at home to care for a young child and including a retroactive applicability date provision.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 417, by King, McKean, Rehberg, Veenstra, Bartz, Behn, Freeman, Zieman, Johnson, Hedge, Angelo, Jensen, McLaren, Kibbie, Judge, Soukup, Black, and Fraise, a bill for an act relating to the distribution to school districts of the tax receipts from the local sales and services tax for school infrastructure purposes and including an effective and applicability date provision.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 418, by committee on Natural Resources and Environment, a bill for an act relating to the criteria for evaluation of lakes for the purpose of improvement or rehabilitation.

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

Senate File 419, by committee on State Government, a bill for an act applying certain veterinary practice requirements to persons providing veterinary medical services, owning a veterinary clinic, or practicing veterinary medicine.

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

STUDY BILLS RECEIVED

SSB 1202 State Government

Relating to the authorization of a local law enforcement agency to enforce smoking restrictions in a public place.

SSB 1203 State Government

Applying certain veterinary practice requirements to persons providing veterinary medical services, owning a veterinary clinic, or practicing veterinary medicine.

SSB 1204 State Government

Relating to government efficiency by providing retirement incentives for certain government employees, providing for the reduction in certain governmental positions due to early retirement, and providing an effective date.

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 10

WAYS AND MEANS: Lamberti, Chair; Maddox and Soukup

Senate File 343

JUDICIARY: Maddox, Chair; Fraise and McKibben

Senate File 344

JUDICIARY: Maddox, Chair; Fraise and McKibben

Senate File 346

LOCAL GOVERNMENT: McKean, Chair; Fraise and Miller

Senate File 350

WAYS AND MEANS: McLaren, Chair; Bolkcom and Drake

Senate File 355

LOCAL GOVERNMENT: Miller, Chair; McCoy and McKibben

Senate File 359

LOCAL GOVERNMENT: Bolkcom, Chair; McKean and Zieman

Senate File 364

APPROPRIATIONS: Kramer, Chair; Bolkcom and Maddox

Senate File 365

APPROPRIATIONS: Tinsman, Chair; Hammond and Maddox

Senate File 371

HUMAN RESOURCES: Boettger, Chair; Redwine and Szymoniak

Senate File 373

WAYS AND MEANS: Bartz, Chair; Deluhery and Redwine

Senate File 382

APPROPRIATIONS: Schuerer, Chair; Lamberti and Soukup

Senate File 385

TRANSPORTATION: Jensen, Chair; Drake and Fraise

Senate File 386

LOCAL GOVERNMENT: Gaskill, Chair; Bartz and Hammond

Senate File 387

LOCAL GOVERNMENT: Angelo, Chair; Fraise and McKean

Senate File 388

APPROPRIATIONS: McLaren, Chair; Dvorsky and Johnson

Senate File 402

BUSINESS AND LABOR RELATIONS: Schuerer, Chair; Hansen and Rife

Senate File 403

LOCAL GOVERNMENT: Rife, Chair; Bartz and Hammond

House File 224

STATE GOVERNMENT: Drake, Chair; Kibbie and Schuerer

House File 331

COMMERCE: Redwine, Chair; Hansen and Maddox

House File 379

HUMAN RESOURCES: Dvorsky, Chair; Behn and Veenstra

House File 402

HUMAN RESOURCES: Szymoniak, Chair; Behn and Boettger

SSB 1202

STATE GOVERNMENT: Maddox, Chair; Connolly and King

SSB 1203

STATE GOVERNMENT: Drake, Chair; Fink and King

SSB 1204

STATE GOVERNMENT: Rittmer, Chair; Kibbie and Lamberti

COMMITTEE REPORTS**APPROPRIATIONS**

Final Bill Action: SENATE FILE 166, a bill for an act relating to the establishment of an Iowa battle flag commission, and making an appropriation.

Recommendation: DO PASS.

Final Vote: Ayes, 25: McLaren, Kramer, Flynn, Behn, Black, Bolkcom, Connolly, Deluhery, Dvorsky, Freeman, Hammond, Hedge, Horn, Jensen, Johnson, King, Lamberti, Maddox, McCoy, Redwine, Rehberg, Rife, Schuerer, Soukup, and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 332, a bill for an act relating to energy conservation including making appropriations of petroleum overcharge funds.

Recommendation: DO PASS.

Final Vote: Ayes, 25: McLaren, Kramer, Flynn, Behn, Black, Bolkcom, Connolly, Deluhery, Dvorsky, Freeman, Hammond, Hedge, Horn, Jensen, Johnson, King, Lamberti, Maddox, McCoy, Redwine, Rehberg, Rife, Schuerer, Soukup, and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BUSINESS AND LABOR RELATIONS

Final Bill Action: *SENATE FILE 408 (Formerly SF 138), a bill for an act relating to drug and alcohol testing of private sector employees and prospective employees pursuant to an employer's drug and alcohol testing program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: McKibben, Freeman, Dearden, Behn, Fraise, Hansen, Hedge, Horn, King, Rife, and Schuerer. 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 Business and Labor Relations Committee on Senate File 408, and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 411 (Formerly SF 135), a bill for an act authorizing the establishment of an accelerated career education program and providing a tax credit from withholding.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: McKibben, Freeman, Dearden, Behn, Fraise, Hansen, Hedge, Horn, Rife, and Schuerer. Nays, 1: King.

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 File 411, and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 414 (SSB 1180), a bill for an act relating to allowable disciplinary actions following alcohol testing of private sector employees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: McKibben, Freeman, Dearden, Fraise, Hansen, Horn, and Rife. Nays, 4: Behn, Hedge, King, and Schuerer.

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 File 414, and they were attached to the committee report.

COMMERCE

Final Bill Action: SENATE FILE 404 (Formerly SF 240), a bill for an act relating to a relationship involving real estate licensees and real estate clients, and establishing restrictions on the payment of commissions or other consideration.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Jensen, Maddox, Deluhery, Bolckcom, Flynn, Gronstal, Hansen, Johnson, King, Lamberti, Lundby, McCoy, Redfern, Redwine, and Schuerer. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 405 (SSB 1136), a bill for an act limiting the liability of financial institutions for certain actions arising out of the failure of information technology as the result of a year 2000 problem.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Jensen, Maddox, Deluhery, Flynn, Johnson, Lamberti, Redfern, Redwine, and Schuerer. Nays, 5: Bolckcom, Hansen, King, Lundby, and McCoy. Pass, 1: Gronstal.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 406 (SSB 1122), a bill for an act relating to entities and subject matter under the regulatory authority of the insurance division, including

securities, business opportunities, cemetery merchandise and residential service contracts, providing for fees, and establishing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Jensen, Maddox, Deluhery, Flynn, Gronstal, Hansen, Johnson, King, Lamberti, Lundby, McCoy, Redfern, Redwine, and Schuerer. Nays, none. Absent or not voting, 1: Bolkcom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 409 (SSB 1164), a bill for an act relating to the preexisting condition provisions under a small group health coverage or individual health insurance benefit plan.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Jensen, Maddox, Deluhery, Bolkcom, Flynn, Gronstal, Hansen, Johnson, Lamberti, Lundby, McCoy, Redfern, Redwine, and Schuerer. Nays, 1: King.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 410 (Formerly SF 354), a bill for an act providing for the regulation of viatical settlement contracts when sold as investments.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Jensen, Maddox, Deluhery, Bolkcom, Flynn, Gronstal, Hansen, Johnson, King, Lamberti, Lundby, McCoy, Redfern, Redwine, and Schuerer. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 413 (SSB 1123), a bill for an act providing for access to a safe deposit box on the death of the owner or lessee of such box, and exempting state banks from liability associated with such access.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Jensen, Maddox, Deluhery, Flynn, Gronstal, Hansen, Johnson, King, Lamberti, Lundby, Redfern, Redwine, and Schuerer. Nays, none. Absent or not voting, 2: Bolkcom and McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 412 (Formerly SF 358), a bill for an act relating to the establishment of a country schools historical resource preservation grant program to be administered by the historical division of the department of cultural affairs and providing for an appropriation for the program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Redfern, Rehberg, Connolly, Angelo, Boettger, Dvorsky, Fink, Gaskill, Redwine, Sexton, Shearer, Szymoniak, Tinsman, and Veenstra. Nays, none. Absent or not voting, 1: Harper.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 397 (SSB 1178), a bill for an act relating to coverage under an insurance policy for services of a registered nurse first assistant.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Boettger, Redwine, Szymoniak, Bartz, Behn, Dvorsky, Hammond, Miller, Schuerer, Shearer, Tinsman, and Veenstra. Nays, none. Absent or not voting, 1: Harper.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 293 (SSB 1063), a bill for an act relating to the development and management of land, by providing for planning and revenue, providing an effective date, and making a provision retroactively applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Angelo, Bartz, Bolcom, Fraise, Gaskill, Hammond, Judge, McKean, McKibben, Miller, and Zieman. Nays, 1: McCoy. Pass, 1: Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Final Bill Action: *SENATE FILE 400 (SSB 1090), a bill for an act providing for a healthy environmental and value-added energy initiative, providing for tax revenues, the allocation of moneys, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Bartz, King, Fink, Bolcom, Deluhery, Drake, Freeman, Gaskill, Johnson, Kibbie, Miller, and Rehberg. Nays, 1: Dearden. Absent or not voting, 2: Black and Rife.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Natural Resources and Environment Committee on Senate File 400, and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 418 (Formerly SF 259), a bill for an act relating to the criteria for evaluation of lakes for the purpose of improvement or rehabilitation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Bartz, King, Drake, Freeman, Gaskill, Kibbie, Miller, and Rife. Nays, 7: Fink, Black, Bolckcom, Dearden, Deluhery, Johnson, and Rehberg.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE CONCURRENT RESOLUTION 8, a concurrent resolution designating March 1999 as Iowa Women's History Month.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Rittmer, Lamberti, Kibbie, Connolly, Dearden, Deluhery, Drake, Fink, King, Lundby, Maddox, McLaren, Schuerer, Sexton, and Szymoniak. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 419 (SSB 1203), a bill for an act applying certain veterinary practice requirements to persons providing veterinary medical services, owning a veterinary clinic, or practicing veterinary medicine.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Rittmer, Kibbie, Deluhery, Drake, Fink, Lundby, Maddox, McLaren, Schuerer, and Sexton. Nays, 4: Connolly, Dearden, King, and Szymoniak. Pass, 1: Lamberti.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 396 (SSB 1198), a bill for an act providing a protective headgear requirement for juvenile bicyclists, creating a bicycle safety fund, and providing for a helmet rental fee and a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Drake, Sexton, McCoy, Fink, Fraise, Freeman, Jensen, Judge, Kibbie, McKibben, Rittmer, and Zieman. Nays, none. Absent or not voting, 1: McKean.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 398 (SSB 1200), a bill for an act relating to the requirements for issuance of intermediate driver's licenses and full driver's licenses.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Drake, Sexton, McCoy, Fink, Fraise, Freeman, Jensen, Judge, Kibbie, McKibben, Rittmer, and Zieman. Nays, none. Absent or not voting, 1: McKean.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 407 (Formerly SF 297), a bill for an act relating to registration of all-terrain vehicles and snowmobiles and providing for and applying penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Drake, Sexton, McCoy, Fraise, Freeman, Jensen, Judge, Kibbie, McKean, Rittmer, and Zieman. Nays, none. Absent or not voting, 2: Fink and McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: *SENATE FILE 399 (Formerly SF 6), a bill for an act relating to tax exemptions for livestock-related pollution-control or recycling property.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Johnson, McKibben, Bartz, Bolcom, Connolly, Deluhery, Drake, Flynn, Hedge, Lamberti, Maddox, Redwine, and Soukup. Nays, none. Absent or not voting, 2: Harper and 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 Ways and Means Committee on Senate File 399, and they were attached to the committee report.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 10:01 a.m., until 1:00 p.m., Monday, March 15, 1999.

JOURNAL OF THE SENATE

SIXTY-FOURTH CALENDAR DAY
THIRTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 15, 1999

The Senate met in regular session at 1:02 p.m., President Kramer presiding.

Prayer was offered by Reverend Marvin Leese, pastor of the Sibley Christian Reformed Church, Sibley, Iowa.

The Journal of Thursday, March 11, 1999, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Bartz until he arrives, on request of Senator Boettger; Senator Dearden until he arrives, on request of Senator Gronstal.

SPECIAL GUEST

Senator Jensen introduced the Honorable Allen Borlaug, former member of the Senate from Chickasaw County, Protivin, Iowa.

HOUSE MESSAGES RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 11, 1999, passed the following bills in which the concurrence of the Senate is asked:

House File 403, a bill for an act relating to the fingerprinting of persons or juveniles who have been arrested or taken into custody

and changing the procedures for the collection of a criminal disposition report.

Read first time and referred to committee on **Judiciary**.

House File 417, a bill for an act relating to release of certain information on claimants of the property tax rent reimbursement to the department of inspections and appeals.

Read first time and referred to committee on **State Government**.

House File 445, a bill for an act relating to the rights of a dissenting shareholder of a state bank.

Read first time and referred to committee on **Commerce**.

INTRODUCTION OF BILLS

Senate File 420, by committee on State Government, a bill for an act relating to the authorization of a local law enforcement agency to enforce smoking restrictions in a public place.

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

Senate File 421, by committee on Judiciary, a bill for an act to extend the jurisdiction of the juvenile court to include adoption and termination of parental rights proceedings.

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

Senate File 422, by committee on Judiciary, a bill for an act providing for a .08 blood alcohol concentration standard for operating while intoxicated offenses.

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

Senate File 423, by committee on Judiciary, a bill for an act prohibiting the loaning of money for gambling purposes through a credit card or an electronic or mechanical device at a licensed gambling facility.

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

Senate File 424, by committee on Appropriations, a bill for an act relating to and making transportation and other infra-structure-related appropriations to the state department of transportation, including allocation and use of moneys from the general fund of the state, road use tax fund, and primary road fund, providing for the use of a former rest area, and providing for the non-reversion of certain moneys.

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

Senate File 425, by committee on Education, a bill for an act relating to state school aid for budget years commencing with the budget year beginning July 1, 1999, and making appropriations and including effective and applicability date provisions.

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

BILLS REFERRED TO COMMITTEE

Senator Iverson asked and received unanimous consent that the following bills be **referred** from the **Regular Calendar** to committee:

S.F. 120	Appropriations
S.F. 293	Local Government
S.F. 328	Small Business, Economic Development, and Tourism
S.F. 353	Appropriations
S.F. 400	Ways and Means
S.F. 411	Ways and Means

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Schuerer until he arrives, on request of Senator Boettger.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 303, 281 and 287.

Senate File 303

On motion of Senator Lamberti, **Senate File 303**, a bill for an act requiring that the clerk of the district court confirm that notice has been given to required parties prior to the filing of a nonstatutory lien, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 303), the vote was:

Ayes, 47:

Angelo	Behn	Black	Boettger
Bolkcom	Connolly	Deluhery	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gaskill	Gronstal	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Johnson	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Sexton	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 3:

Bartz	Dearden	Schuerer
-------	---------	----------

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 Flynn, **Senate File 281**, a bill for an act concerning the workforce development department, by providing for the establishment of a workforce development corporation, expenses for members of the regional advisory board to the workforce development board, authority to charge fees for certain services of the department, and Iowa conservation corps employee rights, was taken up for consideration.

Senator Flynn moved that the bill be read the last time now and placed upon its passage, 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:

Ayes, 46:

Angelo	Behn	Black	Boettger
Bolkcom	Connolly	Deluhery	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gaskill	Gronstal	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Johnson	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McKean	McKibben
McLaren	Miller	Redfern	Redwine
Rehberg	Rife	Rittmer	Sexton
Shearer	Soukup	Szymoniak	Tinsman
Veenstra	Zieman		

Nays, none.

Absent or not voting, 4:

Bartz	Dearden	McCoy	Schuerer
-------	---------	-------	----------

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

Senator Hedge took the chair at 1:48 p.m.

Senate File 287

On motion of Senator Veenstra, **Senate File 287**, a bill for an act relating to child welfare provisions involving foster home damages, voluntary foster care placements of children with mental retardation or other developmental disability, release of child abuse information, and annual group foster care and decategorization plans, and providing a contingent effective date, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 287), the vote was:

Ayes, 46:

Angelo	Behn	Black	Boettger
Bolkcom	Connolly	Deluhery	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gaskill	Gronstal	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Johnson	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McKean	McKibben
McLaren	Miller	Redfern	Redwine
Rehberg	Rife	Rittmer	Sexton
Shearer	Soukup	Szymoniak	Tinsman
Veenstra	Zieman		

Nays, none.

Absent or not voting, 4:

Bartz	Dearden	McCoy	Schuerer
-------	---------	-------	----------

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 McCoy until he arrives, on request of Senator Gronstal.

PRESENTATION OF VISITORS

The Chair welcomed fifteen eighth grade students from Crestwood School, Cresco, Iowa, accompanied by Mr. Doug Hatch, who were present in the balcony. Senator Soukup.

SPECIAL GUESTS

Senator Iverson introduced Congressman Leonard Boswell and his wife, Dody. Congressman Boswell previously served as President of the Iowa Senate.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 313, 339 and 335.

Senate File 313

On motion of Johnson, **Senate File 313**, a bill for an act prohibiting the sale or distribution of purple loosestrife, was taken up for consideration.

Senator Johnson moved that the bill be read the last time now and placed upon its passage, 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, 45:

Angelo
Bolkcom
Dvorsky
Freeman
Hansen
Iverson
Kibbie
Maddox
Miller
Rife

Behn
Connolly
Fink
Gaskill
Harper
Jensen
King
McKean
Redfern
Rittmer

Black
Deluhery
Flynn
Gronstal
Hedge
Johnson
Kramer
McKibben
Redwine
Sexton

Boettger
Drake
Fraise
Hammond
Horn
Judge
Lamberti
McLaren
Rehberg
Shearer

Soukup
Zieman

Szymoniak

Tinsman

Veenstra

Nays, 1:

Lundby

Absent or not voting, 4:

Bartz

Dearden

McCoy

Schuerer

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

Senate File 339

On motion of Senator Drake, **Senate File 339**, a bill for an act providing for directional signs for historic sites listed on the national register of historic places, was taken up for consideration.

Senator Connolly asked and received unanimous consent that action on **Senate File 339** be deferred.

Senate File 335

On motion of Senator Lamberti, **Senate File 335**, a bill for an act relating to the transfer of real estate, the filing of a release of mortgage, and providing a remedy, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 335), the vote was:

Ayes, 46:

Angelo
Bolkcom
Dvorsky
Freeman
Hansen
Iverson
Kibbie
Lundby
McLaren

Behn
Connolly
Fink
Gaskill
Harper
Jensen
King
Maddox
Miller

Black
Deluhery
Flynn
Gronstal
Hedge
Johnson
Kramer
McKean
Redfern

Boettger
Drake
Fraise
Hammond
Horn
Judge
Lamberti
McKibben
Redwine

Rehberg
Shearer
Veenstra

Rife
Soukup
Zieman

Rittmer
Szymoniak

Sexton
Tinsman

Nays, none.

Absent or not voting, 4:

Bartz

Dearden

McCoy

Schuerer

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

Senator Iverson asked and received unanimous consent that Senate Files 281, 287, 303, 313 and 335 be immediately messaged to the House.

ADOPTION OF RESOLUTIONS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 5 and Senate Concurrent Resolution 6.

Senate Concurrent Resolution 5

On motion of Senator Drake, **Senate Concurrent Resolution 5**, a concurrent resolution relating to a biennial memorial session, with report of committee recommending passage, was taken up for consideration.

Senator Drake moved the adoption of Senate Concurrent Resolution 5, which motion prevailed by a voice vote.

Senate Concurrent Resolution 6

On motion of Senator Drake, **Senate Concurrent Resolution 6**, a concurrent resolution relating to Pioneer Lawmakers, with report of committee recommending passage, was taken up for consideration.

Senator Drake moved adoption of Senate Concurrent Resolution 6, which motion prevailed by a voice vote.

CONSIDERATION OF BILLS

(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 294, 265, 314, 253, and 210.

Senate File 294

On motion of Senator Angelo, **Senate File 294**, a bill for an act relating to lifetime registration for certain sex offenders, the performance of sex offender risk assessments, and the procedures for dissemination of registry information to agencies and the public, was taken up for consideration.

Senator Dvorsky offered amendment S-3063 filed by Senators Dvorsky and Angelo from the floor to page 1 of the bill and moved its adoption.

Amendment S-3063 was adopted by a voice vote.

Senator Angelo moved that the bill be read the last time now and placed upon its passage, 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, 47:

Angelo	Behn	Black	Boettger
Bolkcom	Connolly	Deluhery	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gaskill	Gronstal	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Johnson	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Sexton	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 3:

Bartz

Dearden

Schuerer

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

Senate File 265

On motion of Senator Kibbie, **Senate File 265**, a bill for an act relating to the taking of muskrats by colony trap, 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. 265), the vote was:

Ayes, 40:

Angelo	Behn	Boettger	Connolly
Deluhery	Drake	Fink	Flynn
Fraise	Freeman	Gaskill	Gronstal
Harper	Hedge	Horn	Iverson
Jensen	Johnson	Judge	Kibbie
King	Kramer	Lamberti	Maddox
McCoy	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Sexton	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, 7:

Black	Bolkcom	Dvorsky	Hammond
Hansen	Lundby	Shearer	

Absent or not voting, 3:

Bartz

Dearden

Schuerer

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 Rittmer, **Senate File 314**, a bill for an act relating to the minimum training standards for operation of radiation machines, 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?" (S.F. 314), the vote was:

Ayes, 47:

Angelo	Behn	Black	Boettger
Bolkcom	Connolly	Deluhery	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gaskill	Gronstal	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Johnson	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Sexton	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 3:

Bartz	Dearden	Schuerer
-------	---------	----------

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

Senate File 253

On motion of Senator Kibbie, **Senate File 253**, a bill for an act concerning reporting requirements for real estate conveyances relating to the identification of wells, disposal sites for solid waste, underground storage tanks, and hazardous waste, was taken up for consideration.

Senator Kibbie offered amendment S-3061 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S-3061 was adopted by a voice vote.

Senator Black asked and received unanimous consent that action on **Senate File 253** be deferred.

Senate File 210

On motion of Senator Rife, **Senate File 210**, a bill for an act increasing the minimum daily pay for members of the Iowa national guard while in state active service, with report of committee on Appropriations recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 210), the vote was:

Ayes, 47:

Angelo	Behn	Black	Boettger
Bolkcom	Connolly	Deluhery	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gaskill	Gronstal	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Johnson	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Sexton	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 3:

Bartz	Dearden	Schuerer
-------	---------	----------

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Concurrent Resolutions 5 and 6 and Senate Files 210, 265, 294 and 314** be immediately messaged to the House.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 263.

Senate File 263

On motion of Senator Deluhery, **Senate File 263**, a bill for an act relating to the issuance of a hunter safety and ethics certificate to certain honorably discharged military veterans, 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. 263), the vote was:

Ayes, 37:

Angelo	Behn	Boettger	Bolkcom
Connolly	Deluhery	Drake	Flynn
Fraise	Freeman	Gaskill	Gronstal
Hansen	Hedge	Horn	Iverson
Jensen	Judge	Kibbie	King
Kramer	Lamberti	Maddox	McCoy
McKibben	McLaren	Miller	Redfern
Rehberg	Rife	Rittmer	Sexton
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, 10:

Black	Dvorsky	Fink	Hammond
Harper	Johnson	Lundby	McKean
Redwine	Shearer		

Absent or not voting, 3:

Bartz

Dearden

Schuerer

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

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 366.

Senate File 366

On motion of Senator King, **Senate File 366**, a bill for an act making a supplemental appropriation for the fiscal year beginning July 1, 1998, for replacement of certain embedded chips in the technology and equipment of state departments and providing an effective date, was taken up for consideration.

President Kramer took the chair at 3:13 p.m.

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

On the question "Shall the bill pass?" (S.F. 366), the vote was:

Ayes, 47:

Angelo	Behn	Black	Boettger
Bolkcom	Connolly	Deluhery	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gaskill	Gronstal	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Johnson	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Sexton	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 3:

Bartz

Dearden

Schuerer

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 263 and 366** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 15, 1999, passed the following bills in which the **concurrence** of the Senate is asked:

House File 144, a bill for an act relating to the distribution of moneys held in trust for a participant in the certified school to career program.

Read first time and referred to committee on **Education**.

House File 442, a bill for an act relating to payments from the remedial account of the Iowa comprehensive petroleum underground storage tank fund to governmental subdivisions for costs of corrective actions taken due to certain releases from underground storage tanks and allowing the Iowa comprehensive petroleum underground storage tank fund board to seek reimbursement from responsible parties for expenses incurred by governmental subdivisions for costs of corrective actions taken due to certain releases from underground storage tanks.

Read first time and referred to committee on **Natural Resources and Environment**.

House File 497, a bill for an act relating to certain programs and public health issues under the purview of the Iowa department of public health.

Read first time and referred to committee on **Human Resources**.

APPENDIX**CERTIFICATE OF RECOGNITION**

The Secretary of the Senate issued the following certificate of recognition:

Ankeny Girls' Basketball Team, Ankeny - For becoming Class 4A Champions of the 1999 Iowa Girls' State Basketball Championship. Coaches: Scott DeJong, Dennis Albertson, and Mitzi Pilcher. Senator Lamberti (03/15/99).

REPORTS OF COMMITTEE MEETINGS**APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT**

Convened: March 10, 1999, 7:19 a.m.

Members Present: Schuerer, Chair; Boettger, Vice Chair; Soukup, Ranking Member; Judge and Lamberti.

Members Absent: None.

Committee Business: Distribution of amendments to the Economic Development Appropriations bill.

Adjourned: 7:49 a.m.

STATE GOVERNMENT

Convened: March 11, 1999, 11:20 a.m.

Members Present: Rittmer, Chair; Lamberti, Vice Chair; Kibbie, Ranking Member; Connolly, Dearden, Deluhery, Drake, Fink, King, Lundby, Maddox, McLaren, Schuerer, Sexton, and Szymoniak.

Members Absent: None.

Committee Business: Passed SCR 8. Approved SSBs 1100, 1151, 1199, 1202, 1203, and 1204. Passed SFs 62, 86, 289, 307, 328, and 357.

Recessed: 12:55 p.m.

Reconvened: March 11, 1999, 4:00 p.m.

Reconvened Members Present: Rittmer, Chair; Lamberti, Vice Chair; Kibbie, Ranking Member; Connolly, Dearden, Drake, Fink, King, Lundby, Maddox, McLaren, Schuerer, Sexton, and Szymoniak.

Reconvened Members Absent: Deluhery (excused).

Adjourned: 5:00 p.m.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 12, 1999, the Governor approved and transmitted to the Secretary of State the following bill:

S.F. 70 - an act concerning unemployment insurance by providing for the distribution of certain moneys in the unemployment trust fund and the transfer of experience for unemployment insurance tax purposes.

INTRODUCTION OF BILLS

Senate File 426, by committee on Small Business, Economic Development and Tourism, a bill for an act relating to linked investment deposits by providing a low- interest loan program to assist persons involved in value- added agricultural processing.

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

Senate File 427, by committee on Natural Resources and Environment, a bill for an act relating to a watershed protection task force and creating a watershed protection program and a watershed protection account within the water protection fund.

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

Senate File 428, by committee on State Government , a bill for an act relating to the authority of cities and counties to adopt rent control ordinances.

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

Senate File 429, by committee on Judiciary, a bill for an act relating to notification of forfeited and cancelled mechanic's liens, challenging a mechanic's lien, and providing a remedy.

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

Senate File 430, by committee on Appropriations, a bill for an act relating to and making supplemental and other appropriations for

the fiscal year beginning July 1, 1998, and providing an effective date.

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

Senate File 431, by committee on State Government, a bill for an act relating to the moving of duties and responsibilities for providing telecommunications cabling necessary to provide state communications services from the department of general services to the Iowa telecommunications and technology commission.

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

Senate File 432, by committee on Judiciary, a bill for an act relating to the establishment of an automatic temporary financial protective order against the parties to a dissolution of marriage, separate maintenance, or annulment action, and limiting certain actions relating to assets and income of the parties.

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

Senate File 433, by committee on State Government, a bill for an act permitting certain transfers of campaign funds after a candidate has not served in public office for a stated number of years.

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

Senate File 434, by committee on State Government, a bill for an act relating to government efficiency by providing retirement incentives for certain government employees, providing for the reduction in certain governmental positions due to early retirement, and providing an effective date.

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

Senate File 435, by committee on State Government, a bill for an act relating to the authority to regulate passenger elevators, requiring a study, and providing an effective date.

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

Senate File 436, by committee on Agriculture, a bill for an act relating to practices involving the marketing of livestock by packers, by prohibiting price discrimination, requiring reporting, and providing criminal penalties and civil remedies.

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

Senate File 437, by committee on Judiciary, a bill for an act relating to notification regarding mechanics' liens.

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

Senate File 438, by committee on Natural Resources and Environment, a bill for an act providing for unformed manure storage structures associated with animal feeding operations, by providing for their regulation and providing an effective date.

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

Senate File 439, by committee on Human Resources, a bill for an act relating to the Iowa community empowerment Act and related provisions, and providing an effective date.

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

Senate File 440, by committee on State Government, a bill for an act relating to the process for restoring for certain persons the right to register to vote and to vote.

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

Senate File 441, by committee on Education, a bill for an act providing an exemption from certain requirements of self-insured accident and health insurance plans provided by school corporations.

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

Senate File 442, by committee on Natural Resources and Environment, a bill for an act making appropriations from the rebuild Iowa infrastructure fund for the fiscal year beginning July 1,

1999, and ending June 30, 2000, to the department of agriculture and land stewardship and the department of natural resources.

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

Senate File 443, by committee on Agriculture, a bill for an act relating to liens arising out of contracts involving the care and feeding of livestock, and providing an effective date.

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

Senate File 444, by committee on Business and Labor Relations, a bill for an act relating to limitations of liability pertaining to certain construction contracts.

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

Senate File 445, by committee on State Government, a bill for an act relating to gambling, by imposing a moratorium on the issuance or transfer of certain gambling licenses and on increasing the number of games and machines, authorizing the use of video slot machines, providing for the transfer of collective bargaining agreements, limiting the location of excursion gambling boats and pari-mutuel racetracks, prohibiting the dispensing of cash or credit on certain gambling premises, imposing a scheduled fine for gambling by persons under twenty-one years of age, limiting civil penalties related to violations of legal age for gambling, providing for the disposition of charitable contributions, nullifying certain administrative rules relating to gambling, rescinding the nine-year period of operation for certain licenses, providing for properly related matters, and providing effective dates.

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

Senate File 446, by committee on State Government, a bill for an act relating to establishment of satellite absentee voting stations and providing an effective date.

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

Senate File 447, by committee on Agriculture, a bill for an act relating to the imposition of an annual conservation and land preservation tax for agricultural property converted to residential, industrial, or commercial use and providing penalties.

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

Senate File 448, by committee on Local Government, a bill for an act relating to the purchase of certain parcels with delinquent taxes by a city or county, and providing effective and applicability dates.

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

Senate File 449, by committee on Small Business, Economic Development and Tourism, a bill for an act relating to public policy involving the use of the English language and assistance to legal immigrants and foreign nationals and providing a future repeal.

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

Senate File 450, by Harper, Lundby, Dearden, Drake, and Hammond, a bill for an act establishing civil immunity for a person's participation in government and providing an effective date.

Read first time under Rule 28 and referred to committee on **Judiciary**.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 6, by Fink, a resolution to honor posthumously United States Presidents Thomas Jefferson and Herbert C. Hoover, by hanging their portraits in the Senate chamber.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate Concurrent Resolution 10, by Fink, a concurrent resolution requesting the Department of Education to cooperate with the Iowa Arts Council in administering a contest for students to submit design proposals for Iowa's participation in the United States Mint's 50 state quarters program.

Read first time under Rule 28 and referred to committee on Education.

STUDY BILLS RECEIVED

SSB 1205 Appropriations

Relating to and making appropriations to the justice system and providing effective dates.

SSB 1206 Appropriations

Relating to the funding of, operation of, and appropriation of moneys to the college student aid commission, the department of cultural affairs, the department of education, and the state board of regents, providing related statutory changes, and providing an effective date.

SUBCOMMITTEE ASSIGNMENTS

Senate File 415

BUSINESS AND LABOR RELATIONS: King, Chair; Dearden and Schuerer

Senate File 416

WAYS AND MEANS: Maddox, Chair; Bolkcom and Hedge

Senate File 417

WAYS AND MEANS: Bartz, Chair; Johnson and Soukup

House File 337

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM: Sexton, Chair; Judge and Rittmer

SSB 1205

APPROPRIATIONS: Maddox, Chair; Lamberti and Dvorsky

SSB 1206

APPROPRIATIONS: Rehberg, Chair; McLaren and Horn

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: *SENATE FILE 436 (Formerly SF 131), a bill for an act relating to practices involving the marketing of livestock by packers, by prohibiting price discrimination, requiring reporting, and providing criminal penalties and civil remedies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Gaskill, Miller, Fraise, Angelo, Bartz, Behn, Hedge, Judge, Kibbie, Sexton, Shearer, Veenstra, and Zieman. Nays, none. Absent or not voting, 2: Black and Soukup.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Agriculture Committee on Senate File 436, and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 443 (SSB 1126), a bill for an act relating to liens arising out of contracts involving the care and feeding of livestock, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Gaskill, Miller, Fraise, Angelo, Bartz, Behn, Hedge, Judge, Kibbie, Sexton, Shearer, Veenstra, and Zieman. Nays, none. Absent or not voting, 2: Black and Soukup.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 447 (Formerly SF 198), a bill for an act relating to the imposition of an annual conservation and land preservation tax for agricultural property converted to residential, industrial, or commercial use and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Gaskill, Miller, Angelo, Bartz, Judge, Kibbie, Sexton, Veenstra, and Zieman. Nays, 6: Fraise, Behn, Black, Hedge, Shearer, and Soukup.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Agriculture Committee on Senate File 447, and they were attached to the committee report.

APPROPRIATIONS

Final Bill Action: *SENATE FILE 424 (SSB 1150), a bill for an act relating to and making transportation and other infra-structure-related appropriations to the state department of transportation, including allocation and use of moneys from the general fund of the state, road use tax fund, and primary road fund, providing for the use of a former rest area, and providing for the nonreversion of certain moneys.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 25: McLaren, Kramer, Flynn, Behn, Black, Bolkcom, Connolly, Deluhery, Dvorsky, Freeman, Hammond, Hedge, Horn, Jensen, Johnson, King, Lamberti, Maddox, McCoy, Redwine, Rehberg, Rife, Schuerer, Soukup, 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 Appropriations Committee on Senate File 424, and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 430 (SSB 1116), a bill for an act relating to and making supplemental and other appropriations for the fiscal year beginning July 1, 1998, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 25: McLaren, Kramer, Flynn, Behn, Black, Bolkcom, Connolly, Deluhery, Dvorsky, Freeman, Hammond, Hedge, Horn, Jensen, Johnson, King, Lamberti, Maddox, McCoy, Redwine, Rehberg, Rife, Schuerer, Soukup, 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 Appropriations Committee on Senate File 430, and they were attached to the committee report.

BUSINESS AND LABOR RELATIONS

Final Bill Action: *SENATE FILE 444 (Formerly SF 363), a bill for an act relating to limitations of liability pertaining to certain construction contracts.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: McKibben, Freeman, Dearden, Behn, Fraise, Hansen, Hedge, Horn, King, and Schuerer. Nays, none. Absent or not voting, 1: Rife.

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 File 444, and they were attached to the committee report.

COMMERCE

Final Bill Action: SENATE FILE 190, a bill for an act relating to the requirements for establishing and operating a city cable communication utility.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3060.

Final Vote: Ayes, 15: Jensen, Maddox, Deluhery, Bolkcom, Flynn, Gronstal, Hansen, Johnson, King, Lamberti, Lundby, McCoy, Redfern, Redwine, and Schuerer. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: *SENATE FILE 425 (SSB 1195), a bill for an act relating to state school aid for budget years commencing with the budget year beginning July 1, 1999, and making appropriations and including effective and applicability date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Redfern, Rehberg, Connolly, Angelo, Boettger, Dvorsky, Fink, Gaskill, Redwine, Sexton, Shearer, Szymoniak, Tinsman, and Veenstra. Nays, none. Absent or not voting, 1: Harper.

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 425, and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 441 (SSB 1174), a bill for an act providing an exemption from certain requirements of self-insured accident and health insurance plans provided by school corporations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Redfern, Rehberg, Connolly, Angelo, Boettger, Dvorsky, Fink, Gaskill, Harper, Redwine, Sexton, Shearer, Tinsman, and Veenstra. Nays, none. Absent or not voting, 1: Szymoniak.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: *SENATE FILE 439 (SSB 1185), a bill for an act relating to the Iowa community empowerment Act and related provisions, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Boettger, Redwine, Szymoniak, Bartz, Behn, Dvorsky, Hammond, Miller, Schuerer, Shearer, Tinsman, and Veenstra. Nays, none. Absent or not voting, 1: Harper.

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 439, and they were attached to the committee report.

JUDICIARY

Final Bill Action: SENATE FILE 421 (SSB 1187), a bill for an act to extend the jurisdiction of the juvenile court to include adoption and termination of parental rights proceedings.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: McKean, Hansen, Boettger, Dvorsky, Fraise, Hammond, Horn, Maddox, McCoy, McKibben, Miller, and Tinsman. Nays, 2: Lamberti and Angelo. Absent or not voting, 1: Redfern.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 422 (SSB 1045), a bill for an act providing for a .08 blood alcohol concentration standard for operating while intoxicated offenses.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: McKean, Angelo, Boettger, Fraise, McKibben, Miller, Redfern, and Tinsman. Nays, 7: Lamberti, Hansen, Dvorsky, Hammond, Horn, Maddox, and McCoy.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 423 (SSB 1169), a bill for an act prohibiting the loaning of money for gambling purposes through a credit card or an electronic or mechanical device at a licensed gambling facility.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: McKean, Hansen, Angelo, Boettger, Dvorsky, Fraise, Hammond, Maddox, McKibben, Miller, Redfern, and Tinsman. Nays, 3: Lamberti, Horn, and McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 429 (SSB 1022), a bill for an act relating to notification of forfeited and cancelled mechanic's liens, challenging a mechanic's lien, and providing a remedy.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: McKean, Lamberti, Hansen, Angelo, Boettger, Dvorsky, Fraise, Hammond, Horn, Maddox, McCoy, McKibben, Miller, and Tinsman. Nays, none. Absent or not voting, 1: Redfern.

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 429, and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 432 (SSB 1016), a bill for an act relating to the establishment of an automatic temporary financial protective order against the parties to a dissolution of marriage, separate maintenance, or annulment action, and limiting certain actions relating to assets and income of the parties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: McKean, Lamberti, Hansen, Angelo, Boettger, Dvorsky, Fraise, Hammond, Horn, Maddox, McCoy, McKibben, Miller, and Tinsman. Nays, none. Absent or not voting, 1: Redfern.

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 432, and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 437 (SSB 1076), a bill for an act relating to notification regarding mechanics' liens.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: McKean, Lamberti, Hansen, Angelo, Boettger, Dvorsky, Fraise, Hammond, Horn, Maddox, McCoy, McKibben, Miller, and Tinsman. Nays, none. Absent or not voting, 1: Redfern.

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 437, and they were attached to the committee report.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 448 (SSB 1168), a bill for an act relating to the purchase of certain parcels with delinquent taxes by a city or county, and providing effective and applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Angelo, Bartz, Bolkcom, Fraise, Hammond, Judge, McCoy, McKean, McKibben, Miller, Rife, and Zieman. Nays, none. Absent or not voting, 1: Gaskill.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Final Bill Action: SENATE FILE 427 (SSB 1147), a bill for an act relating to a watershed protection task force and creating a watershed protection program and a watershed protection account within the water protection fund.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Bartz, King, Fink, Black, Bolkcom, Dearden, Deluhery, Drake, Freeman, Gaskill, Johnson, Kibbie, Miller, Rehberg, and Rife. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 438 (Formerly SF 322), a bill for an act providing for unformed manure storage structures associated with animal feeding operations, by providing for their regulation and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Bartz, Fink, Black, Bolkcom, Dearden, Deluhery, Drake, Freeman, Gaskill, Kibbie, and Rehberg. Nays, 1: Rife. Present, 3: King, Johnson, and Miller.

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 and Environment Committee on Senate File 438, and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 442 (SSB 1146), a bill for an act making appropriations from the rebuild Iowa infrastructure fund for the fiscal year beginning July 1, 1999, and ending June 30, 2000, to the department of agriculture and land stewardship and the department of natural resources.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Bartz, King, Fink, Black, Bolkcom, Dearden, Deluhery, Drake, Freeman, Gaskill, Johnson, Kibbie, Miller, Rehberg, and Rife. 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 and Environment Committee on Senate File 442, and they were attached to the committee report.

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM

Final Bill Action: *SENATE FILE 426 (SSB 1127), a bill for an act relating to linked investment deposits by providing a low-interest loan program to assist persons involved in value-added agricultural processing.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Lundby, Behn, Shearer, Boettger, Flynn, Hansen, Judge, Rittmer, Sexton, Soukup, Tinsman, Veenstra, and Zieman. 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 Small Business, Economic Development and Tourism Committee on Senate File 426, and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 449 (Formerly SF 332), a bill for an act relating to public policy involving the use of the English language and assistance to legal immigrants and foreign nationals and providing a future repeal.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Lundby, Behn, Boettger, Flynn, Hansen, Rittmer, Sexton, Tinsman, Veenstra, and Zieman. Nays, 3: Judge, Shearer, and Soukup.

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 Small Business, Economic Development, and Tourism Committee on Senate File 449, and they were attached to the committee report. ,

STATE GOVERNMENT

Final Bill Action: SENATE FILE 328, a bill for an act establishing a tourism 2000 fund and providing for activities related to a tourism 2000 congress.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Rittmer, Lamberti, Kibbie, Connolly, Dearden, Drake, Fink, King, Lundby, Maddox, McLaren, Schuerer, Sexton, and Szymoniak. Nays, none. Absent or not voting, 1: Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 357, a bill for an act creating an Iowa products of high quality commission.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Rittmer, Lamberti, Kibbie, Connolly Dearden, Drake, Fink, King, Lundby, Maddox, Schuerer, Sexton, and Szymoniak. Nays, none. Absent or not voting, 2: Deluhery and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 420 (SSB 1202), a bill for an act relating to the authorization of a local law enforcement agency to enforce smoking restrictions in a public place.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Rittmer, Kibbie, Connolly, Dearden, Fink, King, Maddox, and Szymoniak. Nays, 3: McLaren, Schuerer, and Sexton. Absent or not voting, 4: Lamberti, Deluhery, Drake, and Lundby.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 428 (SSB 1151), a bill for an act relating to the authority of cities and counties to adopt rent control ordinances.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Rittmer, Lamberti, Kibbie, Dearden, Drake, King, Maddox, Schuerer, and Sexton. Nays, 4: Connolly, Fink, Lundby, and Szymoniak. Absent or not voting, 2: Deluhery and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 431 (SSB 1199), a bill for an act relating to the moving of duties and responsibilities for providing telecommunications cabling necessary to provide state communications services from the department of general services to the Iowa telecommunications and technology commission.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Rittmer, Lamberti, Kibbie, Connolly, Dearden, Drake, Fink, King, Lundby, Maddox, Schuerer, Sexton, and Szymoniak. Nays, none. Absent or not voting, 2: Deluhery and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 433 (Formerly SF 62), a bill for an act permitting certain transfers of campaign funds after a candidate has not served in public office for a stated number of years.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Rittmer, Lamberti, Kibbie, Connolly, Dearden, Deluhery, Drake, Fink, King, Lundby, Maddox, McLaren, Schuerer, Sexton, and Szymoniak. 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 Senate File 433, and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 434 (SSB 1204), a bill for an act relating to government efficiency by providing retirement incentives for certain government employees, providing for the reduction in certain governmental positions due to early retirement, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Rittmer, Lamberti, Kibbie, Connolly, Dearden, Drake, Fink, King, Lundby, Maddox, McLaren, Schuerer, Sexton, and Szymoniak. Nays, none. Absent or not voting, 1: Deluhery.

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 434, and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 435 (Formerly SF 307), a bill for an act relating to the authority to regulate passenger elevators, requiring a study, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Rittmer, Lamberti, Kibbie, Drake, King, Lundby, McLaren, Schuerer, and Sexton. Nays, 6: Connolly, Dearden, Deluhery, Fink, Maddox, and 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 State Government Committee on Senate File 435, and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 440 (Formerly SF 86), a bill for an act relating to the process for restoring for certain persons the right to register to vote and to vote.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Rittmer, Lamberti, Kibbie, Connolly, Dearden, Deluhery, Drake, Fink, Maddox, and Szymoniak. Nays, 5: King, Lundby, McLaren, Schuerer, and Sexton.

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 440, and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 445 (SSB 1100), a bill for an act relating to gambling, by imposing a moratorium on the issuance or transfer of certain gambling licenses and on increasing the number of games and machines, authorizing the use of video slot machines, providing for the transfer of collective bargaining agreements, limiting the location of excursion gambling boats and pari-mutuel racetracks, prohibiting the dispensing of cash or credit on certain gambling premises, imposing a scheduled fine for gambling by persons under twenty-one years of age, limiting civil penalties related to violations of legal age for gambling, providing for the disposition of charitable contributions, nullifying certain administrative rules relating to gambling,

rescinding the nine-year period of operation for certain licenses, providing for properly related matters, and providing effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Rittmer, Lamberti, Kibbie, Connolly, Dearden, Fink, King, Lundby, Maddox, McLaren, Schuerer, Sexton, and Szymoniak. Nays, 1: Drake. Absent or not voting, 1: Deluhery.

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 445, and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 446 (Formerly SF 289), a bill for an act relating to establishment of satellite absentee voting stations and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Rittmer, Lamberti, Dearden, Drake, King, Maddox, McLaren, Schuerer, and Sexton. Nays, 6: Kibbie, Connolly, Deluhery, Fink, Lundby, and 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 State Government Committee on Senate File 446, and they were attached to the committee report.

AMENDMENTS FILED

S-3059	S.F. 367	Gene Maddox
S-3060	S.F. 190	Commerce
S-3061	S.F. 253	John P. Kibbie
S-3062	S.F. 312	Dennis H. Black
S-3063	S.F. 294	Robert E. Dvorsky
		Jeff Angelo
S-3064	H.F. 224	Richard F. Drake
S-3065	S.F. 284	Tom Flynn
S-3066	S.F. 339	Mike Connolly
S-3067	S.F. 339	Tom Flynn
S-3068	S.F. 430	Maggie Tinsman
		Jeff Angelo
S-3069	S.F. 253	Matt McCoy
S-3070	S.F. 376	Elaine Szymoniak

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 3:18 p.m., until 9:00 a.m., Tuesday, March 16, 1999.

JOURNAL OF THE SENATE

SIXTY-FIFTH CALENDAR DAY
THIRTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 16, 1999

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

Prayer was offered by Bishop Christopher Epting of the Episcopal Diocese of Iowa.

The Journal of Monday, March 15, 1999, was approved.

HOUSE MESSAGES RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 15, 1999, passed the following bills in which the concurrence of the Senate is asked:

House File 311, a bill for an act relating to reimbursement, payment, and coverage by the state for damages involving individuals providing foster home, guardian, or conservator services and providing an effective date.

Read first time and referred to committee on **Human Resources**.

House File 573, a bill for an act to change the penalties applicable to the possession, manufacture, or delivery of methamphetamine and other controlled substances, relating to the possession or control of adulterated or improperly labeled articles, providing for the reopening of certain sentences, and providing for restrictions on bail.

Read first time and referred to committee on **Judiciary**.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Dearden, McCoy and Gronstal until they arrive, on request of Senator Hansen.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 282 and 352.

Senate File 282

On motion of Senator Maddox, **Senate File 282**, a bill for an act relating to practices and procedures of the department of general services, regulating state purchasing of recycled paper, modifying an appropriation to the department, and providing an effective date, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 282), the vote was:

Ayes, 46:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Deluhery
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gaskill	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Johnson	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McKean	McKibben
McLaren	Miller	Redfern	Redwine
Rehberg	Rittmer	Schuerer	Sexton
Shearer	Soukup	Szymoniak	Tinsman
Veenstra	Zieman		

Nays, none.

Absent or not voting, 4:

Dearden

Gronstal

McCoy

Rife

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 Drake, **Senate File 352**, a bill for an act relating to reflective devices on slow-moving vehicles, 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. 352), the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Deluhery
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gaskill	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Johnson	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McKean	McKibben
McLaren	Miller	Redfern	Redwine
Rehberg	Rife	Rittmer	Schuerer
Sexton	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 3:

Dearden

Gronstal

McCoy

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

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 430.

Senate File 430

On motion of Senator McLaren, **Senate File 430**, a bill for an act relating to and making supplemental and other appropriations for the fiscal year beginning July 1, 1998, and providing an effective date, was taken up for consideration.

Senator Harper offered amendment S-3073 filed by Senators Harper and Redfern from the floor to page 1 of the bill and moved its adoption.

Amendment S-3073 was adopted by a voice vote.

Senator Tinsman offered amendment S-3068 filed by Senators Tinsman and Angelo on March 15, 1999, to page 2 of the bill and moved its adoption.

Amendment S-3068 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. 430), the vote was:

Ayes, 48:

Angelo
Boettger
Drake
Fraise
Hammond
Horn
Judge
Lamberti
McKean
Redfern

Bartz
Bolkcom
Dvorsky
Freeman
Hansen
Iverson
Kibbie
Lundby
McKibben
Redwine

Behn
Connolly
Fink
Gaskill
Harper
Jensen
King
Maddox
McLaren
Rehberg

Black
Deluhery
Flynn
Gronstal
Hedge
Johnson
Kramer
McCoy
Miller
Rife

Rittmer
Szymoniak

Sexton
Tinsman

Shearer
Veenstra

Soukup
Zieman

Nays, 1:

Schuerer

Absent or not voting, 1:

Dearden

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 Iverson asked and received unanimous consent to take up for consideration Senate File 194.

Senate File 194

On motion of Senator Miller, **Senate File 194**, a bill for an act relating to acceptable accreditation of psychiatric medical institutions for children for the purpose of licensing, 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. 194), the vote was:

Ayes, 49:

Angelo
Boettger
Drake
Fraise
Hammond
Horn
Judge
Lamberti
McKean
Redfern
Rittmer

Bartz
Bolkcom
Dvorsky
Freeman
Hansen
Iverson
Kibbie
Lundby
McKibben
Redwine
Schuerer

Behn
Connolly
Fink
Gaskill
Harper
Jensen
King
Maddox
McLaren
Rehberg
Sexton

Black
Deluhery
Flynn
Gronstal
Hedge
Johnson
Kramer
McCoy
Miller
Rife
Shearer

Soukup
Zieman

Szymoniak

Tinsman

Veenstra

Nays, none.

Absent or not voting, 1:

Dearden

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

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hedge asked and received unanimous consent to take up for consideration Senate Files 309, 101, 337 and 323.

Senate File 309

On motion of Senator Fraise, **Senate File 309**, a bill for an act relating to the interception of communications and providing penalties, 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. 309), the vote was:

Ayes, 44:

Bartz
Connolly
Flynn
Gronstal
Iverson
Kibbie
Lundby
McKibben
Redwine
Schuerer
Szymoniak

Behn
Deluhery
Fraise
Hansen
Jensen
King
Maddox
McLaren
Rehberg
Sexton
Tinsman

Black
Drake
Freeman
Harper
Johnson
Kramer
McCoy
Miller
Rife
Shearer
Veenstra

Boettger
Fink
Gaskill
Horn
Judge
Lamberti
McKean
Redfern
Rittmer
Soukup
Zieman

Nays, 5:

Angelo
Hedge

Bolkcom

Dvorsky

Hammond

Absent or not voting, 1:

Dearden

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

Senate File 101

On motion of Senator McKean, **Senate File 101**, a bill for an act establishing the offense of promoting or possessing contraband in prisons, jails, and juvenile facilities and establishing penalties, was taken up for consideration.

Senator McKean offered amendment S-3071 filed by him from the floor to pages 1, 2 and to the title page of the bill and moved its adoption.

Amendment S-3071 was adopted by a voice vote.

Senator McKean moved that the bill be read the last time now and placed upon its passage, 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:

Angelo
Boettger
Drake
Fraise
Hammond
Horn
Judge
Lamberti
McKean
Redfern
Rittmer
Soukup
Zieman

Bartz
Bolkcom
Dvorsky
Freeman
Hansen
Iverson
Kibbie
Lundby
McKibben
Redwine
Schuerer
Szymoniak

Behn
Connolly
Fink
Gaskill
Harper
Jensen
King
Maddox
McLaren
Rehberg
Sexton
Tinsman

Black
Deluhery
Flynn
Gronstal
Hedge
Johnson
Kramer
McCoy
Miller
Rife
Shearer
Veenstra

Nays, none.

Absent or not voting, 1:

Dearden

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

Senate File 337

On motion of Senator Fraise, **Senate File 337**, a bill for an act relating to landlords' and tenants' relations, by providing notice requirements, establishing a tenant's duty to properly maintain utility facilities, and providing for other properly related matters and an effective date, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 337), the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Fink	Flynn
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Shearer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, 1:

Dvorsky

Absent or not voting, 1:

McCoy

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

Senate File 323

On motion of Senator Maddox, **Senate File 323**, a bill for an act relating to the use of professional designations by audiologists and speech pathologists, was taken up for consideration.

Senator Dvorsky asked and received unanimous consent that action on **Senate File 323** be deferred.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hedge asked and received unanimous consent to take up for consideration **Senate File 316**.

Senate File 316

On motion of Senator Rittmer, **Senate File 316**, a bill for an act concerning state government personnel benefit programs for state employees and a related tax exemption, and providing an effective and retroactive applicability date, was taken up for consideration.

Senator Rittmer offered amendment S-3074 filed by Senators Rittmer, Black and Kramer from the floor to page 1 of the bill and moved its adoption.

Amendment S-3074 was adopted by a voice vote.

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?" (S.F. 316), the vote was:

Ayes, 45:

Angelo
Bolkcom
Drake
Fraise

Bartz
Connolly
Dvorsky
Freeman

Black
Dearden
Fink
Gaskill

Boettger
Deluhery
Flynn
Gronstal

Hammond	Hansen	Harper	Horn
Iverson	Jensen	Johnson	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Miller	Redfern
Rife	Rittmer	Sexton	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, 5:

Behn	Hedge	Redwine	Rehberg
Schuerer			

Absent or not voting, none.

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

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Hedge asked and received unanimous consent to take up for consideration Senate File 424.

Senate File 424

On motion of Senator Freeman, **Senate File 424**, a bill for an act relating to and making transportation and other infra-structure-related appropriations to the state department of transportation, including allocation and use of moneys from the general fund of the state, road use tax fund, and primary road fund, providing for the use of a former rest area, and providing for the nonreversion of certain moneys, was taken up for consideration.

Senator Freeman offered amendment S-3075 filed by her from the floor to page 6 and to the title page of the bill and moved its adoption.

Amendment S-3075 was adopted by a voice vote.

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

On the question, "Shall the bill pass?" (S.F. 424), the vote was:

Ayes, 50:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Sexton
Shearer	Soukup	Szymoniak	Tinsman
Veenstra	Zieman		

Nays, none.

Absent or not voting, 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 Iverson asked and received unanimous consent that Senate Files 101, 194, 282, 309, 316, 337, 352, 424 and 430 be immediately messaged to the House.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 59, Senator Iverson called up the following eligible appointees on the En Bloc Confirmation Calendar:

Dr. Timothy A. Gibbons, Athletic Trainer Advisory Board

Carolyn D. Olson-Illg, Iowa Empowerment Board

Joseph B. Ryan, Health Facilities Council

Sister Helen M. Huewe, Healthy and Well Kids in Iowa (HAWK-I) Board

Rose A. Vasquez, Director of the Department of Human Rights

Robert G. Buchanan, Board of Examiners for Massage Therapy

Janet A. Gentle, Board of Examiners for Massage Therapy

Dr. Don C. Van Dyke, Prevention of Disabilities Policy Council

Dr. Jacob O. Sines, Board of Psychology Examiners

Jennifer L. Oman, Board of Social Work Examiners

Christine A. Hunziker, Title Guaranty Division Board

Senator Iverson moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 50:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Sexton
Shearer	Soukup	Szymoniak	Tinsman
Veenstra	Zieman		

Nays, none.

Absent or not voting, none.

The appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

CONSIDERATION OF BILL (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 300.

Senate File 300

On motion of Senator Boettger, **Senate File 300**, a bill for an act relating to health care facility enforcement procedures, was taken up for consideration.

Senator Boettger offered amendment S-3077 filed by her from the floor to page 2 of the bill and moved its adoption.

Amendment S-3077 was adopted by a voice vote.

Senator Boettger offered amendment S-3072 filed by her from the floor to page 3 of the bill and moved its adoption.

Amendment S-3072 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 300), the vote was:

Ayes, 50:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Sexton
Shearer	Soukup	Szymoniak	Tinsman
Veenstra	Zieman		

Nays, none.

Absent or not voting, none.

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

Senator Iverson asked and received unanimous consent that **Senate File 300** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 16, 1999, passed the following bills in which the **concurrence** of the **Senate** is asked:

House File 339, a bill for an act extending the deadline for closing agricultural drainage wells and making penalties applicable.

Read first time and referred to committee on **Agriculture**.

House File 458, a bill for an act relating to the role of an auctioneer in conducting a public sale or auction involving real property.

Read first time and referred to committee on **Commerce**.

House File 475, a bill for an act concerning non-substantive gender-related provisions in the Code.

Read first time and referred to committee on **State Government**.

House File 498, a bill for an act defining as a fraudulent practice certain creation or use of retail sales receipts or universal price code labels, and applying penalties.

Read first time and referred to committee on **Judiciary**.

House File 570, a bill for an act relating to the Iowa turkey marketing council, by providing procedures for the administration of the council, a producer assessment, refunds, and for the expenditure of moneys by the council, and providing an effective date.

Read first time and referred to committee on **Agriculture**.

House File 607, a bill for an act relating to the number of monthly state aid payments received by school districts.

Read first time and referred to committee on **Education**.

House File 633, a bill for an act restricting the awarding of child visitation rights to a parent convicted of murder in the first degree of the other parent.

Read first time and referred to committee on **Human Resources**.

House File 648, a bill for an act relating to the exclusion of certain real estate transactions involving a power of attorney from state licensure and regulation.

Read first time and referred to committee on **Commerce**.

INTRODUCTION OF BILLS

Senate File 451, by committee on Judiciary, a bill for an act relating to the payment of the legal defense costs of indigent persons, expanding the duties of the state public defender, and providing for the appointment and removal of certain state public defender personnel.

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

Senate File 452, by committee on Agriculture, a bill for an act relating to remediation of agrichemical sites, and providing fees.

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

Senate File 453, by committee on Agriculture, a bill for an act relating to the Iowa egg council by providing for its administration and membership, and providing an effective date.

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

Senate File 454, by Miller, a bill for an act relating to raising the maximum value of nonmonetary items that may be received by public

officials and public employees from restricted donors during a calendar day.

Read first time and referred to committee on **State Government**.

RECESS

On motion of Senator Iverson, the Senate recessed at 10:42 a.m., until 1:00 p.m.

APPENDIX

REPORT OF COMMITTEE MEETING

COMMERCE

Convened: March 9, 1999, 4:00 p.m.

Members Present: Jensen, Chair; Maddox, Vice Chair; Deluhery, Ranking Member; Bolkcom, Flynn, Gronstal, Hansen, Johnson, King, Lamberti, Lundby, McCoy, Redfern, Redwine, and Schuerer.

Members Absent: None.

Committee Business: Presentation by the Iowa Utility Board.

Adjourned: 5:15 p.m.

EXPLANATIONS OF VOTES

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on March 15, 1999, when the votes were taken on Senate Concurrent Resolutions 5 and 6. Had I been present, I would have voted "Aye." I was also necessarily absent from the Senate chamber on March 15, 1999, when the votes were taken on Senate Files 210, 263, 265, 281, 287, 294, 303, 313, 314, 335, and 366. Had I been present, I would have voted "Aye."

MERLIN E. BARTZ

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on March 15, 1999, when the votes were taken on Senate Concurrent Resolutions 5 and 6. Had I been present, I would have voted "Aye." I was also necessarily absent from the Senate chamber on March 15, 1999, when the votes were taken on Senate Files 210, 263, 265, 281, 287, 294, 303, 313, 314, 335, and 366. Had I been present, I would have voted "Aye."

NEAL SCHUERER

SUBCOMMITTEE ASSIGNMENTS

Senate File 293
(Reassignment)

LOCAL GOVERNMENT: McKean, Chair; Angelo, Bartz, Bolkcom and Fraise

Senate File 328
(Reassignment)

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM: Veenstra, Chair; Hansen and Ziemann

Senate File 375

JUDICIARY: Boettger, Chair; McCoy and Miller

Senate File 380

NATURAL RESOURCES AND ENVIRONMENT: Black, Chair; Bartz and King

Senate File 384

JUDICIARY: Maddox, Chair; Angelo and Fraise

Senate File 389

JUDICIARY: Lamberti, Chair; Hansen and McKean

Senate File 390

JUDICIARY: Maddox, Chair; Fraise and McKibben

Senate File 400

WAYS AND MEANS: Bartz, Chair; Flynn and Johnson

Senate File 411

WAYS AND MEANS: McKibben, Chair; Flynn, Harper, Lamberti, and McLaren

House File 442

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Deluhery and Drake

SSB 1207

WAYS AND MEANS: Lamberti, Chair; Drake and Flynn

COMMITTEE REPORTS**AGRICULTURE**

Final Bill Action: *SENATE FILE 452 (Formerly SF 299), a bill for an act relating to remediation of agrichemical sites, and providing fees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Gaskill, Miller, Fraise, Angelo, Bartz, Behn, Black, Hedge, Judge, Kibbie, Sexton, Shearer, Soukup, Veenstra, and Ziemann. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Agriculture Committee on Senate File 452, and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 453 (SSB 1184), a bill for an act relating to the Iowa egg council by providing for its administration and membership, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Gaskill, Miller, Fraise, Angelo, Bartz, Behn, Black, Hedge, Judge, Kibbie, Sexton, Shearer, Soukup, Veenstra, and Zieman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Agriculture Committee on Senate File 453, and they were attached to the committee report.

JUDICIARY

Final Bill Action: *SENATE FILE 451 (SSB 1194), a bill for an act relating to the payment of the legal defense costs of indigent persons, expanding the duties of the state public defender, and providing for the appointment and removal of certain state public defender personnel.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: McKean, Lamberti, Hansen, Angelo, Boettger, Dvorsky, Fraise, Hammond, Horn, Maddox, McCoy, McKibben, Miller, and Tinsman. Nays, none. Absent or not voting, 1: Redfern.

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 451, and they were attached to the committee report.

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 316, the following correction was made:

1. Page 2, line 10, the word and number "Section 3" were changed to the word and number "Section 4".

Michael E. Marshall
Secretary of the Senate

AMENDMENTS FILED

S-3071	S.F. 101	Andy McKean
S-3072	S.F. 300	Nancy Boettger
S-3073	S.F. 430	Patricia Harper
		Donald B. Redfern
S-3074	S.F. 316	Sheldon Rittmer
		Dennis Black
		Mary Kramer
S-3075	S.F. 424	Mary Lou Freeman
S-3076	S.F. 339	John P. Kibbie
S-3077	S.F. 300	Nancy Boettger
S-3078	S.F. 249	John W. Jensen
		Patrick J. Deluhery

AFTERNOON SESSION

The Senate reconvened at 1:15 p.m., President Kramer presiding.

QUORUM CALL

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

The vote revealed 41 present, 9 absent, and a quorum present.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Fink until he arrives, on request of Senator Gronstal; Senator Veenstra until he arrives, on request of Senator Hedge; Senator Deluhery for the remainder of the day, on request of Senator Connolly.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 231.

Senate File 231

On motion of Senator McKibben, **Senate File 231**, a bill for an act providing a sales and use tax exemption for hospices, was taken up for consideration.

Senator McKibben moved that the bill be read the last time now and placed upon its passage, 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, 47:

Angelo
Boettger
Drake
Freeman

Bartz
Bolkcom
Dvorsky
Gaskill

Behn
Connolly
Flynn
Gronstal

Black
Dearden
Fraise
Hammond

Hansen	Harper	Hedge	Horn
Iverson	Jensen	Johnson	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Shearer	Soukup
Szymoniak	Tinsman	Zieman	

Nays, none.

Absent or not voting, 3:

Deluhery Fink Veenstra

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

PRESENTATION OF VISITORS

The chair welcomed fifth grade students from Jensen Elementary, Urbandale, Iowa, who were present in the balcony. Senator Maddox.

INTRODUCTION OF GUESTS

The chair welcomed Collin Smith and Tyler Kytola from Western Hills Elementary School, West Des Moines, Iowa.

CONSIDERATION OF BILL (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 187.

Senate File 187

On motion of Senator Freeman, **Senate File 187**, a bill for an act relating to the operation, regulation, and equipment of watercraft, establishing watercraft safety courses, and subjecting violators to a penalty, and providing an effective date, was taken up for consideration.

Senator Freeman moved that the bill be read the last time now and placed upon its passage, 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:

Angelo	Bartz	Black	Boettger
Bolkcom	Connolly	Dearden	Drake
Dvorsky	Flynn	Fraise	Freeman
Gaskill	Gronstal	Hammond	Hansen
Harper	Hedge	Horn	Iverson
Jensen	Johnson	Judge	Kibbie
Kramer	Lamberti	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Miller	Redfern	Rehberg	Rittmer
Sexton	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, 5:

Behn	King	Redwine	Rife
Schuerer			

Absent or not voting, 2:

Deluhery	Fink
----------	------

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

PRESENTATION OF VISITORS

The chair welcomed, at the request of Senator Johnson, the fifth grade class from Van Meter, Iowa, accompanied by Mr. Merrill and Mrs. Garvey, who were present in the balcony.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 376, 426 and 368.

Senate File 376

On motion of Senator Szymoniak, **Senate File 376**, a bill for an act relating to the supervision of the office of state medical examiner, was taken up for consideration.

Senator Szymoniak offered amendment S-3070 filed by her on March 15, 1999, to page 5 and to the title page of the bill and moved its adoption.

Amendment S-3070 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. 376), the vote was:

Ayes, 39:

Bartz	Behn	Black	Boettger
Bolkcom	Dearden	Dvorsky	Fraise
Freeman	Gaskill	Gronstal	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rittmer	Schuerer
Sexton	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, 9:

Angelo	Connolly	Drake	Flynn
Johnson	Judge	McCoy	McKean
Rife			

Absent or not voting, 2:

Deluhery	Fink
----------	------

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

Senate File 426

On motion of Senator Shearer, **Senate File 426**, a bill for an act relating to linked investment deposits by providing a low-interest loan program to assist persons involved in value-added agricultural processing, was taken up for consideration.

Senator Shearer asked and received unanimous consent that action on **Senate File 426** be deferred.

Senate File 368

On motion of Senator King, **Senate File 368**, a bill for an act relating to the designation of endangered and threatened species of fish, plants, or wildlife and providing civil and criminal penalties for illegal acts affecting endangered or threatened species of fish, plants, or wildlife, was taken up for consideration.

Senator King offered amendment S-3081 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S-3081 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 368), the vote was:

Ayes, 41:

Angelo	Bartz	Behn	Boettger
Connolly	Dearden	Drake	Flynn
Fraise	Freeman	Gaskill	Hansen
Harper	Hedge	Horn	Iverson
Jensen	Johnson	Judge	Kibbie
King	Kramer	Lamberti	Maddox
McCoy	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Sexton
Shearer	Soukup	Szymoniak	Tinsman
Veenstra			

Nays, 7:

Black
Gronstal

Bolkcom
Hammond

Dvorsky
Lundby

Fink

Absent or not voting, 2:

Deluhery

Zieman

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that Senate Files 187, 231, 368 and 376 be immediately messaged to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 367.

Senate File 367

On motion of Senator Maddox, **Senate File 367**, a bill for an act adopting the Uniform Child Custody Jurisdiction and Enforcement Act, was taken up for consideration.

Senator Maddox offered amendment S-3059 filed by him on March 15, 1999, to pages 8 and 14-16 of the bill and moved its adoption.

Amendment S-3059 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 367), the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Sexton	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

Deluhery

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

UNFINISHED BUSINESS (Deferred March 15, 1999)

Senate File 339

The Senate resumed consideration of **Senate File 339**, a bill for an act providing for directional signs for historic sites listed on the national register of historic places, deferred March 15, 1999.

Senator Flynn offered amendment S-3067 filed by him on March 15, 1999, to page 1 and to the title page of the bill.

Senator Drake raised the point of order that amendment S-3067 was not germane to the bill.

The Chair ruled the point well taken and amendment S-3067 out of order.

Senator Kibbie offered amendment S-3076 filed by him from the floor to pages 1, 2 and to the title page of the bill and moved its adoption.

Amendment S-3076 was adopted by a voice vote.

Senator Connolly offered amendment S-3066 filed by him on March 15, 1999, to page 3 and to the title page of the bill and moved its adoption.

Amendment S-3066 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. 339), the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Sexton	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

Deluhery

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

CONSIDERATION OF BILL (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 298.

Senate File 298

On motion of Senator King, **Senate File 298**, a bill for an act relating to the liability of volunteer fire departments for penalties for occupational safety and health violations, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 298), the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gaskill	Gronstal	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Johnson	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Shearer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, 1:

Dearden

Absent or not voting, 1:

Deluhery

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 298, 339 and 367** be **immediately messaged** to the House.

BILLS REFERRED TO COMMITTEE

Senator Iverson asked and received unanimous consent that **Senate Files 425 and 447** be **referred from the Regular Calendar** to the committee on **Ways and Means** and **Senate File 442** be **referred from the Regular Calendar** to the committee on **Appropriations**.

HOUSE MESSAGES RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 16, 1999, passed the following bills in which the **concurrence of the Senate** is asked:

House File 199, a bill for an act relating to the taxation of certain sales of aircraft under the state sales, services, and use taxes.

Read first time and referred to committee on **Ways and Means**.

House File 414, a bill for an act relating to carrying a gun in or on a vehicle on a public highway.

Read first time and referred to committee on **Judiciary**.

House File 518, a bill for an act relating to the fire safety provisions applicable to a bed and breakfast inn.

Read first time and referred to committee on **State Government**.

House File 636, a bill for an act relating to review and oversight of actions of the United States environmental protection agency.

Read first time and referred to committee on **Natural Resources and Environment.**

INTRODUCTION OF RESOLUTIONS

Senate Resolution 7, by Dearden, a resolution honoring Major General Warren G. Lawson, recommending Major General Warren G. Lawson for the Iowa Medal of Valor, and designating a Major General Warren G. Lawson Day.

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

Senate Resolution 8, by Szymoniak, Connolly and Hammond, a resolution to amend the Senate Code of Ethics.

Read first time and referred to committee on **State Government.**

Senate Concurrent Resolution 11, by Iverson, Gronstal and Kramer, a concurrent resolution requesting the United States Congress to prevent the federal government from attempting to recoup Medicaid payments from the state tobacco litigation settlement agreement moneys, and to allow the states to keep all settlement moneys, without offset.

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

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Andrea Austin, Tilford Middle School – For being a winner in the “Write Women Back Into History” 1999 Essay Contest. Senator Schuerer. (03/16/99).

Tanya Bailey, Shenandoah – For being named “Critic’s Choice” and Top Performer in group improvisation at the Iowa High School Speech Association All State Large Group Festival. Senator Angelo (03/16/99).

Phil Burmeister, Superintendent, Mount Ayr Community School District – For receiving the 1999 Magna Award for Outstanding Programs to Advance Student Learning. Senator Angelo (03/16/99).

Autumn Huinker, Parnell Elementary – For being a winner in the “Write Women Back Into History” 1999 Essay Contest. Senator Schuerer (03/16/99).

Chuck Martin, Shenandoah – For being named “Critic’s Choice” and Top Performer in group improvisation at the Iowa High School Speech Association All State Large Group Festival. Senator Angelo (03/16/99).

Mike Oatman, Boone – For achieving the rank of Eagle Scout. Senator Behn (03/16/99).

Matt Wartick, Dubuque – For achieving the rank of Eagle Scout. Senator Connolly (03/16/99).

STUDY BILL RECEIVED

SSB 1207 Ways and Means

Relating to the taxation of certain communications services providers by exempting from the state sales and use taxes certain equipment used in transmitting telecommunications services and exempting from property tax certain fiber optic and copper cable of telephone companies.

SUBCOMMITTEE ASSIGNMENTS

Senate File 425

WAYS AND MEANS: Redwine, Chair; Flynn and Johnson

AMENDMENTS FILED

S-3079	S.F. 441	Donald B. Redfern
S-3080	S.F. 285	JoAnn Johnson
S-3081	S.F. 368	Steve King

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 3:23 p.m., until 9:00 a.m., Wednesday, March 17, 1999.

JOURNAL OF THE SENATE

SIXTY-SIXTH CALENDAR DAY
THIRTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 17, 1999

The Senate met in regular session at 9:08 a.m., President Kramer presiding.

Prayer was offered by Father Eugene Murray of the Holy Family Parish, Emmetsburg, Iowa.

The Journal of Tuesday, March 16, 1999, was approved.

SPECIAL GUESTS

Senator Kibbie introduced the Honorable Batt O'Keefe, County Cork Chairman of the Joint Committee on Health and Children. Chairman O'Keefe is a lecturer at Cork Institute of Technology and Cork Regional Technical Community. He addressed the Senate with remarks about his country's growing economy and the Irish peace agreement. Chairman O'Keefe was accompanied by his wife, Mary.

Senator Kibbie introduced 1999 Miss Shamrock, Catherine Nelson, daughter of Mr. and Mrs. R. David Nelson, Ruthven, Iowa.

Irish Dancers were present in the balcony.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Deluhery for the day, on request of Senator Gronstal.

RECESS

On motion of Senator Iverson, the Senate recessed at 9:48 a.m.

RECONVENED

The Senate reconvened at 10:45 a.m., President Kramer presiding.

BILL REFERRED TO COMMITTEE

Senator Iverson asked and received unanimous consent that **Senate Resolution 8** be referred from the committee on **State Government** to the committee on **Ethics**.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 429 and 449.

Senate File 429

On motion of Senator Lamberti, **Senate File 429**, a bill for an act relating to notification of forfeited and cancelled mechanic's liens, challenging a mechanic's lien, and providing a remedy, was taken up for consideration.

Senator Lamberti moved that the bill be read the last time now and placed upon its passage, 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:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller

Redfern
Rittmer
Soukup
Zieman

Redwine
Schuerer
Szymoniak

Rehberg
Sexton
Tinsman

Rife
Shearer
Veenstra

Nays, none.

Absent or not voting, 1:

Deluhery

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

Senate File 449

On motion of Senator Boettger, **Senate File 449**, a bill for an act relating to public policy involving the use of the English language and assistance to legal immigrants and foreign nationals and providing a future repeal, was taken up for consideration.

Senator Iverson asked and received unanimous consent that action on **Senate File 449** be **deferred**.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 398, 280 and 412.

Senate File 398

On motion of Drake, **Senate File 398**, a bill for an act relating to the requirements for issuance of intermediate driver's licenses and full driver's licenses, 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. 398), the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Sexton	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

Deluhery

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

Senate File 280

On motion of Senator Flynn, **Senate File 280**, a bill for an act providing for investments by banks and certain insurance companies in Iowa agricultural industry finance corporations, was taken up for consideration.

Senator Flynn offered amendment S-3084 filed by him from the floor to page 1 and to the title page of the bill and moved its adoption.

Amendment S-3084 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 280), the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Sexton	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

Deluhery

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

On motion of Senator Sexton, **Senate File 412**, a bill for an act relating to the establishment of a country schools historical resource preservation grant program to be administered by the historical division of the department of cultural affairs and providing for an appropriation for the program, was taken up for consideration.

Senator Freeman took the chair at 11:17 a.m.

President Kramer took the chair at 11:19 a.m.

Senator Sexton moved that the bill be read the last time now and placed upon its passage, 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, 48:

Angelo	Bartz	Behn	Black
Bolkcom	Connolly	Dearden	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gaskill	Gronstal	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Johnson	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Shearer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, none.

Present, 1:

Boettger

Absent or not voting, 1:

Deluhery

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that Senate Files 280, 398, 412 and 429 be immediately messaged to the House.

HOUSE MESSAGES RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 17, 1999, passed the following bills in which the concurrence of the Senate is asked:

House File 584, a bill for an act relating to the uniform principal and income Act and providing for its applicability.

Read first time and referred to committee on **Judiciary**.

House File 588, a bill for an act prohibiting unauthorized changes in telecommunications service, prohibiting certain acts in the advertisement or solicitation of changes in telecommunications service, and providing remedies and penalties.

Read first time and attached to companion **Senate File 336**.

House File 656, a bill for an act relating to the office of secretary of state and the conduct of elections and voter registration in the state and relating to corrective and technical changes to Iowa's election laws.

Read first time and referred to committee on **State Government**.

House File 658, a bill for an act relating to the time of possession of deer venison, increasing the minimum fine for unlawful taking, possessing, injuring, or transporting protected species and game, and subjecting violators to a penalty.

Read first time and referred to committee on **Natural Resources and Environment**.

House File 659, a bill for an act establishing the crime of identity theft and providing penalties.

Read first time and referred to committee on **Judiciary**.

RECESS

On motion of Senator Iverson, the Senate recessed at 11:26 a.m., until 2:30 p.m.

APPENDIX**CERTIFICATE OF RECOGNITION**

The Secretary of the Senate issued the following certificate of recognition:

Sr. Trooper Ron Reid, Indianola -- For your dedicated service as a State Trooper for 33 years. Senator Fink (03/16/99).

SUBCOMMITTEE ASSIGNMENTS**Senate Joint Resolution 9**

STATE GOVERNMENT: Rittmer, Chair; Deluhery and Lamberti

Senate File 120

APPROPRIATIONS: Kramer, Chair; Black and Rife

Senate File 341

AGRICULTURE: Fraise, Chair; Bartz and Sexton

Senate File 342

STATE GOVERNMENT: McLaren, Chair; Lamberti and Szymoniak

Senate File 353

APPROPRIATIONS: Freeman, Chair; Connolly and Johnson

Senate File 370

STATE GOVERNMENT: Rittmer, Chair; Fink and Lamberti

Senate File 372

STATE GOVERNMENT: Rittmer, Chair; Dearden and McLaren

Senate File 378

STATE GOVERNMENT: Drake, Chair; Deluhery and King

Senate File 381

AGRICULTURE: Behn, Chair; Angelo and Soukup

Senate File 442

APPROPRIATIONS: Freeman, Chair; McCoy and McLaren

Senate File 450

JUDICIARY: Lamberti, Chair; Hammond and Miller

Senate File 454

STATE GOVERNMENT: King, Chair; Kibbie and Lamberti

House File 293

AGRICULTURE: Miller, Chair; Kibbie and Veenstra

House File 313

JUDICIARY: Lamberti, Chair; Hammond and Maddox

House File 339

AGRICULTURE: Sexton, Chair; Hedge and Soukup

House File 378

STATE GOVERNMENT: Lamberti, Chair; Fink and Sexton

House File 386

JUDICIARY: Maddox, Chair; Angelo and Dvorsky

House File 387

JUDICIARY: Redfern, Chair; McCoy and McKibben

House File 395

JUDICIARY: McKean, Chair; McCoy and McKibben

House File 403

JUDICIARY: Dvorsky, Chair; Maddox and Tinsman

House File 412

AGRICULTURE: Behn, Chair; Judge and Zieman

House File 414

JUDICIARY: Angelo, Chair; Hammond and Maddox

House File 417

STATE GOVERNMENT: Sexton, Chair; Drake and Fink

House File 445

COMMERCE: Hansen, Chair; Lundby and Schuerer

House File 458

COMMERCE: Jensen, Chair; Bolkcom and King

House File 475

STATE GOVERNMENT: Lundby, Chair; Sexton and Szymoniak

House File 498

JUDICIARY: Tinsman, Chair; Hansen and Redfern

House File 518

STATE GOVERNMENT: Fink, Chair; King and Schuerer

House File 570

AGRICULTURE: Angelo, Chair; Bartz and Fraise

House File 573

JUDICIARY: Lamberti, Chair; Hansen and Maddox

House File 648

COMMERCE: Lamberti, Chair; Maddox and McCoy

AMENDMENTS FILED

S-3082	S.F. 306	Maggie Tinsman Nancy Boettger Elaine Szymoniak Johnie Hammond
S-3083	S.F. 291	Richard F. Drake
S-3084	S.F. 280	Tom Flynn
S-3085	S.F. 449	Bill Fink Michael E. Gronstal Mark Shearer

S-3086	S.F. 449	Mark Shearer Bill Fink Michael E. Grongstal
S-3087	S.F. 449	Mark Shearer
S-3088	S.F. 449	Mark Shearer
S-3089	S.F. 449	Mark Shearer
S-3090	S.F. 449	Mark Shearer
S-3091	S.F. 449	Joe Bolkcom Robert E. Dvorsky
S-3092	S.F. 449	Robert E. Dvorsky Betty Soukup Tom Flynn Mark Shearer
S-3093	S.F. 449	Patricia Harper Matt McCoy Mike Connolly Bill Fink

AFTERNOON SESSION

The Senate reconvened at 2:47 p.m., Senator Maddox presiding.

QUORUM CALL

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

President Kramer took the chair at 2:53 p.m.

The vote revealed 38 present, 12 absent, and a quorum present.

BUSINESS PENDING

Senate File 449

The Senate resumed consideration of **Senate File 449**, a bill for an act relating to public policy involving the use of the English language and assistance to legal immigrants and foreign nationals and providing a future repeal, previously deferred.

Senator Flynn asked and received unanimous consent to withdraw amendment S-3092 filed by Senators Dvorsky, et al., from the floor to page 1 and to the title page of the bill.

Senator Flynn offered amendment S-3098 filed by Senators Dvorsky, et al., from the floor, to page 1 and to the title page of the bill, moved its adoption, and requested a record roll call.

On the question "Shall amendment S-3098 be adopted?" (S.F. 449), the vote was:

Ayes, 19:

Black
Dvorsky
Gronstal
Horn
Rife

Bolkcom
Fink
Hammond
Judge
Shearer

Connolly
Flynn
Hansen
Kibbie
Soukup

Dearden
Fraise
Harper
McCoy

Nays, 30:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Jensen	Johnson	King
Kramer	Lamberti	Lundby	Maddox
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rittmer
Schuerer	Sexton	Szymoniak	Tinsman
Veenstra	Zieman		

Absent or not voting, 1:

Deluhery

Amendment S-3098 lost.

Senator Fink offered amendment S-3085 filed by Senators Fink, Gronstal and Shearer from the floor, to page 1 and to the title page of the bill, moved its adoption, and requested a record roll call.

On the question "Shall amendment S-3085 be adopted?" (S.F. 449), the vote was:

Ayes, 19:

Black	Bolkcom	Connolly	Dearden
Dvorsky	Fink	Flynn	Fraise
Gronstal	Hammond	Hansen	Harper
Horn	Judge	Kibbie	McCoy
Rife	Shearer	Soukup	

Nays, 30:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Jensen	Johnson	King
Kramer	Lamberti	Lundby	Maddox
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rittmer
Schuerer	Sexton	Szymoniak	Tinsman
Veenstra	Zieman		

Absent or not voting, 1:

Deluhery

Amendment S-3085 lost.

Senator Shearer offered amendment S-3086 filed by Senators Shearer, Fink and Gronstal from the floor, to page 1 of the bill, moved its adoption, and requested a record roll call.

On the question "Shall amendment S-3086 be adopted?" (S.F. 449), the vote was:

Ayes, 19:

Black	Bolkcom	Connolly	Dearden
Dvorsky	Fink	Flynn	Fraise
Gronstal	Hammond	Hansen	Harper
Horn	Judge	Kibbie	McCoy
Shearer	Soukup	Szymoniak	

Nays, 29:

Angelo	Bartz	Behn	Boettger
Freeman	Gaskill	Hedge	Iverson
Jensen	Johnson	King	Kramer
Lamberti	Lundby	Maddox	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Tinsman	Veenstra
Zieman			

Absent or not voting, 2:

Deluhery	Drake
----------	-------

Amendment S-3086 lost.

Senator Shearer asked and received unanimous consent to withdraw amendment S-3087 filed by him from the floor, to page 1 of the bill; amendment S-3088 filed by him from the floor, to page 1 of the bill; amendment S-3089 filed by him from the floor, to page 1 of the bill; and amendment S-3090 filed by him from the floor, to page 1 of the bill.

Senator Boettger offered amendment S-3097 filed by her from the floor, to page 1 of the bill and moved its adoption.

Amendment S-3097 was adopted by a voice vote.

Senator Bolkcom offered amendment S-3091 filed by Senators Bolkcom and Dvorsky from the floor, to page 2 of the bill, moved its adoption, and requested a record roll call.

On the question "Shall amendment S-3091 be adopted?" (S.F. 449), the vote was:

Ayes, 18:

Black	Bolkcom	Connolly	Dearden
Dvorsky	Fink	Flynn	Fraise
Gronstal	Hammond	Hansen	Harper
Horn	Judge	Kibbie	McCoy
Shearer	Soukup		

Nays, 28:

Angelo	Bartz	Behn	Boettger
Freeman	Gaskill	Hedge	Iverson
Jensen	Johnson	King	Kramer
Lamberti	Lundby	McKean	McKibben
McLaren	Miller	Redfern	Redwine
Rehberg	Rittmer	Schuerer	Sexton
Szymoniak	Tinsman	Veenstra	Zieman

Absent or not voting, 4:

Deluhery	Drake	Maddox	Rife
----------	-------	--------	------

Amendment S-3091 lost.

Senator Harper offered amendment S-3093 filed by Senators Harper, et al., from the floor, to page 2 of the bill.

Senator Boettger raised the point of order that amendment S-3093 was not germane to the bill.

The Chair ruled the point well taken and amendment S-3093 out of order.

Senator Iverson asked and received unanimous consent that action on Senate File 449 be deferred.

RECESS

On motion of Senator Iverson, the Senate recessed at 4:20 p.m.

RECONVENED

The Senate reconvened at 5:12 p.m., Senator Bartz presiding.

BUSINESS PENDING

Senate File 449

The Senate resumed consideration of **Senate File 449**, a bill for an act relating to public policy involving the use of the English language and assistance to legal immigrants and foreign nationals and providing a future repeal, previously deferred.

President Kramer took the chair at 5:34 p.m.

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

On the question "Shall the bill pass?" (S.F. 449), the vote was:

Ayes, 32:

Angelo	Bartz	Behn	Boettger
Drake	Flynn	Freeman	Gaskill
Hansen	Hedge	Iverson	Jensen
Johnson	Judge	King	Kramer
Lamberti	Lundby	Maddox	McKean
McKibben	Miller	Redfern	Redwine
Rehberg	Rittmer	Schuerer	Sexton
Szymoniak	Tinsman	Veenstra	Zieman

Nays, 16:

Black	Bolkcom	Connolly	Dearden
Dvorsky	Fink	Fraise	Gronstal
Hammond	Harper	Horn	Kibbie
McCoy	Rife	Shearer	Soukup

Absent or not voting, 2:

Deluhery	McLaren
----------	---------

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

HOUSE MESSAGES RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 17, 1999, passed the following bills in which the concurrence of the Senate is asked:

House File 308, a bill for an act relating to peace officer status for investigators of the department of inspections and appeals.

Read first time and referred to committee on **Judiciary**.

House File 461, a bill for an act relating to filing of a notice of an assignment of a mortgage and providing an effective and applicability date.

Read first time and referred to committee on **Commerce**.

House File 489, a bill for an act eliminating certain requirements relating to the regulation of infectious waste.

Read first time and referred to committee on **Natural Resources and Environment**.

House File 651, a bill for an act relating to implements of husbandry and restrictions on the movement of such implements, and other vehicles, upon the highways of this state and making penalties applicable.

Read first time and referred to committee on **Transportation**.

INTRODUCTION OF BILLS

Senate File 455, by Bartz, a bill for an act relating to the production and marketing of agricultural commodities and products and providing penalties.

Read first time and referred to committee on **Agriculture**.

Senate File 456, by committee on Ways and Means, a bill for an act relating to the exemption of the sales of ski lift passes from the state sales and use taxes and including an effective date.

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

Senate File 457, by committee on Ways and Means, a bill for an act relating to the Iowa educational savings plan trust, and including an effective date and retroactive applicability provision.

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

Senate File 458, by committee on Ways and Means, a bill for an act relating to information required to be placed on property tax statements.

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

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 12, by Rife, Fink, McLaren, McKibben, Redwine, Boettger, Behn, Sexton, Gaskill, Bolkcom, Harper, Soukup, Hammond, Dvorsky, Dearden, Hedge, Angelo, Maddox, Judge, Jensen, Bartz, Johnson, Drake, Tinsman, McKean, Rittmer, King, Shearer, Szymoniak, Freeman, Miller, Black, Horn, Kramer, Zieman, Fraise, Lamberti, Gronstal, Iverson, Schuerer, Connolly, Kibbie, Rehberg, and Veenstra, a concurrent resolution urging that Iowa State University of Science and Technology retain the name of its College of Agriculture.

Read first time and referred to committee on **Education**.

Senate Concurrent Resolution 13, by Harper and Redfern, a resolution urging the Governor to appoint a commission to develop design proposals for Iowa's participation in the United States Mint's 50 state quarters program.

Read first time and referred to committee on **State Government**.

MOTIONS TO RECONSIDER WITHDRAWN

The following motions to reconsider filed from the floor were withdrawn:

Madam President: I move to reconsider the vote by which Senate File 449 passed the Senate on March 17, 1999.

STEVEN D. HANSEN

Madam President: I move to reconsider the vote by which Senate File 449 passed the Senate on March 17, 1999.

NANCY BOETTGER

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that Senate File 449 be immediately messaged to the House.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: March 16, 1999, 12:00 p.m.

Members Present: Schuerer, Chair; Boettger, Vice Chair; Soukup, Ranking Member; Judge and Lamberti.

Members Absent: None.

Committee Business: Voted on committee bill.

Recessed: 1:02 p.m.

Reconvened: March 16, 1999, 5:20 p.m.

Adjourned: 6:20 p.m.

JUDICIARY

Convened: March 17, 1999, 2:05 p.m.

Members Present: McKean, Chair; Lamberti, Vice Chair; Hansen, Ranking Member; Angelo, Boettger, Dvorsky, Fraise, Hammond, Horn, McCoy, McKibben, Miller, and Tinsman.

Members Absent: Maddox and Redfern (both excused).

Committee Business: Subcommittee assignments. Passed HF's 182 and 296.

Adjourned: 2:13 p.m.

LOCAL GOVERNMENT

Convened: March 17, 1999, 11:45 a.m.

Members Present: Angelo, Chair; Bartz, Vice Chair; Bolckcom, Ranking Member; Hammond, Judge, McKean, McKibben, Miller, Rife, and Zieman.

Members Absent: Fraise, Gaskill, and McCoy (all excused).

Committee Business: Subcommittee assignments.

Adjourned: 11:48 a.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: March 17, 1999, 11:30 a.m.

Members Present: Bartz, Chair; King, Vice Chair; Fink, Ranking Member; Black, Bolkom, Dearden, Freeman, Gaskill, Johnson, Kibbie, Miller, Rehberg, and Rife.

Members Absent: Deluhery and Drake (both excused).

Committee Business: Passed HF 442.

Adjourned: 11:35 a.m.

STATE GOVERNMENT

Convened: March 17, 1999, 11:40 a.m.

Members Present: Rittmer, Chair; Lamberti, Vice Chair; Kibbie, Ranking Member; Connolly, Dearden, Drake, Fink, Lundby, Maddox, McLaren, Schuerer, Sexton, and Szymoniak.

Members Absent: Deluhery and King (both excused).

Committee Business: Passed HF 281. Subcommittee assignments. Passed HF 224, as amended.

Adjourned: 11:55 a.m.

WAYS AND MEANS

Convened: March 17, 1999, 1:06 p.m.

Members Present: Johnson, Chair; McKibben, Vice Chair; Harper, Ranking Member; Bartz, Bolkom, Connolly, Drake, Flynn, Hedge, Lamberti, Maddox, McLaren, Redwine, and Soukup.

Members Absent: Deluhery (excused).

Committee Business: Approved SSB 1182. Passed SFs 119 and 296. Passed SF 425, as amended.

Recessed: 1:38 p.m.

Reconvened: March 17, 1999, 2:23 p.m.

Adjourned: 2:28 p.m.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Helen J. Crosman, Ogden -- For celebrating your 100th birthday. Senator Behn (07/03/99).

Tony Steen, Clinton – For achieving the rank of Eagle Scout. Senator Rittmer (03/17/99).

SUBCOMMITTEE ASSIGNMENT

House File 636

NATURAL RESOURCES AND ENVIRONMENT: Rehberg, Chair; Drake and Kibbie

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: HOUSE FILE 182, a bill for an act expanding the criminal code definition of serious injury to include certain injuries to children.

Recommendation: DO PASS.

Final Vote: Ayes, 13: McKean, Lamberti, Hansen, Angelo, Boettger, Dvorsky, Fraise, Hammond, Horn, McCoy, McKibben, Miller, and Tinsman. Nays, none. Absent or not voting, 2: Maddox and Redfern.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 296, a bill for an act to restrict the posting of bond for the offense of felony stalking.

Recommendation: DO PASS.

Final Vote: Ayes, 13: McKean, Lamberti, Hansen, Angelo, Boettger, Dvorsky, Fraise, Hammond, Horn, McCoy, McKibben, Miller, and Tinsman. Nays, none. Absent or not voting, 2: Maddox and Redfern.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Final Bill Action: HOUSE FILE 442, a bill for an act relating to payments from the remedial account of the Iowa comprehensive petroleum underground storage tank fund to governmental subdivisions for costs of corrective actions taken due to certain releases from underground storage tanks and allowing the Iowa comprehensive petroleum underground storage tank fund board to seek reimbursement from responsible parties for expenses incurred by governmental subdivisions for costs of corrective actions taken due to certain releases from underground storage tanks.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Bartz, King, Fink, Black, Bolcom, Dearden, Freeman, Gaskill, Johnson, Kibbie, Miller, Rehberg, and Rife. Nays, none. Absent or not voting, 2: Deluhery and Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 224, a bill for an act relating to qualifications of commissioners for a city, county, or joint memorial hospital.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3096.

Final Vote: Ayes, 13: Rittmer, Lamberti, Kibbie, Connolly, Dearden, Drake, Fink, Lundby, Maddox, McLaren, Schuerer, Sexton, and Szymoniak. Nays, none. Absent or not voting, 2: Deluhery and King.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 281, a bill for an act related to activities of bail enforcement agents that are exempt from state licensing requirements.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Rittmer, Lamberti, Kibbie, Connolly, Dearden, Drake, Fink, Maddox, Sexton, and Szymoniak. Nays, none. Absent or not voting, 5: Deluhery, King, Lundby, McLaren, and Schuerer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 456 (Formerly SF 119), a bill for an act relating to the exemption of the sales of ski lift passes from the state sales and use taxes and including an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Johnson, McKibben, Harper, Bartz, Bolcom, Connolly, Flynn, Lamberti, Maddox, and Soukup. Nays, 4: Drake, Hedge, McLaren, and Redwine. Absent or not voting, 1: Deluhery.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 457 (SSB 1182), a bill for an act relating to the Iowa educational savings plan trust, and including an effective date and retroactive applicability provision.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Johnson, McKibben, Harper, Bolkcom, Connolly, Drake, Flynn, Hedge, Lamberti, Maddox, McLaren, Redwine, and Soukup. Nays, none. Absent or not voting, 2: Bartz and Deluhery.

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 457, and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 458 (Formerly SF 296), a bill for an act relating to information required to be placed on property tax statements.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Johnson, McKibben, Harper, Bolkcom, Connolly, Drake, Flynn, Hedge, Lamberti, Maddox, McLaren, Redwine, Soukup. Nays, none. Absent or not voting, 2: Bartz and Deluhery.

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

S-3094	S.F. 318	Neal Schuerer
S-3095	S.F. 448	John Judge
S-3096	H.F. 224	State Government
S-3097	S.F. 449	Nancy Boettger
S-3098	S.F. 449	Robert E. Dvorsky
		Mark Shearer
		Betty A. Soukup
		Tom Flynn
S-3099	S.F. 291	Richard F. Drake
S-3100	S.F. 338	Steve King

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 6:14 p.m., until 9:00 a.m., Thursday, March 18, 1999.

JOURNAL OF THE SENATE

SIXTY-SEVENTH CALENDAR DAY
FORTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 18, 1999

The Senate met in regular session at 9:08 a.m., President Kramer presiding.

Prayer was offered by Reverend Robert Bell of the United Methodist Church, Washington, Iowa.

The Journal of Wednesday, March 17, 1999, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Horn for the day and Senator Deluhery until he arrives, on request of Senator Gronstal.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hedge asked and received unanimous consent to take up for consideration Senate Files 421 and 394.

Senate File 421

On motion of Senator Maddox, **Senate File 421**, a bill for an act to extend the jurisdiction of the juvenile court to include adoption and termination of parental rights proceedings, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 421), the vote was:

Ayes, 43:

Bartz	Behn	Black	Boettger
Bolkcom	Connolly	Dearden	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gaskill	Gronstal	Hammond
Hansen	Harper	Hedge	Iverson
Jensen	Johnson	Judge	Kibbie
King	Kramer	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Sexton	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, 5:

Angelo	Lamberti	Lundby	Rittmer
Schuerer			

Absent or not voting, 2:

Deluhery	Horn
----------	------

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

Senate File 394

On motion of Senator Schuerer, **Senate File 394**, a bill for an act providing for employer contribution rates under the unemployment compensation program, was taken up for consideration.

Senator Szymoniak asked and received unanimous consent that action on **Senate File 394** be deferred.

UNFINISHED BUSINESS (Deferred March 16, 1999)

Senate File 323

The Senate resumed consideration of **Senate File 323**, a bill for an act relating to the use of professional designations by audiologists and speech pathologists, deferred March 16, 1999.

Senator Maddox moved that the bill be read the last time now and placed upon its passage, 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, 48:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Iverson	Jensen	Johnson	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Shearer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, none.

Absent or not voting, 2:

Deluhery Horn

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 Hedge asked and received unanimous consent to take up for consideration Senate File 182.

Senate File 182

On motion of Senator Boettger, **Senate File 182**, a bill for an act requiring licensure to practice acupuncture, with report of committee recommending passage, was taken up for consideration.

Senator Boettger moved that the bill be read the last time now and placed upon its passage, 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, 48:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Iverson	Jensen	Johnson	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Shearer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, none.

Absent or not voting, 2:

Deluhery Horn

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that Senate Files 182, 323 and 421 be immediately messaged to the House.

INTRODUCTION OF BILL

Senate File 459, by committee on Ways and Means, a bill for an act relating to state school aid for budget years commencing with the budget year beginning July 1, 1999, and making appropriations and including effective and applicability date provisions.

Read first time and placed on Ways and Means calendar.

The Senate stood at ease at 10:01 a.m., until the fall of the gavel.

The Senate resumed session at 11:07 a.m., President Kramer presiding.

SPECIAL GUESTS

Senators Maddox and Harper introduced the following winners of the "Write Women Back Into History" essay contest.

6-7 Grade: First Place—Greg Blair, Urbandale
Second Place—Autumn Huinker, Parnell
Third Place—Emili Vondrak, Pierson

8-9 Grade: First Place—Meghan Minner, Roland
Second Place—Portia Abernathy, Cedar Rapids
Third Place—Ingrid Larson, Sioux City

Edith Rose Murphy Sackett Award on the Best Essay on a Woman Volunteer:

First Place—Alex Munns, Des Moines
Second Place—Meredith McKean, Ringstad

Best Essays on Women in Science and Engineering:

6-7 Grade: First Place—Malia Charleston, Fairfield
Second Place—Paul Kaldahl, Spencer

8-9 Grade: First Place—Stacey Goodman, Council Bluffs
Second Place—Andrea L. Austin, Vinton

The Senate rose in appreciation of the essay contest winners.

HOUSE MESSAGES RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 18, 1999, passed the following bills in which the concurrence of the Senate is asked:

House File 115, a bill for an act relating to the award of a contract for a public improvement by a city or the governing body of a city utility.

Read first time and referred to committee on Local Government.

House File 531, a bill for an act providing for the certification of manure applicators by delaying dates required for certification, and providing an effective date.

Read first time and referred to committee on **Agriculture**.

House File 637, a bill for an act increasing the fine for moving traffic violations in school zones.

Read first time and referred to committee on **Transportation**.

House File 679, a bill for an act relating to drawing the Sac and Fox Indian settlement precinct in Tama county.

Read first time and attached to companion **Senate File 238**.

RECESS

On motion of Senator Hedge, the Senate recessed at 11:22 a.m., until 1:00 p.m.

APPENDIX**REPORT OF COMMITTEE MEETING****AGRICULTURE**

Convened: March 18, 1999, 8:39 a.m.

Members Present: Gaskill, Chair; Miller, Vice Chair; Fraise, Ranking Member; Angelo, Bartz, Behn, Black, Hedge, Judge, Kibbie, Sexton, Shearer, Soukup, Veenstra, and Ziemann.

Members Absent: None.

Committee Business: Passed HF 570, as amended. Passed HF 339.

Adjourned: 9:03 a.m.

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 10**

EDUCATION: Fink, Chair; Angelo and Veenstra

Senate Resolution 6

STATE GOVERNMENT: Rittmer, Chair; Fink and Schuerer

Senate File 369

EDUCATION: Veenstra, Chair; Harper and Rehberg

Senate File 377

EDUCATION: Redwine, Chair; Boettger and Dvorsky

Senate File 391

EDUCATION: Sexton, Chair; Szymoniak and Tinsman

Senate File 401

EDUCATION: Angelo, Chair; Fink and Tinsman

Senate File 447

WAYS AND MEANS: Johnson, Chair; McLaren and Soukup

House File 144

EDUCATION: Boettger, Chair; Redwine and Shearer

House File 199

WAYS AND MEANS: Lamberti, Chair; Johnson and Soukup

House File 311

HUMAN RESOURCES: Miller, Chair; Bartz and Hammond

House File 607

EDUCATION: Tinsman, Chair; Sexton and Shearer

House File 633

HUMAN RESOURCES: Miller, Chair; Behn and Hammond

House File 651

TRANSPORTATION: Jensen, Chair; Drake and McCoy

COMMITTEE REPORT**WAYS AND MEANS**

Final Bill Action: *SENATE FILE 459 (Formerly SF 425), a bill for an act relating to state school aid for budget years commencing with the budget year beginning July 1, 1999, and making appropriations and including effective and applicability date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Johnson, McKibben, Harper, Bartz, Bolkom, Drake, Flynn, Hedge, Lamberti, Maddox, McLaren, and Redwine. Nays, none. Absent or not voting, 3: Connolly, Deluhery, and Soukup.

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 459, and they were attached to the committee report.

AFTERNOON SESSION

The Senate reconvened at 1:22 p.m., President Kramer presiding.

QUORUM CALL

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

The vote revealed 34 present, 16 absent, and a quorum present.

SPECIAL GUEST

Senator Jensen introduced the Honorable Wilmer Rensink and his wife, Marilyn, who were present in the Senate Chamber.

PRESENTATION OF VISITORS

The Chair welcomed twenty-three Rock Valley Elementary students, accompanied by Rhonda Crane. Senator Veenstra.

HOUSE MESSAGE RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 18, 1999, passed the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 13, a concurrent resolution designating March 1999 as Iowa Women's History Month.

Read first time and attached to companion **Senate Concurrent Resolution 8**.

ADOPTION OF RESOLUTION

Senator Hedge asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 8.

Senate Concurrent Resolution 8

On motion of Senator Lundby, **Senate Concurrent Resolution 8**, a concurrent resolution designating March 1999 as Iowa Women's History Month, with report of committee recommending passage, was taken up for consideration.

Senator Lundby asked and received unanimous consent that **House Concurrent Resolution 13** be substituted for **Senate Concurrent Resolution 8**.

House Concurrent Resolution 13

On motion of Senator Lundby, **House Concurrent Resolution 13**, a concurrent resolution designating March 1999 as Iowa Women's History Month, was taken up for consideration.

Senator Lundby moved adoption of House Concurrent Resolution 13, which motion prevailed by a voice vote.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hedge asked and received unanimous consent to take up for consideration Senate Files 254, 407 and 410.

Senate File 254

On motion of Senator Drake, **Senate File 254**, a bill for an act relating to the emergency management division of the department of public defense by authorizing fees for radiological detection equipment maintenance services, by authorizing financial assistance to local governments for emergency management purposes, by directing a report to the general assembly by the division director, and by 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. 254), the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Sexton	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

Horn

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

Senate File 407

On motion of Senator Fraise, **Senate File 407**, a bill for an act relating to registration of all-terrain vehicles and snowmobiles and providing for and applying penalties, 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. 407), the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller

Redfern
Rittmer
Soukup
Zieman

Redwine
Schuerer
Szymoniak

Rehberg
Sexton
Tinsman

Rife
Shearer
Veenstra

Nays, none.

Absent or not voting, 1:

Horn

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

Senate File 410

On motion of Senator Deluhery, **Senate File 410**, a bill for an act providing for the regulation of viatical settlement contracts when sold as investments, 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. 410), the vote was:

Ayes, 48:

Angelo
Boettger
Deluhery
Flynn
Gronstal
Hedge
Judge
Lamberti
McKibben
Redwine
Schuerer
Szymoniak

Bartz
Bolkcom
Drake
Fraise
Hammond
Iverson
Kibbie
Maddox
McLaren
Rehberg
Sexton
Tinsman

Behn
Connolly
Dvorsky
Freeman
Hansen
Jensen
King
McCoy
Miller
Rife
Shearer
Veenstra

Black
Dearden
Fink
Gaskill
Harper
Johnson
Kramer
McKean
Redfern
Rittmer
Soukup
Zieman

Nays, 1:

Lundby

Absent or not voting, 1:

Horn

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 Gaskill for the remainder of the day, on request of Senator Sexton.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hedge asked and received unanimous consent to take up for consideration Senate File 431.

Senate File 431

On motion of Senator King, **Senate File 431**, a bill for an act relating to the moving of duties and responsibilities for providing telecommunications cabling necessary to provide state communications services from the department of general services to the Iowa telecommunications and technology commission, was taken up for consideration.

Senator King moved that the bill be read the last time now and placed upon its passage, 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, 48:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gronstal
Hammond	Hansen	Harper	Hedge
Iverson	Jensen	Johnson	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Shearer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, none.

Absent or not voting, 2:

Gaskill

Horn

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

PRESENTATION OF VISITORS

The Chair welcomed fifth grade students from Lakeview Elementary School, Centerville, Iowa. Senator Judge.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Hedge asked and received unanimous consent to take up for consideration Senate File 458.

Senate File 458

On motion of Senator McKibben, **Senate File 458**, a bill for an act relating to information required to be placed on property tax statements, was taken up for consideration.

Senator Rife asked and received unanimous consent that action on **Senate File 458** be deferred.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hedge asked and received unanimous consent to take up for consideration Senate File 306.

Senate File 306

On motion of Senator Tinsman, **Senate File 306**, a bill for an act providing for recognition of high quality child day care providers, with report of committee recommending passage, was taken up for consideration.

Senator Bartz offered amendment S-3058 filed by him on March 10, 1999, to page 1 of the bill and moved its adoption.

A non-record roll call was requested.

The ayes were 14, nays 28.

Amendment S-3058 lost.

Senator Tinsman offered amendment S-3082 filed by Senators Tinsman, et al., on March 17, 1999, to page 1 of the bill and moved its adoption.

Amendment S-3082 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 306), the vote was:

Ayes, 46:

Bartz	Black	Boettger	Bolkcom
Connolly	Dearden	Deluhery	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gronstal	Hammond	Hansen
Harper	Hedge	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Sexton
Shearer	Soukup	Szymoniak	Tinsman
Veenstra	Zieman		

Nays, 2:

Angelo Behn

Absent or not voting, 2:

Gaskill Horn

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

WITHDRAWN

Senator Lundby asked and received unanimous consent that **Senate Concurrent Resolution 8** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 254, 306, 407, 410, 431** and **House Concurrent Resolution 13** be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 249.

Senate File 249

On motion of Senator Deluhery, **Senate File 249**, a bill for an act relating to the operation and regulation of insurance companies, including the treatment of certain confidential information by the commissioner, the operation of certain types of insurance companies, and the rights and duties of insurance companies under certain policies issued in this state, was taken up for consideration.

Senator Jensen offered amendment S-3078 filed by Senators Jensen and Deluhery on March 16, 1999, to pages 1 and 4 of the bill and moved its adoption.

Amendment S-3078 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. 249), the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gronstal
Hammond	Hansen	Harper	Hedge
Iverson	Jensen	Johnson	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Shearer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, none.

Absent or not voting, 2:

Gaskill Horn

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

Senator Iverson asked and received unanimous consent that Senate File 249 be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 18, 1999, passed the following bills in which the **concurrence** of the Senate is asked:

House File 443, a bill for an act relating to delinquency charges on certain consumer credit transactions.

Read first time and attached to similar **Senate File 318**.

House File 571, a bill for an act relating to the deposit of public funds and the conditions which must be met by a savings and loan association or savings bank to be eligible to receive such deposits.

Read first time and attached to companion **Senate File 319**.

House File 660, a bill for an act relating to certain property of a debtor which is exempt from execution, and providing an effective date and for the Act's applicability.

Read first time and referred to committee on **Judiciary**.

House File 662, a bill for an act relating to estate issues by modifying the warranty by a trustee, jurisdiction of the probate court, fees payable on certain trusts, notice provisions relating to claims against estates, and disclaimers made by beneficiaries.

Read first time and referred to committee on **Judiciary**.

House File 663, a bill for an act relating to the establishment of an Iowa trust code, and providing an effective date.

Read first time and referred to committee on **Judiciary**.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

NATURAL RESOURCES AND ENVIRONMENT

Convened: March 18, 1999, 12:30 p.m.

Members Present: Bartz, Chair; King, Vice Chair; Fink, Ranking Member; Black, Bolkom, Dearden, Deluhery, Freeman, Gaskill, Johnson, Kibbie, Miller, Rehberg, and Rife.

Members Absent: Drake (excused).

Committee Business: Passed HF 636.

Adjourned: 12:55 p.m.

RULES AND ADMINISTRATION

Convened: March 18, 1999, 2:40 p.m.

Members Present: Iverson, Chair; Kramer, Vice Chair; Gronstal, Ranking Member; Dvorsky, Fink, Harper, Jensen, Lundby, Redfern, Rehberg, and Rittmer.

Members Absent: None.

Committee Business: Passed SR 9.

Adjourned: 2:45 p.m.

COMPANION BILLS RECEIVED

On March 18, 1999, **House File 571** was received and attached to companion **Senate File 319** on the calendar.

House File 679 was received and attached to companion **Senate File 238** on the calendar.

SIMILAR BILL RECEIVED

On March 18, 1999, **House File 443** was received and attached to similar **Senate File 318** on the calendar.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Janis Brendeland, Nevada – For being the recipient of the “1998 Milken Family Foundation National Educator Award.” Senator McKibben (03/25/99).

Crestview School – For being recognized by the Target Foundation for the 1999 Target Outstanding Schools Award. Senator Maddox (03/18/99).

Paul Kaldahl, Spencer Middle School – For being a winner in the “Write Women Back Into History” 1999 Essay Contest. Senator Kibbie (03/18/99).

Meredith McKean, Armstrong-Ringsted Middle School – For being a winner in the “Write Women Back Into History” 1999 Essay Contest. Senator Kibbie (03/18/99).

Brian James Miller, Manchester – For achieving the rank of Eagle Scout. Senator Rehberg (03/14/99).

Swingspan, Fort Madison High School – For winning the Championship at “MoShow” Competition. Senator Fraise (03/18/99).

INTRODUCTION OF RESOLUTION

Senate Resolution 9, by Iverson, a resolution congratulating Nick Collison and the 1999 McDonald’s All American High School Basketball Team.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

SUBCOMMITTEE ASSIGNMENTS

Senate File 455

AGRICULTURE: Hedge, Chair; Behn and Fraise

House File 461

COMMERCE: Lamberti, Chair; Deluhery and Redfern

House File 489

NATURAL RESOURCES AND ENVIRONMENT: Rife, Chair; Bolckcom and Drake

House File 658

NATURAL RESOURCES AND ENVIRONMENT: Miller, Chair; Deluhery and Drake

COMMITTEE REPORTS**AGRICULTURE**

Final Bill Action: HOUSE FILE 339, a bill for an act extending the deadline for closing agricultural drainage wells and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Gaskill, Miller, Fraise, Angelo, Bartz, Behn, Black, Hedge, Judge, Kibbie, Sexton, Shearer, Soukup, Veenstra, and Zieman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Final Bill Action: HOUSE FILE 636, a bill for an act relating to review and oversight of actions of the United States environmental protection agency.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Bartz, King, Fink, Black, Bolkom, Dearden, Deluhery, Freeman, Gaskill, Johnson, Kibbie, Miller, Rehberg, and Rife. Nays, none. Absent or not voting, 1: Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 9, a resolution congratulating Nick Collison and the 1999 McDonald's All American High School Basketball Team.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Iverson, Kramer, Gronstal, Dvorsky, Fink, Harper, Jensen, Lundby, Redfern, Rehberg, and Rittmer. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3101	S.F. 445	Jack Rife
S-3102	H.F. 209	Larry McKibben
S-3103	S.F. 338	Steve King
S-3104	S.F. 319	Jeff Lamberti
		Patrick J. Deluhery

S-3105	S.F. 275	Nancy Boettger Elaine Szymoniak Mary E. Kramer
S-3106	H.F. 571	Jeff Lamberti Patrick J. Deluhery
S-3107	S.F. 458	Jack Rife

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 2:40 p.m., until 1:00 p.m., Monday, March 22, 1999.

JOURNAL OF THE SENATE

SEVENTY-FIRST CALENDAR DAY
FORTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 22, 1999

The Senate met in regular session at 1:16 p.m., President Kramer presiding.

Prayer was offered by Reverend Jennifer Davis-Sensenig, pastor of Cedar Falls Mennonite Church, Cedar Falls, Iowa.

The Journal of Thursday, March 18, 1999, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Flynn for the week, on request of Senator Gronstal.

BILLS REFERRED TO COMMITTEE

Senator Iverson asked and received unanimous consent that **Senate Files 278 and 452** be referred from the **Regular Calendar** to the committee on **Ways and Means**.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 362 and House Files 209 and 200.

Senate File 362

On motion of Senator Connolly, **Senate File 362**, a bill for an act relating to destruction of unvoted ballots, 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. 362), the vote was:

Ayes, 46:

Angelo	Bartz	Behn	Black
Boettger	Connolly	Dearden	Deluhery
Drake	Dvorsky	Fink	Freeman
Gaskill	Gronstal	Hammond	Hansen
Harper	Hedge	Horn	Iverson
Jensen	Johnson	Judge	Kibbie
King	Kramer	Lamberti	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Miller	Redfern	Redwine
Rehberg	Rittmer	Schuerer	Sexton
Shearer	Soukup	Szymoniak	Tinsman
Veenstra	Zieman		

Nays, none.

Absent or not voting, 4:

Bolkcom	Flynn	Fraise	Rife
---------	-------	--------	------

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

House File 209

On motion of Senator McKibben, **House File 209**, a bill for an act relating to increasing the penalty for eluding or attempting to elude an official law enforcement vehicle, with report of committee recommending passage, was taken up for consideration.

Senator McKibben offered amendment S-3102 filed by him on March 18, 1999, to page 2 of the bill and moved its adoption.

Amendment S-3102 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (H.F. 209), the vote was:

Ayes, 46:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Freeman	Gaskill	Gronstal	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Johnson	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rittmer	Schuerer
Sexton	Shearer	Soukup	Szymoniak
Veenstra	Zieman		

Nays, 1:

Tinsman

Absent or not voting, 3:

Flynn Fraise Rife

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

House File 200

On motion of Senator Judge, **House File 200**, a bill for an act relating to special registration plates for motor vehicles, with report of committee recommending passage, was taken up for consideration.

Senator Hedge took the chair at 1:59 p.m.

Senator Judge moved that the bill be read the last time now and placed upon its passage, 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, 47:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink

Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rittmer
Schuerer	Sexton	Shearer	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, 1:

Soukup

Absent or not voting, 2:

Flynn

Rife

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate File 362 and House Files 200 and 209** be **immediately messaged** to the House.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 11, by Iverson, a joint resolution to nullify an administrative rule of the secretary of state concerning preparation of descriptions of constitutional amendments and statewide public measures and providing an effective date.

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

RECESS

On motion of Senator Iverson, the Senate recessed at 2:14 p.m., until 4:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: March 18, 1999, 11:29 a.m.

Members Present: Redfern, Chair; Rehberg, Vice Chair; Connolly, Ranking Member; Boettger, Dvorsky, Fink, Harper, Redwine, Sexton, Shearer, Szymoniak, Tinsman, and Veenstra.

Members Absent: Angelo and Gaskill (both excused).

Committee Business: Subcommittee assignments. Presentations by the Iowa Dept. of Education.

Adjourned: 12:25 p.m.

LOCAL GOVERNMENT

Convened: March 22, 1999, 12:07 p.m.

Members Present: Angelo, Chair; Bartz, Vice Chair; Bolcom, Ranking Member; Fraise, Gaskill, Hammond, Judge, McKean, Miller, and Zieman.

Members Absent: McCoy, McKibben, and Rife (all excused).

Committee Business: No final bill action.

Adjourned: 1:07 p.m.

TRANSPORTATION

Convened: March 22, 1999, 3:06 p.m.

Members Present: Drake, Chair; Sexton, Vice Chair; McCoy, Ranking Member; Fink, Fraise, Freeman, Jensen, Judge, Kibbie, McKibben, Rittmer, and Zieman.

Members Absent: McKean (excused).

Committee Business: Passed HF 651.

Adjourned: 3:35 p.m.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Stacey Goodman, Council Bluffs – For being a First Place Winner in the “Write Women Back Into History” 1999 Essay Contest. Senator Gronstal (03/19/99).

STUDY BILL RECEIVED**SSB 1208 Appropriations**

Relating to educational assistance for members of the national guard.

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 12**

EDUCATION: Boettger, Chair; Fink and Redwine

Senate File 452

WAYS AND MEANS: Bartz, Chair; Hedge and Soukup

SSB 1208

APPROPRIATIONS: Rife, Chair; Horn and Jensen

AMENDMENTS FILED

S-3108	S.F. 445	Lyle E. Zieman
S-3109	S.F. 453	Merlin E. Bartz

RECONVENED

The Senate reconvened at 4:09 p.m., President Kramer presiding.

QUORUM CALL

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

The vote revealed 41 present, 9 absent, and a quorum present.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration House File 222 and Senate Files 338 and 336.

House File 222

On motion of Senator Maddox, **House File 222**, a bill for an act relating to crime victim rights, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 222), the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rittmer
Schuerer	Sexton	Shearer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, none.

Absent or not voting, 2:

Flynn

Rife

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

Senate File 338

On motion of Senator King, **Senate File 338**, a bill for an act relating to access privileges to certain buildings and structures by certified local exchange carriers and franchised cable television providers, was taken up for consideration.

Senator King offered amendment S-3103 filed by him on March 18, 1999, to page 1 of the bill and moved its adoption.

Amendment S-3103 was adopted by a voice vote.

Senator King offered amendment S-3100 filed by him on March 17, 1999, to page 1 of the bill and moved its adoption.

Amendment S-3100 was adopted by a voice vote.

Senator King moved that the bill be read the last time now and placed upon its passage, 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, 48:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rittmer
Schuerer	Sexton	Shearer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, none.

Absent or not voting, 2:

Flynn

Rife

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 Redfern, **Senate File 336**, a bill for an act prohibiting unauthorized changes in telecommunications service, prohibiting certain acts in the advertisement or solicitation of changes in telecommunications service, and providing remedies and penalties, was taken up for consideration.

Senator Redfern asked and received unanimous consent that **House File 588** be substituted for **Senate File 336**.

House File 588

On motion of Senator Redfern, **House File 588**, a bill for an act prohibiting unauthorized changes in telecommunications service, prohibiting certain acts in the advertisement or solicitation of changes in telecommunications service, and providing remedies and penalties, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 588), the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller

Redfern
Schuerer
Szymoniak

Redwine
Sexton
Tinsman

Rehberg
Shearer
Veenstra

Rittmer
Soukup
Zieman

Nays, none.

Absent or not voting, 2:

Flynn

Rife

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

WITHDRAWN

Senator Redfern asked and received unanimous consent that **Senate File 336** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 230.

Senate File 230

On motion of Senator Maddox, **Senate File 230**, a bill for an act updating the Iowa Code references to the Internal Revenue Code, extending the loss carryback period for farm net operating losses, providing certain tax credits to estates and trusts, and providing an effective date and a retroactive applicability date, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 230), the vote was:

Ayes, 48:

Angelo
Boettger

Bartz
Bolkcom

Behn
Connolly

Black
Dearden

Deluhery	Drake	Dvorsky	Fink
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rittmer
Schuerer	Sexton	Shearer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, none.

Absent or not voting, 2:

Flynn

Rife

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House Files 222, 588 and Senate Files 230 and 338** be immediately messaged to the House.

HOUSE MESSAGES RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 22, 1999, passed the following bill in which the concurrence of the Senate is asked:

House File 647, a bill for an act relating to judges, concerning associate juvenile judges, associate probate judges, and retired judges.

Read first time and referred to committee on **Judiciary**.

ALSO: That the House has on March 22, 1999, passed the following bills in which the concurrence of the House was asked:

Senate File 283, 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.

Senate File 361, a bill for an act relating to enforcement, prevention, education, and treatment for substance abuse and sexual abuse, and providing appropriations.

APPENDIX

APPOINTMENTS FROM THE GOVERNOR

The following appointees were submitted by the Governor to the Secretary of the Senate for Senate confirmation (all appointees are submitted as **members** unless otherwise specified):

TERM

ACCOUNTANCY EXAMINING BOARD (Sec. 542C.3)	
Dorothy Dunphy, Creston	05/01/1999 – 04/30/2002
James Egerton, Burlington	05/01/1999 – 04/30/2002
AFRICAN-AMERICANS, ADMINISTRATOR OF THE DIVISION ON THE STATUS OF (Sec. 216A.2)	
Traevana L. Potter-Hall, Coralville	05/01/1999 – Pleasure of Governor
ALCOHOLIC BEVERAGES COMMISSION (Sec. 123.5)	
Shirley Daggett, Winterset	05/01/1999 – 04/30/2004
ARCHITECTURAL EXAMINING BOARD (Sec. 544A.1)	
Gordon Mills, Dubuque	05/01/1999 – 04/30/2002
Katherine Schwennsen, Des Moines	05/01/1999 – 04/30/2002
ATHLETIC TRAINING, BOARD OF EXAMINERS FOR (Sec. 152D.7)	
Jill Meilahn, Ames	05/01/1999 – 04/30/2002
BARBER EXAMINERS, BOARD OF (Sec. 147.14)	
Raymond Barker, Des Moines	05/01/1999 – 04/30/2002
BEHAVIORAL SCIENCE EXAMINERS, BOARD OF (Sec. 147.14)	
Rebecca Beach, Des Moines	05/01/1999 – 04/30/2002
Jack Hillyard, Windsor Heights	05/01/1999 – 04/30/2002
BLIND, COMMISSION FOR THE (Sec. 216B.2)	
Julia Scurr, Mount Pleasant	05/01/1999 – 04/30/2002
CHIROPRACTIC EXAMINERS, BOARD OF (Sec. 147.14)	
Daryl Engelen, Carroll	05/01/1999 – 04/30/2002
Thomas Stanzel, Oskaloosa	05/01/1999 – 04/30/2002
CIVIL RIGHTS COMMISSION, IOWA STATE (Sec. 216.3)	
Alicia Claypool, Des Moines	05/01/1999 – 04/30/2003
David Leshtz, Iowa City	05/01/1999 – 04/30/2003
Rachel Scherle, Henderson	05/01/1999 – 04/30/2003
COMMUNITY ACTION AGENCIES, COMMISSION ON (Sec. 216A.92A)	
Kathy Beauchamp, Des Moines	05/01/1999 – 04/30/2002
Michael Coverdale, Nevada	05/01/1999 – 04/30/2002
Arbella Jetter, Des Moines	05/01/1999 – 04/30/2002

**COMMUNITY ACTION AGENCIES, ADMINISTRATOR OF THE DIVISION OF
(Sec. 216A.2)**

William Joseph Brand, Marshalltown

03/01/1999 – Pleasure of Governor

CONSUMER ADVOCATE (Sec. 475A.1)

Gary D. Stewart, Urbandale

05/01/1999 – 04/30/2003

CORRECTIONS, BOARD OF (Sec. 904.104)

Frances Colston, West Des Moines

05/01/1999 – 04/30/2003

Robyn Mills, Johnston

05/01/1999 – 04/30/2003

Arthur Neu, Carroll

05/01/1999 – 04/30/2003

Walter Reed, Jr., Waterloo

05/01/1999 – 04/30/2003

COSMETOLOGY ARTS AND SCIENCES EXAMINERS, BOARD OF (Sec. 147.14)

David Creighton, Sr., Des Moines

05/01/1999 – 04/30/2002

Janet Fisher, Swea City

05/01/1999 – 04/30/2002

Teresa Mertens, Mount Pleasant

05/01/1999 – 04/30/2002

Sheila O'Hern, Barnum

05/01/1999 – 04/30/2002

COUNTY FINANCE COMMITTEE (Sec. 333A.2)

Joanne Stockdale, Spirit Lake

05/01/1999 – 04/30/2003

CREDIT UNION REVIEW BOARD (Sec. 533.53)

Don Gettings, Ottumwa

05/01/1999 – 04/30/2002

DEAF, COMMISSION ON THE (Sec. 216A.112)

Loren Woods, Ankeny

05/01/1999 – 04/30/2002

DENTAL EXAMINERS, BOARD OF (Sec. 147.14)

Phyllis Cacciatore, Des Moines

05/01/1999 – 04/30/2002

Steven Wettach, Mount Pleasant

05/01/1999 – 04/30/2002

Debra Yossi, Cedar Rapids

05/01/1999 – 04/30/2002

DRUG ENFORCEMENT AND ABUSE PREVENTION COORDINATOR (Sec. 80E.1)

R. Bruce Upchurch, West Des Moines

05/01/1999 – Pleasure of Governor

ECONOMIC DEVELOPMENT BOARD, IOWA (Sec. 15.103)

Robert Bocken, Fort Dodge

05/01/1999 – 04/30/2003

Pamela Sessions, Bloomfield

05/01/1999 – 04/30/2003

ECONOMIC DEVELOPMENT, DIRECTOR OF THE DEPARTMENT OF (Sec. 15.105)

David J. Lyons, Des Moines

05/01/1999 – Pleasure of Governor

EDUCATIONAL EXAMINERS, BOARD OF (Sec. 272.3)

Bill Haigh, Des Moines

05/01/1999 – 04/30/2003

Helen Lewis, Sioux City

05/01/1999 – 04/30/2003

Mary Settles, Winfield

05/01/1999 – 04/30/2003

ELDER AFFAIRS, COMMISSION OF (Sec. 231.11)

John Lowe, Waterloo

05/01/1999 – 04/30/2003

Jane Paulsen, Coralville

05/01/1999 – 04/30/2003

ENGINEERING AND LAND SURVEYING EXAMINING BOARD (Sec. 542B.3)

Nicholas Konrady, Webster City

05/01/1999 - 04/30/2002

ENVIRONMENTAL PROTECTION COMMISSION (Sec. 455A.6)

James Braun, Latimer

05/01/1999 - 04/30/2003

Elizabeth Christiansen, Iowa City

05/01/1999 - 04/30/2003

Gary Priebe, Algona

05/01/1999 - 04/30/2003

Rita Venner, Breda

05/01/1999 - 04/30/2003

ETHICS AND CAMPAIGN DISCLOSURE BOARD, IOWA (Sec. 68B.32)

Mark McCormick, Des Moines

Unexpired term - 04/30/1999

Mark McCormick, Des Moines

05/01/1999 - 04/30/2005

Phyllis Peters, Ames

05/01/1999 - 04/30/2005

FOSTER CARE REVIEW BOARD, STATE CITIZEN (Sec. 237.16)

Richard Dickinson, Dubuque

05/01/1999 - 04/30/2003

Albert Sorensen, Boone

05/01/1999 - 04/30/2003

HEALTH FACILITIES COUNCIL (Sec. 135.62)

Edward Nichols, West Des Moines

05/01/1999 - 04/30/2005

HEARING AID DEALERS, BOARD FOR THE LICENSING AND REGULATION OF
(Sec. 154A.2)

Marie Callas, West Des Moines

05/01/1999 - 04/30/2002

Patricia Stark, Sabula

05/01/1999 - 04/30/2002

HIGHER EDUCATION LOAN AUTHORITY, IOWA (Sec. 261A.5)

Robert Fleming, Des Moines

05/01/1999 - 04/30/2005

HUMAN INVESTMENT, IOWA COUNCIL ON (Sec. 8A.2)

Thomas Glenn, Des Moines

05/01/1999 - 04/30/2002

Betty Grandquist, Des Moines

05/01/1999 - 04/30/2002

HUMAN SERVICES, IOWA COUNCIL ON (Sec. 217.2)

Dianne Dethmers Paca, Garner

05/01/1999 - 04/30/2005

Mark Haverland, Polk City

05/01/1999 - 04/30/2005

Christine Louscher, Algona

05/01/1999 - 04/30/2005

HUMAN SERVICES, DIRECTOR OF THE DEPARTMENT OF (Sec. 217.5)

Jessie K. Rasmussen, Omaha, NE

04/01/1999 - Pleasure of Governor

INSURANCE, COMMISSIONER OF (Sec. 505.2)

Therese M. Vaughan, West Des Moines

05/01/1999 - Pleasure of Governor

IOWA FINANCE AUTHORITY (Sec. 16.2)

Virginia Bordwell, Washington

05/01/1999 - 04/30/2005

Vincent Lintz, Windsor Heights

05/01/1999 - 04/30/2005

Lisa Wageman, Cedar Falls

05/01/1999 - 04/30/2005

IPERS, INVESTMENT BOARD OF THE (Sec. 97B.8)

Janet Adams, Webster City

05/01/1999 - 04/30/2005

Sheila Riggs, Ames

05/01/1999 - 04/30/2005

JUDICIAL NOMINATING COMMISSION, STATE (Sec. 46.1)

Craig Rypma, Des Moines	05/01/1999 – 04/30/2005
Linda Steensland, Council Bluffs	05/01/1999 – 04/30/2005

JUDICIAL QUALIFICATIONS, COMMISSION ON (Sec. 602.2102)

Lennis Moore, Mount Pleasant	05/01/1999 – 04/30/2005
------------------------------	-------------------------

LABOR COMMISSIONER (Sec. 91.2)

Byron K. Orton, Altoona	05/01/1999 – Pleasure of Governor
-------------------------	-----------------------------------

LANDSCAPE ARCHITECTURAL EXAMINING BOARD (Sec. 544B.3)

Gregory Jones, Des Moines	05/01/1999 – 04/30/2002
---------------------------	-------------------------

LOTTERY BOARD, IOWA (Sec. 99E.5)

Michael McCoy, Des Moines	05/01/1999 – 04/30/2003
Susan Thompson, Urbandale	05/01/1999 – 04/30/2003

LOTTERY, COMMISSIONER OF THE (Sec. 99E.3)

Edward J. Stanek, Des Moines	05/01/1999 – Pleasure of Governor
------------------------------	-----------------------------------

MESSAGE THERAPY, BOARD OF EXAMINERS FOR (Sec. 147.14)

Lana Fogue, Des Moines	05/01/1999 – 04/30/2002
Lois Leytem, Dubuque	05/01/1999 – 04/30/2002

MEDICAL EXAMINERS, BOARD OF (Sec. 147.14)

Diane Nagle, Cedar Falls	05/01/1999 – 04/30/2002
Stuart Winston, Clive	05/01/1999 – 04/30/2002
Allen Zagoren, Clive	05/01/1999 – 04/30/2002

MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES COMMISSION (Sec. 225C.5)

Lori Bears, Iowa City	05/01/1999 – 04/30/2002
Michael Flaum, Iowa City	05/01/1999 – 04/30/2002
Jackie Kibbie-Williams, Sheldon	05/01/1999 – 04/30/2002
Nancy McKlveen, Des Moines	05/01/1999 – 04/30/2002

MORTUARY SCIENCE EXAMINERS, BOARD OF (Sec. 147.14)

J. Craig Fratzke, Storm Lake	05/01/1999 – 04/30/2002
Marcus Vigen, Keokuk	05/01/1999 – 04/30/2002

NATURAL RESOURCE COMMISSION (Sec. 455A.5)

Paul Christiansen, Mount Vernon	05/01/1999 – 04/30/2005
Carol Kramer, Newton	05/01/1999 – 04/30/2005
William Sullivan, Cantril	05/01/1999 – 04/30/2005

NURSING EXAMINERS, BOARD OF (Sec. 147.14)

Anna Fallon, Fort Dodge	05/01/1999 – 04/30/2002
-------------------------	-------------------------

NURSING HOME ADMINISTRATORS, STATE BOARD OF EXAMINERS FOR (Sec. 155.2)

Larry Hertel, Coralville	05/01/1999 – 04/30/2002
--------------------------	-------------------------

OPTOMETRY EXAMINERS, BOARD OF (Sec. 147.14)

Duane Atteberry, Manchester
Larry Hicks, Creston

05/01/1999 - 04/30/2002
05/01/1999 - 04/30/2002

PAROLE, BOARD OF (Sec. 904A.3)

Karen Muelhaupt, West Des Moines

05/01/1999 - 04/30/2002

PERSONNEL, DIRECTOR OF DEPARTMENT OF (Sec. 19A.1A)

Mollie K. Anderson, Lincoln, NE

04/05/1999 - Pleasure of Governor

PHARMACY EXAMINERS, BOARD OF (Sec. 147.14)

Mary Pat Mitchell, Council Bluffs
Matthew Osterhaus, Maquoketa

05/01/1999 - 04/30/2002
05/01/1999 - 04/30/2002

PSYCHOLOGY EXAMINERS, BOARD OF (Sec. 147.14)

Madonna Ryan, West Des Moines
Kurosh Shahriari, Newton
Jacob Sines, Iowa City

05/01/1999 - 04/30/2002
05/01/1999 - 04/30/2002
05/01/1999 - 04/30/2002

PUBLIC HEALTH, DIRECTOR OF (Sec. 135.2)

Stephen C. Gleason, Des Moines

06/15/1999 - Pleasure of Governor

RACING AND GAMING COMMISSION, STATE (Sec. 99D.5)

Diane L. Hamilton, Storm Lake
Willard Hansen, Des Moines
James F. Hassenfritz, Sperry
Michael W. Mahaffey, Montezuma
Rita Sealock, Council Bluffs

03/01/1999 - Pleasure of Governor
05/01/1999 - Pleasure of Governor
03/01/1999 - Pleasure of Governor
03/01/1999 - Pleasure of Governor
05/01/1999 - Pleasure of Governor

REAL ESTATE APPRAISER EXAMINING BOARD (Sec. 543D.4)

Sharon Chism, Ankeny

05/01/1999 - 04/30/2002

REAL ESTATE COMMISSION (Sec. 543B.8)

Barbara Leestamper, Cedar Falls
Robert Miller, Des Moines

05/01/1999 - 04/30/2002
05/01/1999 - 04/30/2002

REGENTS, STATE BOARD OF (Sec. 262.2)

David Neil, La Porte City
Owen Newlin, Des Moines
Deborah Turner, Mason City

05/01/1999 - 04/30/2005
05/01/1999 - 04/30/2005
05/01/1999 - 04/30/2005

REVENUE AND FINANCE, DIRECTOR OF (Sec. 421.2)

Gerald D. Bair, Ankeny

05/01/1999 - Pleasure of Governor

SCHOOL BUDGET REVIEW COMMITTEE (Sec. 257.30)

Connie Cook, Des Moines

05/01/1999 - 04/30/2002

SOCIAL WORK EXAMINERS, BOARD OF (Sec. 147.14)

Lance Clemens, Coralville
Mark Smith, Marshalltown

05/01/1999 - 04/30/2001
05/01/1999 - 04/30/2002

SPEECH PATHOLOGY AND AUDIOLOGY EXAMINERS, BOARD OF (Sec. 147.14)	
Tracy Rial, Des Moines	05/01/1999 – 04/30/2002
TAX REVIEW, STATE BOARD OF (Sec. 421.1)	
Lowell Norland, Cedar Falls	05/01/1999 – 04/30/2005
TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION, IOWA (Sec. 8D.3)	
Timothy Lapointe, Mason City	05/01/1999 – 04/30/2005
TRANSPORTATION COMMISSION, STATE (Sec. 307.3)	
Tom Aller, Cedar Rapids	05/01/1999 – 04/30/2003
UTILITIES BOARD (Sec. 474.1)	
Susan Frye, Iowa City	05/01/1999 – 04/30/2005
VETERANS AFFAIRS, COMMISSION OF (Sec. 35A.2)	
Mary Ellen White, Grinnell	05/01/1999 – 04/30/2003
VETERANS AFFAIRS, EXECUTIVE DIRECTOR OF THE COMMISSION OF (Sec. 35A.8)	
Brian B. Bales, La Plata	04/19/1999 – Pleasure of Governor
WOMEN, ADMINISTRATOR OF THE DIVISION ON THE STATUS OF (Sec. 216A.2)	
Charlotte B. Nelson, Des Moines	05/01/1999 – Pleasure of Governor

The appointments were referred to the committee on **Rules and Administration**.

GOVERNOR'S DEFERRAL LETTERS

The following letters from the Governor were received in the office of the Secretary of the Senate on March 15, 1999:

I respectfully request the Senate to defer consideration of an appointment for State of Iowa Adjutant General, pursuant to Iowa Code Section 29A.11. General Warren Lawson, the current Adjutant General, will retire in June. A search for his replacement is ongoing at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Architectural Examining Board vacancy formerly held by Gwendolyn Ecklund is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Board of Barber Examiners vacancy formerly held by Ellen Larson is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Board of Chiropractic Examiners vacancy formerly held by Haleen Pellett is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the County Finance Committee vacancy formerly held by Lumir Dostal is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the County Finance Committee vacancy formerly held by Jon Finney is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the County Finance Committee vacancy formerly held by Sharon Winchell is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Credit Union Review Board vacancy formerly held by Margaret Chadwell is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for Commission on the Deaf vacancy formerly held by Sharon Lehmann is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Commission on the Deaf vacancy formerly held by Janice Wilson is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Board of Dietetic Examiners vacancy formerly held by Kathy Buffington is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Board of Dietetic Examiners vacancy formerly held by Donald Linn is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Drug Abuse Prevention and Education Advisory Council vacancy formerly held by Karen Wall is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Engineering and Land Surveying Examining Board vacancy formerly held by Gwendolyn Boeke is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Engineering and Land Surveying Examining Board vacancy formerly held by Kenneth Brewer is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Iowa Grain Indemnity Fund Board vacancy formerly held by Marie Ellingson is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Iowa Grain Indemnity Fund Board vacancy formerly held by Carolyn Roberts is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Health Facilities Council vacancy formerly held by Joni Keith is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Iowa Finance Authority vacancy formerly held by James Crane is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Landscape Architectural Examining Board vacancy formerly held by Dennis Ausehus is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Landscape Architectural Examining Board vacancy formerly held by Linda Sornsen is being deferred because no appropriate candidate has been found for this position at this time.

I respectfully request the Senate to defer consideration of an appointment for Administrator of the Division of Latino Affairs, pursuant to Iowa Code Section 216A.2. A decision on this appointment has not yet been made.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Iowa Law Enforcement Academy Council vacancy formerly held by Donald Lynn is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Iowa Lottery Board vacancy formerly held by Emma Chance is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Board of Mortuary Science Examiners vacancy formerly held by Carlton Peterson is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Narcotics Enforcement Advisory Council vacancy formerly held by Yale Jarvis is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Narcotics Enforcement Advisory Council vacancy formerly held by Lori Lewis is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Narcotics Enforcement Advisory Council vacancy formerly held by Russell Underwood is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Board of Nursing Examiners vacancy formerly held by Sandra Bane is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Board of Nursing Examiners vacancy formerly held by Rodmon Bell is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the State Board of Examiners for Nursing Home Administrators vacancy formerly held by Rosemary Schrack is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Iowa Comprehensive Petroleum Underground Storage Tank Fund Board vacancy formerly held by Cathy Rottinghaus is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Board of Pharmacy Examiners vacancy formerly held by Phyllis Olson is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Board of Physical and Occupational Therapy Examiners vacancy formerly held by Kathryn Eilers is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Board of Physical and Occupational Therapy Examiners vacancy formerly held by Daniel Mack is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Board of Physical and Occupational Therapy Examiners vacancy formerly held by Deborah Mehlhop is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Board of Physician Assistant Examiners vacancy formerly held by Ruth Daggett is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Board of Physician Assistant Examiners vacancy formerly held by Laine Dvorak is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Board of Podiatry Examiners vacancy formerly held by Ronald Lee is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Board of Podiatry Examiners vacancy formerly held by Cheryl Semerad is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Real Estate Appraiser Examining Board vacancy formerly held by L. Craig Harris is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Renewable Fuels and Coproducts Advisory Committee vacancy formerly held by A. H. Cooper is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Renewable Fuels and Coproducts Advisory Committee vacancy formerly held by Mary Norton is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Renewable Fuels and Coproducts Advisory Committee vacancy formerly held by Eric Seuren is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the State Board for Respiratory Care vacancy formerly held by Gregory Hicklin is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the State Board for Respiratory Care vacancy formerly held by Amy Love is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Small Business Advisory Council vacancy formerly held by Sarah Falb is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Small Business Advisory Council vacancy formerly held by Leona Westphal is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Board of Social Work Examiners vacancy formerly held by Linda Sickels is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the State Soil Conservation Committee vacancy formerly held by Linda Appelgate is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the State Soil Conservation Committee vacancy formerly held by Oliver Emerson is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the State Soil Conservation Committee vacancy formerly held by Everett Faris is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Board of Speech Pathology and Audiology Examiners vacancy formerly held by Patsy Hastings is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Title Guaranty Division Board vacancy formerly held by Robert DeCook is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Title Guaranty Division Board vacancy formerly held by James Sattler is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Chair of Utilities Board vacancy formerly held by Allan Thoms is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Commission of Veterans Affairs vacancy formerly held by Mildred Dawson is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Commission of Veterans Affairs vacancy formerly held by Jerry Meek is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Iowa Board of Veterinary Medicine vacancy formerly held by Leroy Holmes is being deferred because no appropriate candidate has been found for this position at this time.

Pursuant to Iowa Code Section 2.32(4), the appointment for the Iowa Board of Veterinary Medicine vacancy formerly held by Norma Lyon is being deferred because no appropriate candidate has been found for this position at this time.

I respectfully request the Senate to defer consideration of an appointment for Director of Workforce Development, pursuant to Iowa Code Section 84A.1(2). A decision on this appointment has not yet been made.

Sincerely,
THOMAS J. VILSACK
Governor

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: March 22, 1999, 10:10 a.m.

Members Present: Behn, Chair; Hedge, Vice Chair; Black, Ranking Member; Fink and Gaskill.

Members Absent: None.

Committee Business: Passed the joint Agriculture and Natural Resources Appropriations subcommittee bill.

Adjourned: 10:50 a.m.

EDUCATION

Convened: March 22, 1999, 2:24 p.m.

Members Present: Redfern, Chair; Rehberg, Vice Chair; Connolly, Ranking Member; Angelo, Boettger, Fink, Gaskill, Harper, Redwine, Sexton, Shearer, Szymoniak, Tinsman, and Veenstra.

Members Absent: Dvorsky (excused).

Committee Business: Subcommittee assignments.

Adjourned: 3:01 p.m.

HUMAN RESOURCES

Convened: March 22, 1999, 3:08 p.m.

Members Present: Boettger, Chair; Redwine, Vice Chair; Szymoniak, Ranking Member; Bartz, Behn, Hammond, Harper, Miller, Schuerer, Shearer, Tinsman, and Veenstra.

Members Absent: Dvorsky (excused).

Committee Business: Passed HF's 311 and 633. Passed HF 497, as amended.

Adjourned: 3:59 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate File 278

WAYS AND MEANS: Maddox, Chair; Connolly and Drake

House File 497

HUMAN RESOURCES: Veenstra, Chair; Dvorsky and Redwine

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: *HOUSE FILE 570, a bill for an act relating to the Iowa turkey marketing council, by providing procedures for the administration of the council, a producer assessment, refunds, and for the expenditure of moneys by the council, and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3111.

Final Vote: Ayes, 15: Gaskill, Miller, Fraise, Angelo, Bartz, Behn, Black, Hedge, Judge, Kibbie, Sexton, Shearer, Soukup, Veenstra, and Zieman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Agriculture Committee on House File 570, and they were attached to the committee report.

TRANSPORTATION

Final Bill Action: HOUSE FILE 651, a bill for an act relating to implements of husbandry and restrictions on the movement of such implements, and other vehicles, upon the highways of this state and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Drake, Sexton, McCoy, Fink, Freeman, Jensen, Judge, Kibbie, McKibben, Rittmer, and Ziemann. Nays, 1: Fraise. Absent or not voting, 1: McKean.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3110	S.F. 445	Sheldon Rittmer
S-3111	H.F. 570	Agriculture
S-3112	S.F. 76	Derryl McLaren
		John W. Jensen

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 4:44 p.m., until 9:00 a.m., Tuesday, March 23, 1999.

JOURNAL OF THE SENATE

SEVENTY-SECOND CALENDAR DAY
FORTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 23, 1999

The Senate met in regular session at 9:06 a.m., Senator Hedge presiding.

Prayer was offered by Reverend Brian Eslinger, pastor of the Unitarian Universalist Fellowship Church, Ames, Iowa.

The Journal of Monday, March 22, 1999, was approved.

CONSIDERATION OF BILL (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 76.

Senate File 76

On motion of Senator Jensen, **Senate File 76**, a bill for an act relating to the administration of the state department of transportation by allowing the reversion of operating funds for training and technology, making a standing appropriation, and providing for the nonreversion of certain railroad funds, with report of committee on Appropriations recommending passage, was taken up for consideration.

Senator McLaren offered amendment S-3112 filed by Senators McLaren and Jensen on March 22, 1999, to page 1 of the bill and moved its adoption.

Amendment S-3112 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. 76), the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Dearden	Deluhery
Drake	Dvorsky	Fink	Fraise
Freeman	Gaskill	Gronstal	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Johnson	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rittmer	Schuerer
Sexton	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 3:

Connolly	Flynn	Rife
----------	-------	------

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Connolly until he arrives, on request of Senator Gronstal.

CONSIDERATION OF BILL (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 428.

Senate File 428

On motion of Senator Maddox, **Senate File 428**, a bill for an act relating to the authority of cities and counties to adopt rent control ordinances, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 428), the vote was:

Ayes, 40:

Angelo	Bartz	Behn	Black
Connolly	Dearden	Deluhery	Drake
Fraise	Freeman	Gaskill	Gronstal
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Johnson	Judge
Kibbie	King	Kramer	Lamberti
Maddox	McCoy	McKean	McKibben
McLaren	Miller	Redfern	Redwine
Rehberg	Rittmer	Schuerer	Sexton
Shearer	Soukup	Veenstra	Zieman

Nays, 8:

Boettger	Bolkcom	Dvorsky	Fink
Hammond	Lundby	Szymoniak	Tinsman

Absent or not voting, 2:

Flynn	Rife
-------	------

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

Senator Iverson asked and received unanimous consent that **Senate Files 76 and 428** be immediately messaged to the House.

President Kramer took the chair at 9:22 a.m.

CONSIDERATION OF BILL (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 445.

Senate File 445

On motion of Senator Lundby, **Senate File 445**, a bill for an act relating to gambling, by imposing a moratorium on the issuance or transfer of certain gambling licenses and on increasing the number of games and machines, authorizing the use of video slot machines, providing for the transfer of collective bargaining agreements, limiting the location of excursion gambling boats and pari-mutuel racetracks, prohibiting the dispensing of cash or credit on certain gambling premises, imposing a scheduled fine for gambling by persons under twenty-one years of age, limiting civil penalties related to violations of legal age for gambling, providing for the disposition of charitable contributions, nullifying certain administrative rules relating to gambling, rescinding the nine-year period of operation for certain licenses, providing for properly related matters, and providing effective dates, was taken up for consideration.

Senator McKean asked and received unanimous consent that action on **Senate File 445** be deferred.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration House File 332.

House File 332

On motion of Senator Freeman, **House File 332**, a bill for an act relating to energy conservation including making appropriations of petroleum overcharge funds, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 332), the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rittmer
Schuerer	Sexton	Shearer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, none.

Absent or not voting, 2:

Flynn Rife

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 Iverson asked and received unanimous consent to take up for consideration Senate File 406.

Senate File 406

On motion of Senator Gronstal, **Senate File 406**, a bill for an act relating to entities and subject matter under the regulatory authority of the insurance division, including securities, business opportunities, cemetery merchandise and residential service contracts, providing for fees, and establishing penalties, 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. 406), the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rittmer
Schuerer	Sexton	Shearer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, none.

Absent or not voting, 2:

Flynn Rife

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

Senator Iverson asked and received unanimous consent that Senate File 406 and House File 332 be immediately messaged to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 324 and House Files 208 and 182.

Senate File 324

On motion of Senator Jensen, Senate File 324, a bill for an act relating to certain franchise agreements and the rights and

responsibilities of the parties under such agreements, was taken up for consideration.

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

Senator Gronstal offered amendment S-3116 filed by him from the floor, to page 10 of the bill and moved its adoption.

Amendment S-3116 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. 324), the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rittmer	Schuerer
Sexton	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, none.

Present, 1:

Lamberti

Absent or not voting, 2:

Flynn

Rife

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

House File 208

On motion of Senator Miller, **House File 208**, a bill for an act establishing a southern Iowa development and conservation authority, specifying membership, powers, and duties, creating a southern Iowa development and conservation fund, and providing for other properly related matters, with report of committee recommending passage, was taken up for consideration.

Senator Bartz asked and received unanimous consent that action on **House File 208** be deferred.

House File 182

On motion of Senator Hammond, **House File 182**, a bill for an act expanding the criminal code definition of serious injury to include certain injuries to children, with report of committee recommending passage, was taken up for consideration.

Senator Hammond moved that the bill be read the last time now and placed upon its passage, 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:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rittmer	Schuerer
Sexton	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 3:

Flynn

McCoy

Rife

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate File 324** and **House File 182** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration **Senate File 304**.

Senate File 304

On motion of Senator Boettger, **Senate File 304**, a bill for an act providing for conditional employment pending the outcome of background checks for health care facility employees, was taken up for consideration.

Senator Boettger asked and received unanimous consent that action on **Senate File 304** be deferred.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration **Senate File 399**.

Senate File 399

On motion of Senator Hedge, **Senate File 399**, a bill for an act relating to tax exemptions for livestock-related pollution-control or recycling property, was taken up for consideration.

Senator Kibbie offered amendment S-3120 filed by Senators Kibbie, et al., from the floor, to page 1 of the bill and moved its adoption.

Amendment S-3120 was adopted by a voice vote.

Senator Kibbie offered amendment S-3121 filed by Senators Kibbie, et al., from the floor, to page 1 of the bill and moved its adoption.

Amendment S-3121 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. 399), the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rittmer
Schuerer	Sexton	Shearer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, none.

Absent or not voting, 2:

Flynn	Rife
-------	------

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

CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 318 and House Files 164 and 299.

Senate File 318

On motion of Senator Schuerer, **Senate File 318**, a bill for an act relating to permissible fees and charges which may be assessed and collected with respect to certain consumer credit transactions, was taken up for consideration.

Senator Schuerer offered amendment S-3094 filed by him on March 17, 1999, striking everything after the enacting clause and to the title page of the bill.

Senator Connolly raised the point of order that amendment S-3094 was not germane to the bill.

Senator Connolly withdrew his point of order.

Senator Connolly asked and received unanimous consent that action on amendment S-3094 and **Senate File 318** be deferred.

House File 164

On motion of Senator Miller, **House File 164**, a bill for an act concerning the open meetings statute by permitting the awarding of appellate attorney fees for a successful action involving the statute, 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. 164), the vote was:

Ayes, 48:

Angelo
Boettger
Deluhery
Fraise
Hammond
Horn
Judge
Lamberti
McKean

Bartz
Bolkcom
Drake
Freeman
Hansen
Iverson
Kibbie
Lundby
McKibben

Behn
Connolly
Dvorsky
Gaskill
Harper
Jensen
King
Maddox
McLaren

Black
Dearden
Fink
Gronstal
Hedge
Johnson
Kramer
McCoy
Miller

Redfern
Schuerer
Szymoniak

Redwine
Sexton
Tinsman

Rehberg
Shearer
Veenstra

Rittmer
Soukup
Zieman

Nays, none.

Absent or not voting, 2:

Flynn

Rife

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

President Kramer took the chair at 10:46 a.m.

House File 299

On motion of Senator Sexton, **House File 299**, a bill for an act relating to applications for motor vehicle registration and issuance of certificate of title, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 299), the vote was:

Ayes, 48:

Angelo
Boettger
Deluhery
Fraise
Hammond
Horn
Judge
Lamberti
McKean
Redfern
Schuerer
Szymoniak

Bartz
Bolkcom
Drake
Freeman
Hansen
Iverson
Kibbie
Lundby
McKibben
Redwine
Sexton
Tinsman

Behn
Connolly
Dvorsky
Gaskill
Harper
Jensen
King
Maddox
McLaren
Rehberg
Shearer
Veenstra

Black
Dearden
Fink
Gronstal
Hedge
Johnson
Kramer
McCoy
Miller
Rittmer
Soukup
Zieman

Nays, none.

Absent or not voting, 2:

Flynn

Rife

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate File 399 and House Files 164 and 299 be immediately messaged to the House.**

HOUSE MESSAGE RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 23, 1999, passed the following resolution in which the **concurrence of the Senate** is asked:

House Joint Resolution 13, a joint resolution requesting the United States Department of Defense and the United States Army to place additional production work at the Rock Island Arsenal.

Read first time and referred to committee on **State Government.**

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 14, by Kramer, Iverson, Redwine, Boettger, Freeman, Sexton, Gaskill, Behn, Zieman, Miller, Veenstra, Hedge, Lamberti, Rehberg, Maddox, Redfern, Angelo, Johnson, Tinsman, Rittmer, Rife, McKibben, McLaren, Drake, Bartz, Jensen, King, McKean and Schuerer, a concurrent resolution urging congressional action to reject the plan by the United States Census Bureau to use statistical sampling in reporting population data to the states for purposes of redistricting.

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

RECESS

On motion of Senator Iverson, the Senate recessed at 10:58 a.m., until 1:00 p.m.

APPENDIX

EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on March 23, 1999, when the vote was taken on Senate File 76. Had I been present, I would have voted "Aye."

MICHAEL W. CONNOLLY

SUBCOMMITTEE ASSIGNMENTS

House File 115

LOCAL GOVERNMENT: Gaskill, Chair; Bartz and McCoy

House File 308

JUDICIARY: Angelo, Chair; Hammond and McKean

House File 584

JUDICIARY: Redfern, Chair; McCoy and McKibben

House File 637

TRANSPORTATION: Rittmer, Chair; Drake and McCoy

House File 659

JUDICIARY: Redfern, Chair; Horn and Miller

House File 660

JUDICIARY: McKibben, Chair; Hansen and Redfern

House File 662

JUDICIARY: Miller, Chair; Hansen and McKean

House File 663

JUDICIARY: Redfern, Chair; McCoy and McKibben

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: HOUSE FILE 311, a bill for an act relating to reimbursement, payment, and coverage by the state for damages involving individuals providing foster home, guardian, or conservator services and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Boettger, Redwine, Szymoniak, Bartz, Behn, Hammond, Harper, Miller, Schuerer, Shearer, Tinsman, and Veenstra. Nays, none. Absent or not voting, 1: Dvorsky.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *HOUSE FILE 497, a bill for an act relating to certain programs and public health issues under the purview of the Iowa department of public health.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3113.

Final Vote: Ayes, 12: Boettger, Redwine, Szymoniak, Bartz, Behn, Hammond, Harper, Miller, Schuerer, Shearer, Tinsman, and Veenstra. Nays, none. Absent or not voting, 1: Dvorsky.

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 House File 497, and they were attached to the committee report.

ALSO:

Final Bill Action: HOUSE FILE 633, a bill for an act restricting the awarding of child visitation rights to a parent convicted of murder in the first degree of the other parent.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Boettger, Redwine, Szymoniak, Bartz, Behn, Harper, Miller, Schuerer, Shearer, Tinsman, and Veenstra. Nays, 1: Hammond. Absent or not voting, 1: Dvorsky.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3113	H.F. 497	Human Resources
S-3114	S.F. 445	Lyle E. Zieman
S-3115	S.F. 445	Mary A. Lundby
S-3116	S.F. 324	Michael E. Gronstal
S-3117	S.F. 304	Nancy Boettger
S-3118	S.F. 304	Nancy Boettger
		Matt McCoy

S-3119	S.F. 292	Mike Connolly
S-3120	S.F. 399	John P. Kibbie
		H. Kay Hedge
		Eugene S. Fraise
		Merlin E. Bartz
		JoAnn Johnson
S-3121	S.F. 399	John P. Kibbie
		H. Kay Hedge
		Eugene S. Fraise
		Merlin E. Bartz
		JoAnn Johnson
S-3122	S.F. 304	Nancy Boettger
		Matt McCoy
S-3123	S.F. 408	Steve King

AFTERNOON SESSION

The Senate reconvened at 1:34 p.m., President Kramer presiding.

ADOPTION OF RESOLUTION

Senator Iverson asked and received unanimous consent to take up for consideration Senate Resolution 9.

Senate Resolution 9

On motion of Senator Iverson, **Senate Resolution 9**, a resolution congratulating Nick Collison and the 1999 McDonald's All American High School Basketball Team, with report of committee recommending passage, was taken up for consideration.

Senator Iverson moved adoption of Senate Resolution 9, which motion prevailed by a voice vote.

SPECIAL GUESTS

Senator Iverson welcomed the McDonald's All American Team and Nick Collison, from Iowa Falls, Iowa. Collison presented Senator Iverson with a basketball signed by the McDonald's All American Team.

The Senate rose and expressed its appreciation for the accomplishments of the team members.

RECESS

On motion of Senator Iverson, the Senate recessed at 1:43 p.m., until 2:30 p.m.

RECONVENED

The Senate reconvened at 3:13 p.m., Senator Hedge presiding.

QUORUM CALL

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

The vote revealed 40 present, 10 absent, and a quorum present.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Hammond and Szymoniak for the remainder of the day, on request of Senator Gronstal.

CONSIDERATION OF BILL (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 395.

Senate File 395

On motion of Senator Angelo, **Senate File 395**, a bill for an act relating to the department of corrections by providing for purchases from Iowa prison industries, the study of inmate worker safety issues, the establishment of a criminal offense for attempts to escape, the crediting of time served by inmates, inmate work program agreements, the revolving farm fund, and deductions from inmate work program earnings, and making penalties applicable, was taken up for consideration.

President Kramer took the chair at 3:24 p.m.

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

On the question "Shall the bill pass?" (S.F. 395), the vote was:

Ayes, 46:

Angelo
Boettger

Bartz
Bolkcom

Behn
Connolly

Black
Dearden

Deluhery	Drake	Dvorsky	Fink
Fraise	Freeman	Gaskill	Gronstal
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Johnson	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McCoy	McKean
McKibben	Miller	Redfern	Redwine
Rehberg	Rife	Rittmer	Schuerer
Sexton	Shearer	Soukup	Tinsman
Veenstra	Zieman		

Nays, none.

Absent or not voting, 4:

Flynn	Hammond	McLaren	Szymoniak
-------	---------	---------	-----------

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

BUSINESS PENDING

Senate File 304

The Senate resumed consideration of **Senate File 304**, a bill for an act providing for conditional employment pending the outcome of background checks for health care facility employees, previously deferred.

Senator Boettger asked and received unanimous consent to withdraw amendment S-3117 filed by her from the floor, to page 1 of the bill; amendment S-3118 filed by Senators Boettger and McCoy from the floor, to page 1 of the bill; and amendment S-3122 filed by Senators Boettger and McCoy from the floor, to amendment S-3118.

Senator Boettger offered amendment S-3124 filed by Senators Boettger and McCoy from the floor, to page 1 of the bill and moved its adoption.

Amendment S-3124 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 304), the vote was:

Ayes, 40:

Angelo	Bartz	Behn	Black
Boettger	Connolly	Deluhery	Drake
Fraise	Freeman	Gaskill	Gronstal
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Johnson	Kibbie
King	Kramer	Lamberti	Maddox
McCoy	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rittmer	Schuerer	Sexton	Shearer
Soukup	Tinsman	Veenstra	Zieman

Nays, 6:

Bolkcom	Dearden	Dvorsky	Fink
Judge	Rife		

Absent or not voting, 4:

Flynn	Hammond	Lundby	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 Iverson asked and received unanimous consent to take up for consideration House File 224.

House File 224

On motion of Senator Drake, **House File 224**, a bill for an act relating to qualifications of commissioners for a city, county, or joint memorial hospital, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Drake offered amendment S-3096 filed by the committee on State Government on March 17, 1999, to page 1 and to the title page of the bill.

President pro tempore Redfern took the chair at 3:53 p.m.

Senator Gronstal offered amendment S-3127 filed by him from the floor, to amendment S-3096 and moved its adoption.

Amendment S-3127 was adopted by a voice vote.

Senator Drake moved adoption of S-3096 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S-3096, the Chair ruled amendment S-3064, filed by Senator Drake on March 15, 1999, to page 1 and to the title page of the bill, out of order.

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

On the question "Shall the bill pass?" (H.F. 224), the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Fraise	Freeman	Gaskill	Gronstal
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Johnson	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Shearer	Soukup
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 3:

Flynn

Hammond

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 BILL (Regular Calendar)

Senator Hedge asked and received unanimous consent to take up for consideration Senate File 392.

Senate File 392

On motion of Senator Jensen, **Senate File 392**, a bill for an act relating to telecommunications systems or services which may be provided by a city utility, establishing certain requirements on such city, and including effective date and retroactive applicability provisions, was taken up for consideration.

Senator Jensen offered amendment S-3128 filed by Senators Jensen, et al., from the floor, to pages 1-5 of the bill.

Senator King asked and received unanimous consent that action on **amendment S-3128** and **Senate File 392** be deferred.

BUSINESS PENDING

Senate File 318

The Senate resumed consideration of **Senate File 318**, a bill for an act relating to permissible fees and charges which may be assessed and collected with respect to certain consumer credit transactions, and amendment S-3094 by Senator Schuerer, striking everything after the enacting clause and to the title page of the bill, previously deferred.

Senator Schuerer moved adoption of amendment S-3094, which motion prevailed by a voice vote.

Senator Schuerer asked and received unanimous consent that **House File 443** be substituted for **Senate File 318**.

House File 443

On motion of Senator Schuerer, **House File 443**, a bill for an act relating to permissible fees and charges which may be assessed and

collected with respect to certain consumer credit transactions, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 443), the vote was:

Ayes, 46:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Fink	Fraise
Freeman	Gaskill	Gronstal	Hansen
Harper	Hedge	Horn	Iverson
Jensen	Johnson	Judge	Kibbie
King	Kramer	Lamberti	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Miller	Redfern	Redwine
Rehberg	Rife	Rittmer	Schuerer
Sexton	Shearer	Soukup	Tinsman
Veenstra	Zieman		

Nays, 1:

Dvorsky

Absent or not voting, 3:

Flynn	Hammond	Szymoniak
-------	---------	-----------

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

WITHDRAWN

Senator Schuerer asked and received unanimous consent that Senate File 318 be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS

(Deferred March 18, 1999)

Senate File 458

The Senate resumed consideration of **Senate File 458**, a bill for an act relating to information required to be placed on property tax statements, deferred March 18, 1999.

Senator Rife offered amendment S-3107 filed by him on March 18, 1999, to page 1 and to the title page of the bill.

Senator McKibben raised point of order that amendment S-3107 was not germane to the bill.

The Chair ruled the point well taken and amendment S-3107 out of order.

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

On the question "Shall the bill pass?" (S.F. 458), the vote was:

Ayes, 24:

Angelo	Behn	Boettger	Drake
Freeman	Gaskill	Harper	Iverson
Jensen	Johnson	Judge	King
Kramer	Lamberti	Maddox	McKibben
Miller	Redfern	Redwine	Rittmer
Schuerer	Sexton	Tinsman	Veenstra

Nays, 22:

Bartz	Black	Bolkcom	Connolly
Dearden	Deluhery	Dvorsky	Fink
Fraise	Gronstal	Hansen	Hedge
Horn	Kibbie	Lundby	McCoy
McKean	McLaren	Rehberg	Shearer
Soukup	Zieman		

Absent or not voting, 4:

Flynn	Hammond	Rife	Szymoniak
-------	---------	------	-----------

The bill not having received a constitutional majority was declared to have failed to pass the Senate.

IMMEDIATELY MESSAGED

Senator Hedge asked and received unanimous consent that **Senate File 304** and **House Files 224** and **443** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 23, 1999, passed the following bills in which the **concurrence** of the **Senate** is asked:

House File 234, a bill for an act limiting the liability of the state and political subdivisions of the state for certain losses caused by the failure of computer software or a device containing a computer processor.

Read first time and referred to committee on **State Government**.

House File 448, a bill for an act prohibiting the transmission of electronic mail which includes advertisements in certain circumstances and providing for monetary damages, criminal penalties, and other remedies.

Read first time and referred to committee on **Commerce**.

House File 532, a bill for an act relating to practitioner preparation programs and providing for a pilot study to assess the performance of teacher education graduates.

Read first time and referred to committee on **Education**.

House File 624, a bill for an act relating to electronic commerce security, and providing penalties.

Read first time and referred to committee on **Commerce**.

House File 672, a bill for an act relating to area education agencies and school districts by modifying the time guidelines concerning bargaining by certain employees, and changing dates relating to budget certification and notice of teacher termination for school districts.

Read first time and referred to committee on **Education**.

House File 732, a bill for an act relating to telehealth, by providing for patient consent to telehealth services and for complaints and disciplinary actions against health care practitioners.

Read first time and referred to committee on **Human Resources**.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 15, by Bartz, a concurrent resolution to urge that the United States Congress and the United States Department of Justice take all actions necessary in order to prevent the merger of Cargill Inc. and the grain unit of Continental Grain Co.

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

Senate Concurrent Resolution 16, by Sexton and Bolckcom, a concurrent resolution requesting an interim study of the feasibility of televising legislative proceedings in order to enhance public access to state government.

Read first time and referred to committee on **State Government**.

APPENDIX

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 23, 1999:

BUSINESS AND LABOR

Byron K. Orton – Labor Commissioner

COMMERCE

Gary D. Stewart – Consumer Advocate

Don Gettings – Credit Union Review Board

Therese M. Vaughan – Commissioner of Insurance

Timothy Lapointe – Iowa Telecommunications and Technology Commission

Susan Frye – Utilities Board

EDUCATION

Bill Haigh – Board of Educational Examiners

Helen Lewis – Board of Educational Examiners

Mary Settles – Board of Educational Examiners

Robert Fleming – Iowa Higher Education Loan Authority

David Neil – State Board of Regents

Owen Newlin – State Board of Regents

Deborah Turner – State Board of Regents

Connie Cook – School Budget Review Committee

HUMAN RESOURCES

Jill Meilahn – Board of Examiners for Athletic Training

Rebecca Beach – Board of Behavioral Science Examiners

Jack Hillyard – Board of Behavioral Science Examiners

Julia Scurr – Commission for the Blind

William Joseph Brand – Administrator of the Division of Community Action Agencies

Kathy Beauchamp – Commission on Community Action Agencies
Micheal Coverdale – Commission on Community Action Agencies
Arbella Jetter – Commission on Community Action Agencies

Loren Woods – Commission on the Deaf

John Lowe – Commission of Elder Affairs
Jane Paulsen – Commission of Elder Affairs

Richard Dickinson – State Citizen Foster Care Review Board
Albert Sorensen – State Citizen Foster Care Review Board

Edward Nichols – Health Facilities Council

Jessie K. Rasmussen – Director of the Department of Human Services

Thomas Glenn – Iowa Council on Human Investment
Betty Grandquist – Iowa Council on Human Investment

Mark Haverland – Council on Human Services
Christine Louscher – Council on Human Services
Dianne Dethmers Paca – Council on Human Services

Lori Bears – Mental Health and Developmental Disabilities Commission
Michael Flaum – Mental Health and Developmental Disabilities Commission
Jackie Kibbie-Williams – Mental Health and Developmental Disabilities Commission
Nancy McKlveen – Mental Health and Developmental Disabilities Commission

Stephen C. Gleason – Director of Public Health

Charlotte B. Nelson – Administrator of the Division on the Status of Women

JUDICIARY

Alicia Claypool – Iowa State Civil Rights Commission
David Leshtz – Iowa State Civil Rights Commission
Rachel Scherle – Iowa State Civil Rights Commission

Frances Colston – Board of Corrections
Robyn Mills – Board of Corrections
Arthur Neu – Board of Corrections
Walter Reed, Jr. – Board of Corrections

R. Bruce Upchurch – Drug Enforcement and Abuse Prevention Coordinator

Craig Rypma – State Judicial Nominating Commission
Linda Steensland – State Judicial Nominating Commission

Lennis Moore – Commission on Judicial Qualifications

Karen Muelhaupt – Board of Parole

LOCAL GOVERNMENT

Joanne Stockdale – County Finance Committee

NATURAL RESOURCES AND ENVIRONMENT

James Braun – Environmental Protection Commission
Elizabeth Christiansen – Environmental Protection Commission
Gary Priebe – Environmental Protection Commission
Rita Venner – Environmental Protection Commission

Paul Christiansen – Natural Resource Commission
Carol Kramer – Natural Resource Commission
William Sullivan – Natural Resource Commission

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Robert Bocken – Iowa Economic Development Board
Pamela Sessions – Iowa Economic Development Board

David J. Lyons – Director of the Department of Economic Development

STATE GOVERNMENT

Dorothy Dunphy – Accountancy Examining Board
James Egerton – Accountancy Examining Board

Traevena L. Potter-Hall – Administrator of the Division on the Status of African-Americans

Shirley Daggett – Alcoholic Beverages Commission

Gordon Mills – Architectural Examining Board
Katherine Schwensen – Architectural Examining Board

Raymond Barker – Board of Barber Examiners

Daryl Engelen – Board of Chiropractic Examiners
Thomas Stanzel – Board of Chiropractic Examiners

David Creighton, Sr. – Board of Cosmetology Arts and Sciences Examiners
Janet Fisher – Board of Cosmetology Arts and Sciences Examiners
Teresa Mertens – Board of Cosmetology Arts and Sciences Examiners
Sheila O'Hern – Board of Cosmetology Arts and Sciences Examiners

Phyllis Cacciatore – Board of Dental Examiners
Steven Wettach – Board of Dental Examiners
Debra Yossi – Board of Dental Examiners

Nicholas Konrady – Engineering and Land Surveying Examining Board

Mark McCormick – Iowa Ethics and Campaign Disclosure Board
Mark McCormick – Iowa Ethics and Campaign Disclosure Board
Phyllis Peters – Iowa Ethics and Campaign Disclosure Board

Marie Callas – Board for the Licensing of Hearing Aid Dealers
Patricia Stark – Board for the Licensing of Hearing Aid Dealers

Janet Adams – Investment Board of the IPERS
Sheila Riggs – Investment Board of the IPERS

Gregory Jones – Landscape Architectural Examining Board

Michael McCoy – Iowa Lottery Board
Susan Thompson – Iowa Lottery Board

Edward J. Stanek – Commissioner of the Lottery

Lana Fogue – Board of Examiners for Massage Therapy
Lois Leytem – Board of Examiners for Massage Therapy

Diane Nagle – Board of Medical Examiners
Stuart Winston – Board of Medical Examiners
Allen Zagoren – Board of Medical Examiners

J. Craig Fratzke – Board of Mortuary Science Examiners
Marcus Vigen – Board of Mortuary Science Examiners

Anna Fallon – Board of Nursing Examiners

Larry Hertel – State Board of Examiners for Nursing Home Administrators

Duane Atteberry – Board of Optometry Examiners
Larry Hicks – Board of Optometry Examiners

Mollie K. Anderson – Director of the Department of Personnel

Mary Pat Mitchell – Board of Pharmacy Examiners
Matthew Osterhaus – Board of Pharmacy Examiners

Madonna Ryan – Board of Psychology Examiners
Kurosh Shahriari – Board of Psychology Examiners
Jacob Sines – Board of Psychology Examiners

Diane L. Hamilton – State Racing and Gaming Commission
Willard Hansen – State Racing and Gaming Commission
James F. Hassenfritz – State Racing and Gaming Commission
Michael W. Mahaffey – State Racing and Gaming Commission
Rita Sealock – State Racing and Gaming Commission

Sharon Chism – Real Estate Appraiser Examining Board

Barbara Leestamper – Real Estate Commission
Robert Miller – Real Estate Commission

Lance Clemens – Board of Social Work Examiners
Mark Smith – Board of Social Work Examiners

Tracy Rial – Board of Speech Pathology and Audiology Examiners

Mary Ellen White – Commission of Veterans Affairs

Brian B. Bales – Executive Director of the Commission of Veterans Affairs

TRANSPORTATION

Tom Aller – State Transportation Commission

WAYS AND MEANS

Virginia Bordwell – Iowa Finance Authority
Vincent Lintz – Iowa Finance Authority
Lisa Wageman – Iowa Finance Authority

Gerald D. Bair – Director of Revenue and Finance

Lowell Norland – State Board of Tax Review

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Darrin Naatjes, West Lyon High School – For being an All State Athlete in four sports: baseball, basketball, football, and track. Senator Veenstra (03/23/99).

Trevor Rhines, Manchester – For winning the Iowa Coca-Cola Bowling Championship. Senator Rehberg (03/23/99).

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: March 23, 1999, 11:20 a.m.

Members Present: McLaren, Chair; Kramer, Vice Chair; Behn, Black, Bolcom, Connolly, Deluhery, Dvorsky, Freeman, Hammond, Hedge, Horn, Jensen, Johnson, King, Lamberti, Maddox, McCoy, Redwine, Rehberg, Schuerer, Soukup, and Tinsman.

Members Absent: Flynn, Ranking Member; and Rife (both excused).

Committee Business: Approved SSB 1159.

Adjourned: 12:05 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: March 23, 1999, 1:45 p.m.

Members Present: Bartz, Chair; King, Vice Chair; Fink, Ranking Member; Black, Bolkcom, Dearden, Deluhery, Gaskill, Johnson, Kibbie, Miller, Rehberg, and Rife.

Members Absent: Drake and Freeman (both excused).

Committee Business: Open discussion with Paul Johnson, Governor's nominee for Director of the Department of Natural Resources.

Adjourned: 2:45 p.m.

RULES AND ADMINISTRATION

Convened: March 23, 1999, 4:30 p.m.

Members Present: Iverson, Chair; Kramer, Vice Chair; Gronstal, Ranking Member; Dvorsky, Fink, Harper, Jensen, Lundby, Redfern, Rehberg, and Rittmer.

Members Absent: None.

Committee Business: Assignment of Governor's and AG's appointments to standing committees. Voted to calendar SR 7, SCR 11, and rewrote SJR 11 as a committee bill.

Adjourned: 4:50 p.m.

INTRODUCTION OF BILL

Senate File 460, by committee on Appropriations, a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, other properly related matters, and providing effective dates.

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

INTRODUCTION OF RESOLUTION

Senate Resolution 10, by Deluhery, Tinsman, Rife, Drake, and Rittmer, a resolution supporting the placement of additional federal production work at, and continued utilization of, the Rock Island Arsenal.

Read first time under Rule 28 and referred to committee on **State Government**.

STUDY BILLS RECEIVED

SSB 1209 Appropriations

Relating to the establishment of an Iowa early intervention block grant program, providing for a school improvement technology block grant program, and making appropriations.

SSB 1210 Ways and Means

Relating to reductions in the state individual income tax by increasing the deduction for pension income and increasing the personal and dependent credits, and including a retroactive applicability date provision

SSB 1211 Ways and Means

Relating to the classification of apartments in condominiums for purposes of property taxation.

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 13

STATE GOVERNMENT: Drake, Chair; Kibbie and Schuerer

House File 656

STATE GOVERNMENT: Rittmer, Chair; Drake and Kibbie

SSB 1209

APPROPRIATIONS: Redwine, Chair; Connolly, Horn, King, and Rehberg

SSB 1210

WAYS AND MEANS: Lamberti, Chair; Flynn and Johnson

SSB 1211

WAYS AND MEANS: McLaren, Chair; Drake and Soukup

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: *SENATE FILE 460 (SSB 1159), a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, other properly related matters, and providing effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 23: McLaren, Kramer, Behn, Black, Bolkcom, Connolly, Deluhery, Dvorsky, Freeman, Hammond, Hedge, Horn, Jensen, Johnson, King, Lamberti, Maddox, McCoy, Redwine, Rehberg, Schuerer, Soukup, and Tinsman. Nays, none. Absent or not voting, 2: Flynn and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Appropriations Committee on Senate File 460, and they were attached to the committee report.

RULES AND ADMINISTRATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 11, a concurrent resolution requesting the United States Congress to prevent the federal government from attempting to recoup Medicaid payments from the state tobacco litigation settlement agreement moneys, and to allow the states to keep all settlement moneys, without offset.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Iverson, Kramer, Gronstal, Dvorsky, Fink, Harper, Jensen, Lundby, Redfern, Rehberg, and Rittmer. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE RESOLUTION 7, a resolution honoring Major General Warren G. Lawson, recommending Major General Warren G. Lawson for the Iowa Medal of Valor, and designating a Major General Warren G. Lawson Day.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Iverson, Kramer, Gronstal, Dvorsky, Fink, Harper, Jensen, Lundby, Redfern, Rehberg, and Rittmer. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 395 passed the Senate on March 23, 1999.

ROBERT E. DVORSKY

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 458 failed to pass the Senate on March 23, 1999.

ANDY McKEAN

AMENDMENTS FILED

S-3124	S.F. 304	Nancy Boettger Matt McCoy
S-3125	H.F. 651	Eugene S. Fraise
S-3126	H.F. 651	Eugene S. Fraise
S-3127	H.F. 224	Michael E. Gronstal
S-3128	S.F. 392	John W. Jensen Wally E. Horn Dennis H. Black Eugene Fraise Neal Schuerer Stewart E. Iverson, Jr.
S-3129	S.F. 395	Robert E. Dvorsky Jeff Angelo

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 4:30 p.m., until 9:00 a.m., Wednesday, March 24, 1999.

JOURNAL OF THE SENATE

SEVENTY-THIRD CALENDAR DAY
FORTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 24, 1999

The Senate met in regular session at 9:15 a.m., President Kramer presiding.

Prayer was offered by Pastor H. W. Kramer of the Emmanuel Lutheran Church, Lake View, Iowa.

The Journal of Tuesday, March 23, 1999, was approved.

SPECIAL GUESTS

Senator Boettger introduced the following members of the Future Homemakers of Iowa:

National Vice President of Public Relations, Leslie Allensworth, Glenwood; State President, Joy Larson, Oakland; and State Student Body Chair, Melissa Earles, Traer. They were accompanied by their advisors, Vera Larson and Janice Halupnick.

INTRODUCTION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery: Sixty high school students from Eddyville-Blakesburg School District and Baud Aarrolson, Germany, accompanied by Dr. Alan L. Mayer, Mr. Whitver and Mr. Helmut Koolhop.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration House File 136 and Senate Files 277, 319 and 439.

House File 136

On motion of Senator Angelo, **House File 136**, a bill for an act relating to the criminal offenses that require registration as provided in the sex offender registry law and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Angelo offered amendment S-3018 filed by the committee on Judiciary on February 23, 1999, to page 1 of the bill and moved its adoption.

Amendment S-3018 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (H.F. 136), the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Sexton	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

Flynn

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

Senate File 277

On motion of Senator Lamberti, **Senate File 277**, a bill for an act relating to hospital clinical privileges of a physician assistant or advanced registered nurse practitioner, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 277), the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Schuerer	Sexton	Shearer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, none.

Absent or not voting, 2:

Flynn Rittmer

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

Senate File 319

On motion of Senator Lamberti, **Senate File 319**, a bill for an act relating to the deposit of public funds and the conditions which must be met by a savings and loan association or savings bank to be eligible to receive such deposits, was taken up for consideration.

Senator Lamberti offered amendment S-3104 filed by Senators Lamberti and Deluhery on March 18, 1999, to pages 1, 3-5, 7, 11-13 and to the title page of the bill and moved its adoption.

Amendment S-3104 was adopted by a voice vote.

Senator Lamberti asked and received unanimous consent that House File 571 be substituted for Senate File 319.

House File 571

On motion of Senator Lamberti, **House File 571**, a bill for an act relating to the deposit of public funds and the conditions which must be met by a savings and loan association or savings bank to be eligible to receive such deposits, and providing an effective date, was taken up for consideration.

Senator Lamberti offered amendment S-3106 filed by Senators Lamberti and Deluhery on March 18, 1999, to page 5 of the bill and moved its adoption.

Amendment S-3106 was adopted by a voice vote.

Senator Lamberti moved that the bill be read the last time now and placed upon its passage, 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:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Sexton	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

Flynn

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

WITHDRAWN

Senator Lamberti asked and received unanimous consent that **Senate File 319** be **withdrawn** from further consideration of the Senate.

Senate File 439

On motion of Senator Boettger, **Senate File 439**, a bill for an act relating to the Iowa community empowerment Act and related provisions, and providing an effective date, was taken up for consideration.

Senator Boettger offered amendment S-3131 filed by Senators Boettger, Tinsman and Szymoniak from the floor, to pages 1-5 and 7 of the bill and moved its adoption.

Amendment S-3131 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 439), the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller

Redfern
Rittmer
Soukup
Zieman

Redwine
Schuerer
Szymoniak

Rehberg
Sexton
Tinsman

Rife
Shearer
Veenstra

Nays, none.

Absent or not voting, 1:

Flynn

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that House Files 136 and 571 and Senate File 277 be immediately messaged to the House.

PRESENTATION OF VISITORS

The Chair welcomed members of the United Methodist Women from the First United Methodist Church, Cedar Falls; Prairie Springs; Washington Chapel; St. Tims United Methodist Church and the Trinity United Methodist Church, Waverly. They were accompanied by Reverend Bruce Ursin, Reverend Steve Hansen, Reverend Keith Scott and Senator Redfern.

RECESS

On motion of Senator Iverson, the Senate recessed at 10:14 a.m., until 3:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

NATURAL RESOURCES AND ENVIRONMENT

Convened: March 24, 1999, 10:23 a.m.

Members Present: Bartz, Chair; King, Vice Chair; Fink, Ranking Member; Black, Bolkcom, Dearden, Deluhery, Drake, Freeman, Gaskill, Johnson, Kibbie, Miller, Rehberg, and Rife.

Members Absent: None.

Committee Business: Passed HF 489.

Adjourned: 10:27 a.m.

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM

Convened: March 24, 1999, 10:20 a.m.

Members Present: Lundby, Chair; Behn, Vice Chair; Shearer, Ranking Member; Boettger, Hansen, Judge, Rittmer, Sexton, Soukup, Tinsman, Veenstra, and Zieman.

Members Absent: Flynn (excused).

Committee Business: Passed SF 328, as amended.

Adjourned: 10:55 a.m.

STATE GOVERNMENT

Convened: March 24, 1999, 11:08 a.m.

Members Present: Rittmer, Chair; Lamberti, Vice Chair; Kibbie, Ranking Member; Connolly, Dearden, Deluhery, Drake, Fink, King, Lundby, Maddox, McLaren, Schuerer, Sexton, and Szymoniak.

Members Absent: None.

Committee Business: Subcommittee assignments. Passed HF 417. Passed HF 656, as amended.

Adjourned: 12:02 p.m.

WAYS AND MEANS

Convened: March 24, 1999, 1:05 p.m.

Members Present: Johnson, Chair; McKibben, Vice Chair; Harper, Ranking Member; Bartz, Bolkcom, Connolly, Deluhery, Drake, Hedge, Lamberti, Maddox, Redwine, and Soukup.

Members Absent: Flynn and McLaren (both excused).

Committee Business: Passed SF 139 and HF 199. Passed SF 291, as amended. Recommended governor's appointees for confirmation.

Adjourned: 1:50 p.m.

COMMITTEE REPORTS

NATURAL RESOURCES AND ENVIRONMENT

Final Bill Action: HOUSE FILE 489, a bill for an act eliminating certain requirements relating to the regulation of infectious waste.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Bartz, King, Fink, Black, Bolkcom, Dearden, Deluhery, Drake, Freeman, Gaskill, Johnson, Kibbie, Miller, Rehberg, and Rife. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: *SENATE JOINT RESOLUTION 12, a joint resolution to nullify an administrative rule of the secretary of state concerning preparation of descriptions of constitutional amendments and statewide public measures and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Iverson, Kramer, Gronstal, Dvorsky, Fink, Harper, Jensen, Lundby, Redfern, Rehberg, and Rittmer. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Rules and Administration Committee on Senate Joint Resolution 12, and they were attached to the committee report.

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 417, a bill for an act relating to release of certain information on claimants of the property tax rent reimbursement to the department of inspections and appeals.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Rittmer, Lamberti, Kibbie, Connolly, Dearden, Deluhery, Drake, Fink, King, Schuerer, and Sexton. Nays, none. Absent or not voting, 4: Lundby, Maddox, McLaren, and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 439 passed the Senate on March 24, 1999.

NANCY BOETTGER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 439 passed the Senate on March 24, 1999.

MICHAEL E. GRONSTAL

AMENDMENTS FILED

S-3130	S.F. 393	Jack Rife
S-3131	S.F. 439	Nancy Boettger
		Maggie Tinsman
		Elaine Szymoniak
S-3132	S.F. 190	Mary A. Lundby
S-3133	S.F. 446	Dick L. Dearden
S-3134	S.F. 211	Maggie Tinsman
S-3135	S.F. 404	JoAnn Johnson
S-3136	S.F. 445	Andy McKean
S-3137	S.F. 413	John Redwine

AFTERNOON SESSION

The Senate reconvened at 3:23 p.m., President Kramer presiding.

PRESENTATION OF VISITORS

The Chair welcomed fifty students from North High School, Sioux City, Iowa, who were present in the balcony. Senators Hansen and Redwine.

UNFINISHED BUSINESS
(Deferred March 23, 1999)

Senate File 445

The Senate resumed consideration of **Senate File 445**, a bill for an act relating to gambling, by imposing a moratorium on the issuance or transfer of certain gambling licenses and on increasing the number of games and machines, authorizing the use of video slot machines, providing for the transfer of collective bargaining agreements, limiting the location of excursion gambling boats and pari-mutuel racetracks, prohibiting the dispensing of cash or credit on certain gambling premises, imposing a scheduled fine for gambling by persons under twenty-one years of age, limiting civil penalties related to violations of legal age for gambling, providing for the disposition of charitable contributions, nullifying certain administrative rules relating to gambling, rescinding the nine-year period of operation for certain licenses, providing for properly related matters, and providing effective dates, deferred March 23, 1999.

Senator McKean offered amendment S-3136 filed by him from the floor, to pages 2 and 6 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3136 be adopted?" (S.F. 445), the vote was:

Ayes, 27:

Angelo
Boettger

Bartz
Bolkcom

Behn
Drake

Black
Dvorsky

Freeman	Gronstal	Hammond	Harper
Hedge	Jensen	King	Lundby
McKean	McKibben	Miller	Redfern
Redwine	Rehberg	Schuerer	Shearer
Soukup	Tinsman	Veenstra	

Nays, 22:

Connolly	Dearden	Deluhery	Fink
Fraise	Gaskill	Hansen	Horn
Iverson	Johnson	Judge	Kibbie
Kramer	Lamberti	Maddox	McCoy
McLaren	Rife	Rittmer	Sexton
Szymoniak	Zieman		

Absent or not voting, 1:

Flynn

Amendment S-3136 was adopted.

Senator Rife asked and received unanimous consent to withdraw amendment S-3101 filed by him on March 18, 1999, to page 3 of the bill.

Senator Zieman asked and received unanimous consent to withdraw amendment S-3108 filed by him on March 22, 1999, to page 6 of the bill.

Senator Rittmer offered amendment S-3110 filed by him on March 22, 1999, to page 6 of the bill.

Senator Zieman offered amendment S-3114 filed by him on March 23, 1999, to amendment S-3110 and moved its adoption.

Amendment S-3114 was adopted by a voice vote.

Senator Rittmer moved adoption of amendment S-3110 as amended.

Amendment S-3110 was adopted by a voice vote.

Senator Lundby offered amendment S-3115 filed by her on March 23, 1999, to page 6 of the bill and moved its adoption.

Amendment S-3115 was adopted by a voice vote.

President pro tempore Redfern took the chair at 4:23 p.m.

Senator McLaren asked and received unanimous consent to withdraw amendment S-3140 filed by him from the floor, to page 3 of the bill.

President Kramer took the chair at 4:28 p.m.

Senator McCoy offered amendment S-3139 filed by him from the floor, to page 5 of the bill and moved its adoption.

Amendment S-3139 was adopted by a voice vote.

Senator McCoy offered amendment S-3138 filed by him from the floor, to page 6 and to the title page of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3138 be adopted?" (S.F. 445), the vote was:

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

Ayes, 27:

Black	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Gaskill	Gronstal	Harper	Horn
Iverson	Johnson	Kibbie	Kramer
Lamberti	Lundby	Maddox	McCoy
Rife	Rittmer	Sexton	Shearer
Soukup	Szymoniak	Zieman	

Nays, 22:

Angelo	Bartz	Behn	Boettger
Fraise	Freeman	Hammond	Hansen
Hedge	Jensen	Judge	King
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Schuerer
Tinsman	Veenstra		

Absent or not voting, 1:

Flynn

Amendment S-3138 was adopted.

Senator Gronstal asked and received unanimous consent that action on **Senate File 445** be deferred.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 404 and 275.

Senate File 404

On motion of Senator Johnson, **Senate File 404**, a bill for an act relating to a relationship involving real estate licensees and real estate clients, and establishing restrictions on the payment of commissions or other consideration, was taken up for consideration.

Senator Johnson offered amendment S-3135 filed by her from the floor, to pages 1 and 2 of the bill and moved its adoption.

Amendment S-3135 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 404), the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Fraise	Gaskill	Gronstal	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Johnson	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer

Schuerer
Szymoniak

Sexton
Tinsman

Shearer
Veenstra

Soukup
Zieman

Nays, none.

Absent or not voting, 2:

Flynn

Freeman

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

Senate File 275

On motion of Senator Szymoniak, **Senate File 275**, a bill for an act relating to services for children by requiring the department of human services to establish certification or licensing standards for children's centers, was taken up for consideration.

Senator Szymoniak offered amendment S-3105 filed by Senators Boettger, Szymoniak and Kramer on March 18, 1999, to page 1 and to the title page of the bill and moved its adoption.

Amendment S-3105 was adopted by a voice vote.

Senator 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. 275), the vote was:

Ayes, 49:

Angelo
Boettger
Deluhery
Fraise
Hammond
Horn
Judge
Lamberti
McKean
Redfern
Rittmer
Soukup
Zieman

Bartz
Bolkcom
Drake
Freeman
Hansen
Iverson
Kibbie
Lundby
McKibben
Redwine
Schuerer
Szymoniak

Behn
Connolly
Dvorsky
Gaskill
Harper
Jensen
King
Maddox
McLaren
Rehberg
Sexton
Tinsman

Black
Dearden
Fink
Gronstal
Hedge
Johnson
Kramer
McCoy
Miller
Rife
Shearer
Veenstra

Nays, none.

Absent or not voting, 1:

Flynn

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 Iverson asked and received unanimous consent that **Senate Files 275 and 404** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 24, 1999, passed the following bills in which the **concurrence** of the Senate is asked:

House File 322, a bill for an act relating to production contracts, providing penalties, and providing an effective date.

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

House File 433, a bill for an act relating to the exclusion of certain transactions involving a public utility or common carrier from the applicability of the consumer credit code.

Read first time and referred to committee on **Commerce**.

House File 472, a bill for an act relating to burial sites on private property.

Read first time and referred to committee on **Local Government**.

House File 721, a bill for an act relating to the Iowa egg council by providing for its administration and membership, and providing an effective date.

Read first time and referred to committee on **Agriculture**.

House File 743, a bill for an act relating to the establishment of an Iowa early intervention block grant program, providing for a school improvement technology block grant program, and making appropriations.

Read first time and referred to committee on **Education**.

ALSO: That the House has on March 23, 1999, passed the following bill in which the concurrence of the House was asked:

Senate File 203, a bill for an act relating to transportation, including regulation of school buses and special trucks, vehicle titling and registration, commercial driver's licenses, regulations on motor carriers, regulations on motor vehicle manufacturers, distributors, and dealers, size, weight, and load restrictions on vehicles, driver education, transportation of students, equipment on vehicles, rescission of a driver's license revocation, and administrative procedures of the state department of transportation, and providing for fees and penalties and an effective date.

ALSO: That the House has on March 23, 1999, passed the following bills in which the concurrence of the Senate is asked:

House File 620, a bill for an act relating to persons with disabilities by providing for the use of wheelchair parking cones, providing for persons with disabilities registration plates for trailers, and providing for penalties.

Read first time and referred to committee on **Transportation**.

House File 649, a bill for an act relating to the issuance of a limited number of deer or wild turkey hunting licenses.

Read first time and referred to committee on **Natural Resources and Environment**.

House File 687, a bill for an act relating to the location requirements for a licensed hunting preserve.

Read first time and referred to committee on **Natural Resources and Environment.**

House File 689, a bill for an act relating to a proposal by the department of cultural affairs concerning the establishment of an Iowa freedom trail program.

Read first time and referred to committee on **Education.**

House File 696, a bill for an act relating to the sale of timber by a county conservation board.

Read first time and referred to committee on **Natural Resources and Environment.**

House File 707, a bill for an act relating to regulation of needles by requiring the conducting of a study.

Read first time and referred to committee on **Human Resources.**

House File 708, a bill for an act establishing a governor's award for quality care in health care facilities.

Read first time and referred to committee on **Human Resources.**

House File 710, a bill for an act providing for the location of the drug enforcement and abuse prevention coordinator and the governor's alliance on substance abuse.

Read first time and referred to committee on **Judiciary.**

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 12, by committee on Rules and Administration, a joint resolution to nullify an administrative rule of the secretary of state concerning preparation of descriptions of constitutional amendments and statewide public measures and providing an effective date.

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

APPENDIX

APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committees on March 24, 1999, to investigate the appointment and reappointment of the following appointees:

BUSINESS AND LABOR RELATIONS

As Labor Commissioner:

BYRON K. ORTON – Schuerer, Chair; Hedge and Fraise

COMMERCE

As Consumer Advocate:

GARY D. STEWART – Gronstal, Chair; Jensen and King

As a member of the Credit Union Review Board:

DON GETTINGS – Jensen, Chair; Johnson and Bolkom

As Commissioner of Insurance:

THERESE M. VAUGHAN – Jensen, Chair; Deluhery and Redfern

As a member of the Iowa Telecommunications and Technology Commission:

TIMOTHY LAPOINTE – Lundby, Chair; Lamberti and Hansen

As a member of the Utilities Board:

SUSAN FRYE – Deluhery, Chair; Schuerer and Maddox

EDUCATION

As members of the Board of Educational Examiners:

BILL HAIGH – Szymoniak, Chair; Rehberg and Tinsman

HELEN LEWIS – Redwine, Chair; Angelo and Fink

MARY SETTLES – Boettger, Chair; Gaskill and Harper

As a member of the Iowa Higher Education Loan Authority:

ROBERT FLEMING – Dvorsky, Chair; Tinsman and Veenstra

As members of the State Board of Regents:

DAVID NEIL – Redfern, Chair; Harper and Rehberg
OWEN NEWLIN – Redfern, Chair; Rehberg and Connolly
DEBORAH TURNER – Gaskill, Chair; Sexton and Rehberg

As a member of the School Budget Review Committee:

CONNIE COOK – Redfern, Chair; Shearer and Angelo

HUMAN RESOURCES

As a member of the Board of Examiners for Athletic Training:

JILL MEILAHN – Hammond, Chair; Behn and Schuerer

As members of the Board of Behavioral Science Examiners:

REBECCA BEACH – Schuerer, Chair; Harper and Tinsman
JACK HILLYARD – Behn, Chair; Miller and Szymoniak

As a member of the Commission for the Blind:

JULIA SCURR – Schuerer, Chair; Veenstra and Hammond

As Administrator of the Division of Community Action Agencies:

WILLIAM JOSEPH BRAND – Miller, Chair; Bartz and Dvorsky

As members of the Commission on Community Action Agencies:

KATHY BEAUCHAMP – Bartz, Chair; Veenstra and Harper
MICHAEL COVERDALE – Shearer, Chair; Tinsman and Veenstra
ARBELLA JETTER – Szymoniak, Chair; Bartz and Behn

As a member of the Commission on the Deaf:

LOREN WOODS – Boettger, Chair; Behn and Hammond

As members of the Commission of Elder Affairs:

JOHN LOWE – Harper, Chair; Behn and Veenstra
JANE PAULSEN – Hammond, Chair; Miller and Tinsman

As members of the State Citizen Foster Care Review Board:

RICHARD DICKINSON – Behn, Chair; Tinsman and Dvorsky
ALBERT SORENSEN – Tinsman, Chair; Bartz and Hammond

As a member of the Health Facilities Council:

EDWARD NICHOLS – Shearer, Chair; Behn and Bartz

As members of the Iowa Council on Human Investment:

THOMAS GLENN – Dvorsky, Chair; Schuerer and Tinsman
BETTY GRANDQUIST – Harper, Chair; Behn and Bartz

As Director of the Department of Human Services:

JESSIE K. RASMUSSEN – Boettger, Chair; Redwine and Szymoniak

As members of the Council on Human Services:

DIANNE DETHMERS PACA – Bartz, Chair; Schuerer and Veenstra
MARK HAVERLAND – Veenstra, Chair; Miller and Szymoniak
CHRISTINE LOUSCHER – Tinsman, Chair; Shearer and Veenstra

As members of the Mental Health and Developmental Disabilities Commission:

LORI BEARS – Dvorsky, Chair; Miller and Veenstra
MICHAEL FLAUM – Dvorsky, Chair; Miller and Tinsman
JACKIE KIBBIE-WILLIAMS – Veenstra, Chair; Hammond and Behn
NANCY MCKLVEEN – Szymoniak, Chair; Behn and Schuerer

As Director of Public Health:

STEPHEN C. GLEASON – Redwine, Chair; Boettger and Szymoniak

As Administrator of the Division on the Status of Women:

CHARLOTTE B. NELSON – Tinsman, Chair; Hammond and Miller

JUDICIARY

As members of the Iowa State Civil Rights Commission:

ALICIA CLAYPOOL – McCoy, Chair; Angelo and Tinsman
DAVID LESHTZ – Dvorsky, Chair; McKean and Tinsman
RACHEL SCHERLE – Fraise, Chair; Maddox and Miller

As members of the Board of Corrections:

FRANCES COLSTON – Maddox, Chair; Hammond and McKean
ROBYN MILLS – McCoy, Chair; Boettger and McKibben
ARTHUR NEU – Hammond, Chair; Maddox and McKean
WALTER REED, JR. – Redfern, Chair; McKean and Hammond

As Drug Enforcement and Abuse Prevention Coordinator:

R. BRUCE UPCHURCH – Miller, Chair; Lamberti and McCoy

As members of the State Judicial Nominating Commission:

CRAIG RYPMA – Lamberti, Chair; Maddox and Dvorsky
LINDA STEENSLAND – Boettger, Chair; Miller and Hansen

As a member of the Commission on Judicial Qualifications:

LENNIS MOORE – Fraise, Chair; Maddox and McKean

As a member of the Board of Parole:

KAREN MUELHAUPT – Maddox, Chair; McKean and Hansen

LOCAL GOVERNMENT

As a member of the County Finance Committee:

JOANNE STOCKDALE – Zieman, Chair; Miller and Judge

NATURAL RESOURCES AND ENVIRONMENT

As members of the Environmental Protection Commission:

JAMES BRAUN – Bartz, Chair; Kibbie and Rehberg
ELIZABETH CHRISTIANSEN – Bolkcom, Chair; Rife and Johnson
GARY PRIEBE – Bartz, Chair; Fink and Deluhery
RITA VENNER – King, Chair; Fink and Gaskill

As members of the Natural Resource Commission:

PAUL CHRISTIANSEN – Freeman, Chair; Gaskill and Bolkcom
CAROL KRAMER – Black, Chair; Kibbie and Rehberg
WILLIAM SULLIVAN – Miller, Chair; Drake and Dearden

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

As Director of the Department of Economic Development:

DAVID J. LYONS – Flynn, Chair; Hansen and Rittmer

As members of the Iowa Economic Development Board:

ROBERT BOCKEN – Sexton, Chair; Boettger and Flynn
PAMELA SESSIONS – Judge, Chair; Behn and Veenstra

STATE GOVERNMENT

As members of the Accountancy Examining Board:

DOROTHY DUNPHY – Fink, Chair; McLaren and Dearden
JAMES EGERTON – Deluhery, Chair; Drake and Fink

As Administrator of the Division on the Status of African-Americans:

TRAEVENA L. POTTER-HALL – Connolly, Chair; Drake and Deluhery

As a member of the Alcoholic Beverages Commission:

SHIRLEY DAGGETT – Fink, Chair; Lamberti and McLaren

As members of the Architectural Examining Board:

GORDON MILLS – Connolly, Chair; Sexton and Kibbie

KATHERINE SCHWENNSSEN – Connolly, Chair; Dearden and Schuerer

As a member of the Board of Barber Examiners:

RAYMOND BARKER – Maddox, Chair; Dearden and Lamberti

As members of the Board of Chiropractic Examiners:

DARYL ENGELEN – King, Chair; Szymoniak and Sexton

THOMAS STANZEL – Deluhery, Chair; Drake and Fink

As members of the Board of Cosmetology Arts and Sciences Examiners:

DAVID CREIGHTON, SR. – Lamberti, Chair; Dearden and Maddox

JANET FISHER – Kibbie, Chair; Sexton and Szymoniak

TERESA MERTENS – Deluhery, Chair; Drake and Connolly

SHEILA O'HERN – Sexton, Chair; Kibbie and Lundby

As members of the Board of Dental Examiners:

PHYLLIS CACCIATORE – Dearden, Chair; Fink and Maddox

STEVEN WETTACH – Szymoniak, Chair; Rittmer and Dearden

DEBRA YOSSY – Lundby, Chair; Kibbie and Schuerer

As a member of the Engineering and Land Surveying Examining Board:

NICHOLAS KONRADY – Sexton, Chair; Dearden and Maddox

As members of the Iowa Ethics and Campaign Disclosure Board:

MARK McCORMICK – Szymoniak, Chair; Lamberti and Dearden
(Appointment and Reappointment)

PHYLLIS PETERS – Kibbie, Chair; Sexton and Dearden

As members of the Board for the Licensing and Regulation of Hearing Aid Dealers:

MARIE CALLAS – Szymoniak, Chair; Lamberti and Dearden

PATRICIA STARK – Rittmer, Chair; Deluhery and Connolly

As members of the Investment Board of the IPERS:

JANET ADAMS – Kibbie, Chair; Sexton and Fink
SHIELA RIGGS – Kibbie, Chair; Lundby and Drake

As a member of the Landscape Architectural Examining Board:

GREGORY JONES – Dearden, Chair; Maddox and Szymoniak

As Commissioner of the Lottery:

EDWARD J. STANEK – Lamberti, Chair; Dearden and Maddox

As members of the Lottery Board:

MICHAEL MCCOY – Szymoniak, Chair; Lamberti and Dearden
SUSAN THOMPSON – Szymoniak, Chair; Maddox and Dearden

As members of the Board of Examiners for Massage Therapy:

LANA FOGUE – Szymoniak, Chair; Maddox and Lundby
LOIS LEYTEM – Connolly, Chair; Drake and Deluhery

As members of the Board of Medical Examiners:

DIANE NAGLE – Kibbie, Chair; Schuerer and Sexton
STUART WINSTON – Maddox, Chair; Szymoniak and Dearden
ALLEN ZAGOREN – Maddox, Chair; Szymoniak and Lamberti

As members of the Board of Mortuary Science Examiners:

J. CRAIG FRATZKE – King, Chair; Kibbie and Sexton
MARCUS VIGEN – Drake, Chair; Deluhery and Sexton

As a member of the Board of Nursing Examiners:

ANNA FALLON – Sexton, Chair; Szymoniak and Lundby

As a member of the State Board of Examiners for Nursing Home Administrators:

LARRY HERTEL – Fink, Chair; Drake and Deluhery

As members of the Board of Optometry Examiners:

DUANE ATTEBERRY – Schuerer, Chair; Connolly and Lundby
LARRY HICKS – McLaren, Chair; Fink and Kibbie

As Director of the Department of Personnel:

MOLLIE K. ANDERSON – Fink, Chair; Dearden and Maddox

As members of the Board of Pharmacy Examiners:

MARY PAT MITCHELL – McLaren, Chair; Fink and Maddox
MATTHEW OSTERHAUS – Rittmer, Chair; Connolly and Kibbie

As members of the Board of Psychology Examiners:

MADONNA RYAN – Lamberti, Chair; Szymoniak and Maddox
KUROSH SHAHRIARI – Dearden, Chair; King and Kibbie
JACOB SINES – Deluhery, Chair; Drake and Fink

As members of the State Racing and Gaming Commission:

DIANE L. HAMILTON – Kibbie, Chair; King and Sexton
WILLARD HANSEN – Maddox, Chair; Szymoniak and Lamberti
JAMES F. HASSENFRTZ – Dearden, Chair; Drake and Deluhery
MICHAEL W. MAHAFFEY – Lundby, Chair; Fink and Lamberti
RITA SEALOCK – McLaren, Chair; Fink and Maddox

As a member of the Real Estate Appraiser Examining Board:

SHARON CHISM – Lamberti, Chair; Dearden and Sexton

As members of the Real Estate Commission:

BARBARA LEESTAMPER – Kibbie, Chair; Lundby and Connolly
ROBERT MILLER – Dearden, Chair; Maddox and Szymoniak

As members of the Board of Social Work Examiners:

LANCE CLEMSEN – Deluhery, Chair; Schuerer and Fink
MARK SMITH – Szymoniak, Chair; Schuerer and Fink

As a member of the Board of Speech Pathology and Audiology Examiners:

TRACY RIAL – Szymoniak, Chair; Maddox and Dearden

As a member of the Commission of Veterans Affairs:

MARY ELLEN WHITE – Drake, Chair; Kibbie and King

As Executive Director of the Commission of Veterans Affairs:

BRIAN B. BALES – Kibbie, Chair; Drake and Dearden

TRANSPORTATION

As a member of the State Transportation Commission:

TOM ALLER – Kibbie, Chair; Drake and Jensen

WAYS AND MEANS

As members of the Iowa Finance Authority:

VIRGINIA BORDWELL – Bartz, Chair; McLaren and Bolkom
VINCENT LINTZ – Hedge, Chair; Bartz and Soukup
LISA WAGEMAN – Maddox, Chair; Drake and Flynn

As Director of Revenue and Finance:

GERALD D. BAIR – Johnson, Chair; McKibben and Harper

As a member of the State Board of Tax Review:

LOWELL NORLAND – McKibben, Chair; Redwine and Harper

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Calendar with recommendations for confirmation on March 24, 1999:

WAYS AND MEANS

Gerald D. Bair – Director of Revenue and Finance

Lowell Norland – State Board of Tax Review

REPORT OF COMMITTEE MEETING**JUDICIARY**

Convened: March 24, 1999, 2:05 p.m.

Members Present: McKean, Chair; Lamberti, Vice Chair; Hansen, Ranking Member; Angelo, Boettger, Dvorsky, Fraise, Hammond, Horn, Maddox, McCoy, McKibben, Miller, Redfern, and Tinsman.

Members Absent: None.

Committee Business: Assignment of Governor's appointees to subcommittees. Subcommittee assignments. Passed HFs 165, 242, 313, 386, 403, 414, 573, and 659.

Adjourned: 3:15 p.m.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Daniel Dehrkoop, Marshalltown – For achieving the rank of Eagle Scout. Senator McKibben (03/18/99).

Justin Hegland, McCallsburg – For achieving the rank of Eagle Scout. Senator McKibben (03/18/99).

Kyle Lloyd Kooima, Sioux Center – For achieving the rank of Eagle Scout. Senator Veenstra (03/24/99).

SIMILAR BILL RECEIVED

On March 23, 1999, **House File 322** was received and attached to similar **Senate File 443** on the calendar.

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which S-3136 to Senate File 445 was adopted by the Senate on March 24, 1999.

MICHAEL E. GRONSTAL

MADAM PRESIDENT: I move to reconsider the vote by which S-3136 to Senate File 445 was adopted by the Senate on March 24, 1999.

ANDY McKEAN

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: HOUSE FILE 165, a bill for an act including the preparation or compounding of a controlled substance for one's own use within the definition of manufacturing a controlled substance, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 15: McKean, Lamberti, Hansen, Angelo, Boettger, Dvorsky, Fraise, Hammond, Horn, Maddox, McCoy, McKibben, Miller, Redfern, and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 242, 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 dates and for retroactive applicability.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3147.

Final Vote: Ayes, 15: McKean, Lamberti, Hansen, Angelo, Boettger, Dvorsky, Fraise, Hammond, Horn, Maddox, McCoy, McKibben, Miller, Redfern, and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 313, a bill for an act creating the new criminal offense of disarming a peace officer of a dangerous weapon.

Recommendation: DO PASS.

Final Vote: Ayes, 15: McKean, Lamberti, Hansen, Angelo, Boettger, Dvorsky, Fraise, Hammond, Horn, Maddox, McCoy, McKibben, Miller, Redfern, and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 386, a bill for an act relating to increasing the penalties for an assault on a jailer.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3146.

Final Vote: Ayes, 15: McKean, Lamberti, Hansen, Angelo, Boettger, Dvorsky, Fraise, Hammond, Horn, Maddox, McCoy, McKibben, Miller, Redfern, and Tinsman. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 403, a bill for an act relating to the fingerprinting of persons or juveniles who have been arrested or taken into custody and changing the procedures for the collection of a criminal disposition report.

Recommendation: DO PASS.

Final Vote: Ayes, 15: McKean, Lamberti, Hansen, Angelo, Boettger, Dvorsky, Fraise, Hammond, Horn, Maddox, McCoy, McKibben, Miller, Redfern, and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 414, a bill for an act relating to carrying a gun in or on a vehicle on a public highway.

Recommendation: DO PASS.

Final Vote: Ayes, 13: McKean, Lamberti, Hansen, Angelo, Boettger, Fraise, Horn, Maddox, McCoy, McKibben, Miller, Redfern, and Tinsman. Nays, 2: Dvorsky and Hammond.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 573, a bill for an act to change the penalties applicable to the possession, manufacture, or delivery of methamphetamine and other controlled substances, relating to the possession or control of adulterated or improperly labeled articles, providing for the reopening of certain sentences, and providing for restrictions on bail.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3145.

Final Vote: Ayes, 15: McKean, Lamberti, Hansen, Angelo, Boettger, Dvorsky, Fraise, Hammond, Horn, Maddox, McCoy, McKibben, Miller, Redfern, and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 659, a bill for an act establishing the crime of identity theft and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 14: McKean, Lamberti, Hansen, Angelo, Boettger, Dvorsky, Fraise, Horn, Maddox, McCoy, McKibben, Miller, Redfern, and Tinsman. Nays, 1: Hammond.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: HOUSE FILE 199, a bill for an act relating to the taxation of aircraft under the state sales, services, and use taxes.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Johnson, McKibben, Bartz, Bolkcom, Connolly, Deluhery, Drake, Hedge, Lamberti, Maddox, Redwine, and Soukup. Nays, none. Absent or not voting, 3: Harper, Flynn, and McLaren.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3138	S.F. 445	Matt McCoy
S-3139	S.F. 445	Matt McCoy
S-3140	S.F. 445	Derryl McLaren
S-3141	S.F. 395	Jeff Angelo
S-3142	S.F. 264	Merlin E. Bartz
S-3143	H.F. 218	Steve King Derryl McLaren
S-3144	S.F. 274	Steve King Derryl McLaren
S-3145	H.F. 573	Judiciary
S-3146	H.F. 386	Judiciary
S-3147	H.F. 242	Judiciary
S-3148	S.F. 392	John W. Jensen Michael E. Gronstal
S-3149	S.F. 179	Johnie Hammond

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 5:28 p.m., until 9:00 a.m., Thursday, March 25, 1999.

JOURNAL OF THE SENATE

SEVENTY-FOURTH CALENDAR DAY
FORTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 25, 1999

The Senate met in regular session at 9:12 a.m., President Kramer presiding.

Prayer was offered by Reverend Lester "Buck" Terlouw, of the Reformed Church in America and the Chaplain for the State of Iowa American Legion, Cantril, Iowa.

The Journal of Wednesday, March 24, 1999, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Rehberg for the day, on request of Senator Behn.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 190 and House File 347.

Senate File 190

On motion of Senator Lundby, **Senate File 190**, a bill for an act relating to the requirements for establishing and operating a city cable communication utility, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Lundby asked and received unanimous consent that action on **Senate File 190** be deferred.

House File 347

On motion of Senator Bartz, **House File 347**, a bill for an act relating to rulemaking duties of the department of natural resources regarding baled solid waste, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 347), the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rife	Rittmer
Schuerer	Sexton	Shearer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, none.

Absent or not voting, 2:

Flynn Rehberg

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 Redfern until he arrives, on request of Senator Jensen.

CONSIDERATION OF BILL (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration House File 573.

House File 573

On motion of Senator Lamberti, **House File 573**, a bill for an act to change the penalties applicable to the possession, manufacture, or delivery of methamphetamine and other controlled substances, relating to the possession or control of adulterated or improperly labeled articles, providing for the reopening of certain sentences, and providing for restrictions on bail, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Lamberti offered amendment S-3145 filed by the committee on Judiciary on March 24, 1999, to pages 1-3 of the bill and moved its adoption.

Amendment S-3145 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (H.F. 573), the vote was:

Ayes, 42:

Angelo	Bartz	Behn	Black
Boettger	Connolly	Deluhery	Drake
Dvorsky	Fink	Fraise	Freeman
Gaskill	Gronstal	Hansen	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redwine	Rife	Rittmer	Schuerer
Sexton	Shearer	Soukup	Tinsman
Veenstra	Zieman		

Nays, 5:

Bolkcom
Szymoniak

Dearden

Hammond

Harper

Absent or not voting, 3:

Flynn

Redfern

Rehberg

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 Iverson, the Senate recessed at 10:08 a.m., until 1:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

LOCAL GOVERNMENT

Convened: March 24, 1999, 11:08 a.m.

Members Present: Angelo, Chair; Bartz, Vice Chair; Bolkcom, Ranking Member; Fraise, Gaskill, Hammond, Judge, McCoy, McKean, McKibben, Miller, Rife, and Zieman.

Members Absent: None.

Recessed: 12:14 p.m.

Reconvened: March 24, 1999, 5:40 p.m.

Committee Business: Passed SF 293, as amended.

Adjourned: 7:13 p.m.

APPROPRIATIONS

Convened: March 25, 1999, 11:08 a.m.

Members Present: McLaren, Chair; Behn, Black, Bolkcom, Connolly, Deluhery, Dvorsky, Freeman, Hammond, Hedge, Horn, Jensen, Johnson, King, Lamberti, Maddox, Redwine, Rife, Schuerer, Soukup, and Tinsman.

Members Absent: Kramer, Vice Chair; Flynn, Ranking Member; McCoy, and Rehberg (all excused).

Committee Business: Approved SSB 1208.

Adjourned: 11:20 a.m.

SUBCOMMITTEE ASSIGNMENTS

House File 433

COMMERCE: King, Chair; Flynn and Maddox

House File 448

COMMERCE: Bolkcom, Chair; Jensen and Johnson

House File 624

COMMERCE: King, Chair; Jensen and McCoy

House File 649

NATURAL RESOURCES AND ENVIRONMENT: Bartz, Chair; Fink and King

House File 687

NATURAL RESOURCES AND ENVIRONMENT: Bartz, Chair; Fink and King

House File 696

NATURAL RESOURCES AND ENVIRONMENT: Bartz, Chair; Fink and King

COMMITTEE REPORTS**SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM**

Final Bill Action: *SENATE FILE 328, a bill for an act establishing a tourism 2000 fund and providing for activities related to a tourism 2000 congress.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3151.

Final Vote: Ayes, 9: Lundby, Behn, Shearer, Boettger, Hansen, Judge, Rittmer, Veenstra, and Zieman. Nays, 3: Sexton, Soukup, and Tinsman. Absent or not voting, 1: Flynn.

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 Small Business, Economic Development, and Tourism Committee on Senate File 328, and they were attached to the committee report.

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 656, a bill for an act relating to the office of secretary of state and the conduct of elections and voter registration in the state and relating to corrective and technical changes to Iowa's election laws.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3153.

Final Vote: Ayes, 13: Rittmer, Lamberti, Kibbie, Connolly, Dearden, Deluhery, Drake, Fink, King, Lundby, Schuerer, Sexton, and Szymoniak. Nays, none. Absent or not voting, 2: Maddox and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3150	H.F. 721	Merlin E. Bartz
S-3151	S.F. 328	Small Business, Economic Development, and Tourism
S-3152	S.F. 211	Maggie Tinsman
S-3153	H.F. 656	State Government
S-3154	S.F. 445	Michael E. Gronstal
S-3155	H.F. 497	Ken Veenstra
S-3156	S.F. 457	Larry McKibben

AFTERNOON SESSION

The Senate reconvened at 1:22 p.m., Senator Bartz presiding.

HOUSE MESSAGES RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 25, 1999, passed the following bills in which the concurrence of the Senate is asked:

House File 343, a bill for an act providing for the collection of moneys by a county board of supervisors arising out of the construction of a drainage improvement within a railroad right-of-way.

Read first time and referred to committee on **Agriculture**.

House File 474, a bill for an act relating to the powers and duties of county treasurers by amending Code sections pertaining to special assessments, certain motor vehicle ownership transfers, tax statement addresses, tax redemption, and tax clearance statements for mobile homes, and providing effective date and applicability date provisions.

Read first time and referred to committee on **Local Government**.

House File 676, a bill for an act amending provisions in the "Iowa Agricultural Industry Finance Act".

Read first time and referred to committee on **Small Business, Economic Development, and Tourism**.

House File 688, a bill for an act providing for the designation of a state poet laureate.

Read first time and referred to committee on **State Government**.

House File 705, a bill for an act to change the penalties for the criminal offense of accommodation involving marijuana.

Read first time and referred to committee on **Judiciary**.

House File 714, a bill for an act relating to alternative forms of identification to be attached to a petition in an action for seeking a name change.

Read first time and referred to committee on **Judiciary**.

BILL ATTACHED

Senator Iverson asked and received unanimous consent that **House File 721** be returned from the committee on **Agriculture** and attached to **Senate File 453** on the **Regular Calendar**.

PRESENTATION OF VISITORS

The Chair welcomed fifth grade students from Cody Elementary School, Le Clair, Iowa, accompanied by teachers Sonia Vogel, Kitty Miller, Dave Langtimn and Joel Haack. Senator Tinsman.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House Files 347** and **573** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration **Senate File 221**.

Senate File 221

On motion of Senator Tinsman, **Senate File 221**, a bill for an act relating to welfare reform provisions involving the family investment program and individual development accounts, 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. 221), the vote was:

Ayes, 46:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Fraise	Gaskill	Gronstal	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Johnson	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rife	Rittmer	Schuerer
Sexton	Shearer	Soukup	Tinsman
Veenstra	Zieman		

Nays, none.

Absent or not voting, 4:

Flynn	Freeman	Rehberg	Szymoniak
-------	---------	---------	-----------

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

SPECIAL GUEST

Senator Jensen introduced the Honorable Merlin Hulse, former member of the Senate from Cedar County, Clarence, Iowa.

BUSINESS PENDING

Senate File 190

The Senate resumed consideration of **Senate File 190**, a bill for an act relating to the requirements for establishing and operating a city cable communication utility, previously deferred.

Senator Lundby offered amendment S-3132 filed by her on March 24, 1999, striking everything after the enacting clause of the bill and moved its adoption.

Amendment S-3132 was adopted by a voice vote.

With the adoption of amendment S-3132, the Chair ruled amendment S-3060, filed by the committee on Commerce on March 15, 1999, to pages 1-3 of the bill, out of order.

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

On the question "Shall the bill pass?" (S.F. 190), the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Maddox	McCoy	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rife	Rittmer	Schuerer
Sexton	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 3:

Flynn Lundby Rehberg

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 Iverson asked and received unanimous consent to take up for consideration Senate File 211.

Senate File 211

On motion of Senator Tinsman, **Senate File 211**, a bill for an act relating to eligibility of certain disabled persons under the optional services coverage category of medical assistance, with report of committee recommending passage, was taken up for consideration.

Senator Tinsman asked and received unanimous consent to withdraw amendment S-3134 filed by her on March 24, 1999, striking everything after the enacting clause and to the title page of the bill.

Senator Tinsman offered amendment S-3152 filed by her from the floor, striking 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 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. 211), the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rife	Rittmer
Schuerer	Sexton	Shearer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, none.

Absent or not voting, 2:

Flynn Rehberg

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

CONSIDERATION OF BILLS

(Regular Calendar)

Senator Hedge asked and received unanimous consent to take up for consideration Senate Files 228, 292 and 393.

Senate File 228

On motion of Senator Connolly, **Senate File 228**, a bill for an act authorizing school districts and nonpublic schools to perform certain criminal and abuse record checks, was taken up for consideration.

Senator Connolly offered amendment S-3051 filed by Senators Connolly and Redfern on March 10, 1999, to page 1 of the bill and moved its adoption.

Amendment S-3051 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 228), the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Fraise	Gaskill	Gronstal	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Johnson	Judge
Kibbie	King	Kramer	Lamberti
Maddox	McCoy	McKean	McKibben
McLaren	Miller	Redfern	Redwine
Rife	Rittmer	Schuerer	Sexton
Shearer	Soukup	Szymoniak	Veenstra
Zieman			

Nays, 3:

Freeman	Lundby	Tinsman
---------	--------	---------

Absent or not voting, 2:

Flynn	Rehberg
-------	---------

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

Senate File 292

On motion of Senator Connolly, **Senate File 292**, a bill for an act providing for the designation of investigative information possessed by the board of educational examiners as privileged and confidential, was taken up for consideration.

Senator Connolly offered amendment S-3119 filed by him on March 23, 1999, to page 1 of the bill and moved its adoption.

Amendment S-3119 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 292), the vote was:

Ayes, 42:

Behn	Black	Boettger	Bolkcom
Connolly	Dearden	Deluhery	Drake
Dvorsky	Fink	Fraise	Freeman
Gaskill	Gronstal	Hammond	Hansen
Harper	Horn	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Redfern
Redwine	Rittmer	Schuerer	Sexton
Shearer	Soukup	Szymoniak	Tinsman
Veenstra	Zieman		

Nays, 6:

Angelo	Bartz	Hedge	Iverson
Miller	Rife		

Absent or not voting, 2:

Flynn	Rehberg
-------	---------

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

Senate File 393

On motion of Senator Veenstra, **Senate File 393**, a bill for an act allowing certain school district bond issues to be issued jointly by two or more school districts, was taken up for consideration.

Senator Rife asked and received unanimous consent to withdraw amendment S-3130 filed by him on March 24, 1999, striking everything after the enacting clause and to the title page of the bill.

Senator Rife offered amendment S-3161 filed by him from the floor, striking everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S-3161 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 393), the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rife	Rittmer
Schuerer	Sexton	Shearer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, none.

Absent or not voting, 2:

Flynn Rehberg

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 Iverson asked and received unanimous consent that Senate Files 190, 211, 221, 228, 292 and 393 be immediately messaged to the House.

UNFINISHED BUSINESS

(Deferred March 24, 1999)

Senate File 445

The Senate resumed consideration of Senate File 445, a bill for an act relating to gambling, by imposing a moratorium on the issuance or transfer of certain gambling licenses and on increasing the number of games and machines, authorizing the use of video slot machines, providing for the transfer of collective bargaining agreements, limiting the location of excursion gambling boats and pari-mutuel racetracks, prohibiting the dispensing of cash or credit on certain gambling premises, imposing a scheduled fine for gambling by persons under twenty-one years of age, limiting civil penalties related to violations of legal age for gambling, providing for the disposition of charitable contributions, nullifying certain administrative rules relating to gambling, rescinding the nine-year period of operation for certain licenses, providing for properly related matters, and providing effective dates, deferred March 24, 1999.

Senator Gronstal asked and received unanimous consent to withdraw amendment S-3154 filed by him from the floor, to page 4 of the bill.

Senators McKean and Gronstal asked and received unanimous consent to withdraw their motions to reconsider the vote by which amendment S-3136 to Senate File 445 was adopted by the Senate on March 24, 1999, filed on March 24, 1999, and found on page 785 of the Senate Journal.

Senator Lundby moved that the bill be read the last time now and placed upon its passage, 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, 24:

Black	Connolly	Dearden	Deluhery
Fink	Fraise	Hansen	Harper
Horn	Iverson	Johnson	Judge
Kibbie	Kramer	Lamberti	Lundby
Maddox	McCoy	Rittmer	Sexton
Shearer	Soukup	Szymoniak	Tinsman

Nays, 24:

Angelo	Bartz	Behn	Boettger
Bolkcom	Drake	Dvorsky	Freeman
Gaskill	Gronstal	Hammond	Hedge
Jensen	King	McKean	McKibben
McLaren	Miller	Redfern	Redwine
Rife	Schuerer	Veenstra	Zieman

Absent or not voting, 2:

Flynn	Rehberg
-------	---------

The bill having not received a constitutional majority was declared to have failed to pass the Senate.

The Senate stood at ease at 3:06 p.m. until the fall of the gavel, for the purpose of party caucuses.

The Senate resumed session at 4:20 p.m., President Kramer presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Gaskill for the remainder of the day, on request of Senator Iverson.

UNFINISHED BUSINESS

(Deferred March 23, 1999)

Senate File 392

The Senate resumed consideration of **Senate File 392**, a bill for an act relating to telecommunications systems or services which may be provided by a city utility, establishing certain requirements on such city, and including effective date and retroactive applicability

provisions, and amendment S-3128 by Senators Jensen, et al., to pages 1-5 of the bill, deferred March 23, 1999.

Senator King asked and received unanimous consent to withdraw amendment S-3162 filed by him from the floor to amendment S-3148.

Senator Jensen offered amendment S-3148 filed by Senators Jensen and Gronstal on March 24, 1999, striking everything after the enacting clause of the bill and moved its adoption.

Amendment S-3148 was adopted by a voice vote.

With the adoption of amendment S-3148, the Chair ruled amendment S-3128, filed by Senators Jensen, et al., on March 23, 1999, to pages 1-5 of the bill, out of order.

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

On the question "Shall the bill pass?" (S.F. 392), the vote was:

Ayes, 46:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Fraise	Freeman	Gronstal	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Johnson	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Miller	Redwine
Rife	Rittmer	Schuerer	Sexton
Shearer	Soukup	Szymoniak	Tinsman
Veenstra	Zieman		

Nays, 1:

Redfern

Absent or not voting, 3:

Flynn

Gaskill

Rehberg

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

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 460.

Senate File 460

On motion of Senator Redwine, **Senate File 460**, a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, other properly related matters, and providing effective dates, was taken up for consideration.

Senator Redwine offered amendment S-3164 filed by Senators Redwine and McCoy from the floor, to pages 2, 3, 6, 10, 12, 21, 24 and 25 of the bill and moved its adoption.

Amendment S-3164 was adopted by a voice vote.

Senator Redwine asked and received unanimous consent to withdraw amendment S-3165 filed by him from the floor, to pages 2, 3, 8, 9 and 27.

Senator Redwine offered amendment S-3168 filed by him from the floor, to pages 2, 3, 8, 9, 15, 24 and 27 of the bill and moved its adoption.

Amendment S-3168 was adopted by a voice vote.

Senator Redwine asked and received unanimous consent to withdraw amendment S-3163 filed by Senators Redwine and McCoy from the floor, to page 12 of the bill.

Senator Bartz asked and received unanimous consent to withdraw amendment S-3159 filed by him from the floor, to page 19 of the bill.

Senator Boettger offered amendment S-3160 filed by Senators Boettger and Bolkcom from the floor, to pages 25-27 of the bill and moved its adoption.

Amendment S-3160 was adopted by a voice vote.

Senator Redwine moved that the bill be read the last time now and placed upon its passage, 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, 47:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Fraise	Freeman	Gronstal	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Johnson	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rife	Rittmer	Schuerer
Sexton	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 3:

Flynn	Gaskill	Rehberg
-------	---------	---------

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that Senate Files 392 and 460 be **immediately messaged** to the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Soukup for the remainder of the day, on request of Senator Gronstal.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 441 and 443.

Senate File 441

On motion of Senator Redfern, **Senate File 441**, a bill for an act providing an exemption from certain requirements of self-insured accident and health insurance plans provided by school corporations, was taken up for consideration.

Senator Redfern offered amendment S-3167 filed by him from the floor, to page 1 of the bill and moved its adoption.

Amendment S-3167 was adopted by a voice vote.

With adoption of amendment S-3167, the Chair ruled amendment S-3079, filed by Senator Redfern on March 16, 1999, to page 1 of the bill, out of order.

Senator Redfern moved that the bill be read the last time now and placed upon its passage, 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, 45:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Fraise	Freeman	Gronstal	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Johnson	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rittmer	Schuerer	Sexton
Shearer	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 5:

Flynn
Soukup

Gaskill

Rehberg

Rife

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

Senate File 443

On motion of Senator Bartz, **Senate File 443**, a bill for an act relating to liens arising out of contracts involving the care and feeding of livestock, and providing an effective date, was taken up for consideration.

Senator Bartz offered amendment S-3166 filed by him from the floor, striking everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S-3166 was adopted by a voice vote.

Senator Bartz asked and received unanimous consent that **House File 322** be substituted for **Senate File 443**.

House File 322

On motion of Senator Bartz, **House File 322**, a bill for an act relating to production contracts, providing penalties, and providing an effective date, was taken up for consideration.

Senator Bartz asked and received unanimous consent that action on **House File 322** be deferred.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate File 441** be immediately messaged to the House.

HOUSE MESSAGES RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 24, 1999, passed the following bill in which the concurrence of the Senate is asked:

House File 686, a bill for an act providing registration requirements and establishing a scope of authority for dental assistants, and providing an effective date.

Read first time and referred to committee on **State Government**.

ALSO: That the House has on March 25, 1999, passed the following bills in which the concurrence of the Senate is asked:

House File 501, a bill for an act relating to the definitions and penalties applicable to conviction of certain felonies, by making changes related to the offenses of assault and willful injury and making changes in the mandatory minimum penalties for certain felony offenses.

Read first time and referred to committee on **Judiciary**.

House File 521, a bill for an act relating to the licensure and operation of employment agencies and providing a penalty.

Read first time and referred to committee on **Business and Labor Relations**.

House File 590, a bill for an act relating to residency requirements for county, city, and school district elective offices and relating to the election of township officers.

Read first time and referred to committee on **State Government**.

House File 706, a bill for an act establishing the criminal offense of laser pointer harassment, and providing a penalty.

Read first time and referred to committee on **Judiciary**.

INTRODUCTION OF BILL

Senate File 461, by committee on Appropriations, a bill for an act relating to educational assistance for members of the national guard.

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

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: March 25, 1999, 8:35 a.m.

Members Present: Gaskill, Chair; Miller, Vice Chair; Fraise, Ranking Member; Angelo, Bartz, Behn, Hedge, Judge, Kibbie, Sexton, Shearer, Soukup, and Veenstra.

Members Absent: Black and Ziemann (both excused).

Committee Business: Passed HF's 293, 312, and 412.

Adjourned: 9:05 a.m.

COMMERCE

Convened: March 25, 1999, 10:18 a.m.

Members Present: Jensen, Chair; Maddox, Vice Chair; Deluhery, Ranking Member; Bolckcom, Gronstal, Hansen, Johnson, King, Lamberti, Lundby, McCoy, Redfern, Redwine, and Schuerer.

Members Absent: Flynn (excused).

Committee Business: Passed HF's 345, 445, 458, and 461.

Adjourned: 10:48 a.m.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Calendar with recommendations for confirmation on March 24, 1999:

JUDICIARY

Alicia Claypool – Iowa State Civil Rights Commission
David Leshtz – Iowa State Civil Rights Commission

Frances Colston – Board of Corrections
Robyn Mills – Board of Corrections
Arthur Neu – Board of Corrections

STUDY BILL RECEIVED

SSB 1212 Education

Establishing a podiatric graduate student forgivable loan program and fund.

SUBCOMMITTEE ASSIGNMENTS

House File 472

LOCAL GOVERNMENT: McKean, Chair; Fraise and Zieman

House File 531

AGRICULTURE: Veenstra, Chair; Sexton and Shearer

House File 620

TRANSPORTATION: McCoy, Chair; Drake and Jensen

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Mike Barberra, Iowa Falls High School – For winning the 1999 Boys' State 2-A Basketball Championship. Senator Iverson (03/25/99).

Eric Beer, Iowa Falls High School – For winning the 1999 Boys' State 2-A Basketball Championship. Senator Iverson (03/25/99).

Luke Brunkhorst, Iowa Falls High School – For winning the 1999 Boys' State 2-A Basketball Championship. Senator Iverson (03/25/99).

Coach Dave Collison, Iowa Falls High School – For coaching the Iowa Falls Cadets to their second Consecutive 2-A Boys' State Basketball Championship. Senator Iverson (03/25/99).

Nick Collison, Iowa Falls High School – For winning the 1999 Boys' State 2-A Basketball Championship and for being named Captain of the All-Tournament Team. Senator Iverson (03/25/99).

Davenport Assumption High School, Davenport – For winning the Iowa Class 3-A Boys' Basketball State Championship. Senator Tinsman (03/25/99).

Mike Ellingson, Iowa Falls High School – For winning the 1999 Boys' State 2-A Basketball Championship. Senator Iverson (03/25/99).

Kirk Hinrich, Sioux City West High School – For being selected Captain of the 1999 Basketball All-Tournament Team. Senator Hansen (03/25/99).

Tony Howard, Iowa Falls High School – For winning the 1999 Boys' State 2-A Basketball Championship. Senator Iverson (03/25/99).

Rose Hrdlicka, Cresco – For celebrating your 100th Birthday on April 11, 1999. Senator Soukup (03/25/99).

Patrice Kraus, Stilwell Junior High School – For receiving an Iowa Distinguished Teacher Award. Senator Kramer (03/25/99).

Joey Liekweg, Iowa Falls High School – For winning the 1999 Boys' State 2-A Basketball Championship. Senator Iverson (03/25/99).

Michael Lindeman, Iowa Falls High School – For winning the 1999 Boys' State 2-A Basketball Championship and being named to the All-Tournament Team. Senator Iverson (03/25/99).

Slaven Markovic, Sioux City West High School – For being selected to the 1999 Basketball All-Tournament Team. Senator Hansen (03/25/99).

Jordan Meier, Iowa Falls High School – For winning the 1999 Boys' State 2-A Basketball Championship. Senator Iverson (03/25/99).

Brian Nail, Iowa Falls High School – For winning the 1999 Boys' State 2-A Basketball Championship. Senator Iverson (03/25/99).

Matt Neubauer, Iowa Falls High School – For winning the 1999 Boys' State 2-A Basketball Championship. Senator Iverson (03/25/99).

Jared Peterson, Iowa Falls High School – For winning the 1999 Boys' State 2-A Basketball Championship. Senator Iverson (03/25/99).

Jason Rieber, Iowa Falls High School – For winning the 1999 Boys' State 2-A Basketball Championship. Senator Iverson (03/25/99).

Mike Roelfs, Iowa Falls High School – For winning the 1999 Boys' State 2-A Basketball Championship. Senator Iverson (03/25/99).

Sioux City West High School Boys' Basketball Team – For winning the 1999 4-A Boys' Basketball State Championship. Senator Hansen (03/25/99).

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: HOUSE FILE 293, a bill for an act providing for the administration of assessments collected by the Iowa sheep and wool promotion board.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Gaskill, Miller, Fraise, Angelo, Bartz, Behn, Hedge, Judge, Kibbie, Sexton, Shearer, Soukup, and Veenstra. Nays, none. Absent or not voting, 2: Black and Zieman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 312, a bill for an act relating to regulation of the grain industry and providing for civil penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gaskill, Angelo, Bartz, Behn, Hedge, Judge, Kibbie, Sexton, Shearer, Soukup, and Veenstra. Nays, 2: Miller and Fraise. Absent or not voting, 2: Black and Zieman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 412, a bill for an act providing for the membership of the advisory board to the Leopold center for sustainable agriculture.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Gaskill, Miller, Fraise, Angelo, Bartz, Behn, Hedge, Kibbie, Sexton, Shearer, Soukup, Judge, and Veenstra. Nays, none. Absent or not voting, 2: Black and Zieman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

APPROPRIATIONS

Final Bill Action: SENATE FILE 461 (SSB 1208), a bill for an act relating to educational assistance for members of the national guard.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 21: McLaren, Behn, Black, Bolcom, Connolly, Deluhery, Dvorsky, Freeman, Hammond, Hedge, Horn, Jensen, Johnson, King, Lamberti, Maddox, Redwine, Rife, Schuerer, Soukup, and Tinsman. Nays, none. Absent or not voting, 4: Kramer, Flynn, McCoy, and Rehberg.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: HOUSE FILE 345, a bill for an act relating to permissible fees to be charged for maintaining a demand deposit account with a line of credit.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Jensen, Maddox, Deluhery, Gronstal, Hansen, Johnson, Lamberti, Lundby, McCoy, Redwine, and Schuerer. Nays, 1: Bolkcom. Absent or not voting, 3: Flynn, King, and Redfern.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 445, a bill for an act relating to the rights of a dissenting shareholder of a state bank.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Jensen, Maddox, Deluhery, Bolkcom, Gronstal, Hansen, Johnson, Lamberti, Lundby, McCoy, Redfern, Redwine, and Schuerer. Nays, none. Absent or not voting, 2: Flynn and King.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 458, a bill for an act relating to the role of an auctioneer in conducting a public sale or auction involving real property.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Jensen, Maddox, Bolkcom, Johnson, Lamberti, Lundby, Redwine, and Schuerer. Nays, 4: Deluhery, Hansen, King, and McCoy. Absent or not voting, 3: Flynn, Gronstal, and Redfern.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 461, a bill for an act relating to filing of a notice of an assignment of a mortgage and providing an effective and applicability date.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Jensen, Maddox, Deluhery, Bolkcom, Gronstal, Hansen, Johnson, Lamberti, Lundby, McCoy, Redfern, Redwine, and Schuerer. Nays, none. Absent or not voting, 2: Flynn and King.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 293 (SSB 1063), a bill for an act relating to the development and management of land, by providing for planning and revenue, providing an effective date, and making a provision retroactively applicable.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3158.

Final Vote: Ayes, 10: Angelo, Bartz, Bolkcom, Fraise, Gaskill, Judge, McKean, McKibben, Miller, and Ziemann. Nays, 2: McCoy and Rife. Pass, 1: Hammond.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 445 failed to pass the Senate on March 25, 1999.

MICHAEL E. GRONSTAL

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 445 failed to pass the Senate on March 25, 1999.

ANDY MCKEAN

AMENDMENTS FILED

S-3157	S.F. 83	Gene Maddox
S-3158	S.F. 293	Local Government
S-3159	S.F. 460	Merlin E. Bartz
S-3160	S.F. 460	Nancy Boettger Joe Bolkcom
S-3161	S.F. 393	Jack Rife
S-3162	S.F. 392	Steve King
S-3163	S.F. 460	John Redwine Matt McCoy
S-3164	S.F. 460	John Redwine Matt McCoy
S-3165	S.F. 460	John Redwine
S-3166	S.F. 443	Merlin E. Bartz
S-3167	S.F. 441	Donald B. Redfern
S-3168	S.F. 460	John Redwine
S-3169	H.F. 218	Steven D. Hansen

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 5:06 p.m., until 1:00 p.m., Monday, March 29, 1999.

JOURNAL OF THE SENATE

SEVENTY-EIGHTH CALENDAR DAY
FORTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 29, 1999

The Senate met in regular session at 1:08 p.m., President Kramer presiding.

Prayer was offered by Harriet Vande Hoef of the Christian Reformed Church of Sibley, Iowa. Mrs. Vande Hoef, wife of the Honorable Richard Vande Hoef, former member of the Senate, vocally performed "The Lord's Prayer."

The Journal of Thursday, March 25, 1999, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Dearden and Szymoniak until they arrive, on request of Senator Gronstal.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 457.

Senate File 457

On motion of Senator McKibben, **Senate File 457**, a bill for an act relating to the Iowa educational savings plan trust, and including an effective date and retroactive applicability provision, was taken up for consideration.

Senator McKibben offered amendment S-3156 filed by him on March 25, 1999, to page 1 of the bill and moved its adoption.

Amendment S-3156 was adopted by a voice vote.

Senator McKibben moved that the bill be read the last time now and placed upon its passage, 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, 47:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Deluhery
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Shearer	Soukup
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 3:

Dearden	McKean	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 Iverson asked and received unanimous consent to take up for consideration Senate Joint Resolution 12.

Senate Joint Resolution 12

On motion of Senator Iverson, **Senate Joint Resolution 12**, a joint resolution to nullify an administrative rule of the secretary of state concerning preparation of descriptions of constitutional amendments and state wide public measures and providing an

effective date, with report of committee recommending passage, was taken up for consideration.

Senator Iverson moved that the bill be read the last time now and placed upon its 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. 12), the vote was:

Ayes, 28:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Jensen	Johnson	King
Kramer	Lamberti	Lundby	Maddox
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rittmer	Schuerer
Sexton	Tinsman	Veenstra	Zieman

Nays, 19:

Black	Bolkcom	Connolly	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gronstal	Hammond	Hansen	Harper
Horn	Judge	Kibbie	McCoy
Shearer	Soukup	Szymoniak	

Absent or not voting, 3:

Dearden	McKean	Rife
---------	--------	------

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McKean until he arrives, on request of Senator Boettger.

CONSIDERATION OF BILL (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 453.

Senate File 453

On motion of Senator Behn, **Senate File 453**, a bill for an act relating to the Iowa egg council by providing for its administration and membership, and providing an effective date, was taken up for consideration.

Senator Behn asked and received unanimous consent that **House File 721** be substituted for **Senate File 453**.

House File 721

On motion of Senator Behn, **House File 721**, a bill for an act relating to the Iowa egg council by providing for its administration and membership, and providing an effective date, was taken up for consideration.

Senator Bartz offered amendment S-3150 filed by him on March 25, 1999, to page 2 of the bill and moved its adoption.

Amendment S-3150 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (H.F. 721), the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Deluhery
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rittmer	Schuerer
Sexton	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 3:

Dearden

McKean

Rife

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

WITHDRAWN

Senator Behn asked and received unanimous consent that **Senate File 453** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate File 457, Senate Joint Resolution 12 and House File 721** be **immediately messaged** to the House.

CONSIDERATION OF BILLS

(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration **Senate Files 238 and 264.**

Senate File 238

On motion of Senator Schuerer, **Senate File 238**, a bill for an act relating to drawing the Sac and Fox Indian settlement precinct in Tama county, with report of committee recommending passage, was taken up for consideration.

Senator Schuerer asked and received unanimous consent that **House File 679** be substituted for **Senate File 238.**

House File 679

On motion of Senator Schuerer, **House File 679**, a bill for an act relating to drawing the Sac and Fox Indian settlement precinct in Tama county, was taken up for consideration.

Senator Schuerer moved that the bill be read the last time now and placed upon its passage, 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, 48:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Deluhery
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rittmer
Schuerer	Sexton	Shearer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, none.

Absent or not voting, 2:

Dearden Rife

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

WITHDRAWN

Senator Schuerer asked and received unanimous consent that Senate File 238 be withdrawn from further consideration of the Senate.

Senate File 264

On motion of Senator Bartz, Senate File 264, a bill for an act relating to the regulatory authority of the natural resource commission on the Sac and Fox tribe of the Mississippi in Iowa settlement in Tama county, was taken up for consideration.

Senator Bartz offered amendment S-3142 filed by him on March 24, 1999, to page 1 of the bill and moved its adoption.

Amendment S-3142 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 264), the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Deluhery
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Sexton	Shearer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, 1:

Schuerer

Absent or not voting, 1:

Dearden

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that Senate File 264 and House File 679 be immediately messaged to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 315.

Senate File 315

On motion of Senator King, **Senate File 315**, a bill for an act creating a loess hills preservation and development alliance, providing for its membership, powers and duties, and providing for other properly related matters, was taken up for consideration.

Senator King offered amendment S-3172 filed by him from the floor, striking everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S-3172 was adopted by a voice vote.

Senator King asked and received unanimous consent that **House File 218** be substituted for **Senate File 315**.

House File 218

On motion of Senator King, **House File 218**, a bill for an act creating a loess hills preservation and development alliance, providing for its responsibilities, and providing for other properly related matters, was taken up for consideration.

Senator King asked and received unanimous consent that action on **House File 218** be deferred.

HOUSE MESSAGES RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 25, 1999, passed the following bills in which the concurrence of the Senate is asked:

House File 476, a bill for an act relating to the exercise of the power of eminent domain and to condemnation proceedings and providing for the Act's applicability.

Read first time and passed on file.

House File 737, a bill for an act relating to and making appropriations to the department for the blind, the Iowa state civil rights commission, the department of elder affairs, the Iowa department of public health, the department of human rights, the governor's alliance on substance abuse, and the commission of veterans affairs, and providing an effective date.

Read first time and referred to committee on **Appropriations**.

ALSO: That the House has on March 29, 1999, adopted the following resolutions in which the concurrence of the House was asked:

Senate Concurrent Resolution 5, a concurrent resolution relating to a biennial memorial session.

Senate Concurrent Resolution 6, a concurrent resolution relating to Pioneer Lawmakers.

INTRODUCTION OF BILLS

Senate File 462, by committee on Ways and Means, a bill for an act relating to veterans' benefits, veterans preference, veterans' claims, reimbursement for military service tax exemption, and providing a penalty and applicability date.

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

Senate File 463, by committee on Ways and Means, a bill for an act exempting property owned and operated by an Indian housing authority from property tax and including an effective date.

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

RECESS

On motion of Senator Iverson, the Senate recessed at 2:12 p.m., until 4:00 p.m.

APPENDIX

REPORT OF COMMITTEE MEETING

EDUCATION

Convened: March 29, 1999, 2:18 p.m.

Members Present: Redfern, Chair; Rehberg, Vice Chair; Connolly, Ranking Member; Angelo, Boettger, Dvorsky, Fink, Gaskill, Harper, Redwine, Sexton, Shearer, Szymoniak, Tinsman, and Veenstra.

Members Absent: None.

Committee Business: Subcommittee assignments. Passed SCR 12, and House Files 144 and 743. Recommended governor's appointees for confirmation.

Adjourned: 2:31 p.m.

BILL ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 29th day of March, 1999:

Senate File 283.

MICHAEL E. MARSHALL
Secretary of the Senate

APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were appointed to a subcommittee of a standing committee on March 29, 1999, to investigate the appointment and reappointment of the following appointee:

EDUCATION (Reassignment)

As a member of the State Board of Regents:

DEBORAH TURNER – Gaskill, Chair; Szymoniak and Rehberg

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Calendar with recommendations for confirmation on March 29, 1999:

EDUCATION

Bill Haigh – Board of Educational Examiners

Robert Fleming -- Iowa Higher Education Loan Authority

TRANSPORTATION

Tom Aller – State Transportation Commission

SUBCOMMITTEE ASSIGNMENTS**House File 532**

EDUCATION: Tinsman, Chair; Gaskill and Shearer

House File 672

EDUCATION: Gaskill, Chair; Sexton and Szymoniak

House File 689

EDUCATION: Angelo, Chair; Harper and Redwine

House File 707

HUMAN RESOURCES: Behn, Chair; Bartz and Dvorsky

House File 708

HUMAN RESOURCES: Tinsman, Chair; Harper and Veenstra

House File 732

HUMAN RESOURCES: Redwine, Chair; Boettger and Hammond

House File 743

EDUCATION: Redfern, Chair; Boettger, Connolly, Harper, and Rehberg

SSB 1212

EDUCATION: Veenstra, Chair; Redwine and Dvorsky

COMMITTEE REPORTS

WAYS AND MEANS

Final Bill Action: *SENATE FILE 462 (Formerly SF 291), a bill for an act relating to veterans' benefits, veterans preference, veterans' claims, reimbursement for military service tax exemption, and providing a penalty and applicability date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Johnson, McKibben, Harper, Bartz, Bolcom, Connolly, Deluhery, Drake, Hedge, Lamberti, Maddox, Redwine, and Soukup. Nays, none. Absent or not voting, 2: Flynn and McLaren.

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 462, and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 463 (Formerly SF 139), a bill for an act exempting property owned and operated by an Indian housing authority from property tax and including an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Johnson, McKibben, Bartz, Bolcom, Connolly, Deluhery, Drake, Hedge, Lamberti, Maddox, Redwine, and Soukup. Nays, none. Absent or not voting, 3: Harper, Flynn, and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3170	H.F. 218	Steven D. Hansen
S-3171	S.F. 419	Richard F. Drake
S-3172	S.F. 315	Steve King
S-3173	S.F. 451	Gene Maddox
S-3174	S.F. 437	Jeff Lamberti
		JoAnn Johnson
		Tom Flynn

AFTERNOON SESSION

The Senate reconvened at 4:07 p.m., Senator Lundby presiding.

The Senate stood at ease at 4:08 p.m. until the fall of the gavel, for the purpose of party caucuses.

The Senate resumed session at 5:09 p.m., President Kramer presiding.

QUORUM CALL

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

The vote revealed 33 present, 17 absent, and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Redwine until he arrives, on request of Senator Behn.

MOTION TO RECONSIDER ADOPTED

Senator Dvorsky called up the motion to reconsider Senate File 395 filed by him on March 23, 1999, found on page 759 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 395) the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Rehberg	Rife	Rittmer

Schuerer
Szymoniak

Sexton
Tinsman

Shearer
Veenstra

Soukup
Zieman

Nays, none.

Absent or not voting, 2:

Gaskill

Redwine

The motion prevailed.

Senate File 395

On motion of Senator Angelo, **Senate File 395**, a bill for an act relating to the department of corrections by providing for purchases from Iowa prison industries, the study of inmate worker safety issues, the establishment of a criminal offense for attempts to escape, the crediting of time served by inmates, inmate work program agreements, the revolving farm fund, and deductions from inmate work program earnings, and making penalties applicable, was taken up for reconsideration.

Senator Angelo offered amendment S-3141 filed by him on March 24, 1999, to page 1 of the bill and moved its adoption.

Amendment S-3141 was adopted by a voice vote.

Senator Dvorsky offered amendment S-3129 filed by Senators Dvorsky and Angelo on March 23, 1999, to page 6 and to the title page of the bill and moved its adoption.

Amendment S-3129 was adopted by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Gaskill until he arrives, on request of Senator Sexton.

BUSINESS PENDING

The Senate resumed consideration of Senate File 395.

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

On the question "Shall the bill pass?" (S.F. 395), the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Rehberg	Rife	Rittmer
Schuerer	Sexton	Shearer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, none.

Absent or not voting, 2:

Gaskill Redwine

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

CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 437 and 301.

Senate File 437

On motion of Senator Lamberti, **Senate File 437**, a bill for an act relating to notification regarding mechanics' liens, was taken up for consideration.

Senator Lamberti offered amendment S-3174 filed by Senators Lamberti, Johnson and Flynn from the floor, to page 1 of the bill and moved its adoption.

Amendment S-3174 was adopted by a voice vote.

Senator Lamberti offered amendment S-3176 filed by Senators Lamberti and Flynn from the floor, to page 1 of the bill and moved its adoption.

Amendment S-3176 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 437), the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Rehberg	Rife	Rittmer
Schuerer	Sexton	Shearer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, none.

Absent or not voting, 2:

Gaskill Redwine

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

Senate File 301

On motion of Senator Miller, **Senate File 301**, a bill for an act relating to grandparent and great-grandparent visitation rights, 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. 301), the vote was:

Ayes, 32:

Bartz	Boettger	Dearden	Drake
Dvorsky	Fink	Flynn	Freeman
Gaskill	Hansen	Hedge	Iverson
Jensen	Johnson	Judge	King
Kramer	Lamberti	Maddox	McKean
McKibben	McLaren	Miller	Redfern
Rehberg	Rife	Rittmer	Sexton
Shearer	Tinsman	Veenstra	Zieman

Nays, 17:

Angelo	Behn	Black	Bolkcom
Connolly	Deluhery	Fraise	Gronstal
Hammond	Harper	Horn	Kibbie
Lundby	McCoy	Schuerer	Soukup
Szymoniak			

Absent or not voting, 1:

Redwine

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 until she returns, on request of Senator Freeman.

CONSIDERATION OF BILL (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 214.

Senate File 214

On motion of Senator Rehberg, **Senate File 214**, a bill for an act relating to forestry and forest resource support, sale of trees and shrubs in the state nursery stock, and making appropriations, was taken up for consideration.

Senator Hedge took the chair at 5:57 p.m.

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

On the question "Shall the bill pass?" (S.F. 214), the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Miller	Redfern
Rehberg	Rife	Rittmer	Schuerer
Sexton	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, 1:

Lamberti

Absent or not voting, 2:

Kramer

Redwine

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 214, 301, 395 and 437 be immediately messaged to the House.**

BILL REFERRED TO COMMITTEE

Senator Iverson asked and received unanimous consent that **House File 743** be referred from the **Regular Calendar** to the committee on **Appropriations**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McCoy until he returns, on request of Senator Hedge.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 405 and 419.

Senate File 405

On motion of Senator Flynn, **Senate File 405**, a bill for an act limiting the liability of financial institutions for certain actions arising out of the failure of information technology as the result of a year 2000 problem, was taken up for consideration.

Senator Jensen offered amendment S-3179 filed by Senators Jensen, Lamberti and Flynn from the floor, striking everything after the enacting clause and to the title page of the bill.

Senator Gronstal asked and received unanimous consent that action on **amendment S-3179** and **Senate File 405** be deferred.

Senate File 419

On motion of Senator Drake, **Senate File 419**, a bill for an act applying certain veterinary practice requirements to persons providing veterinary medical services, owning a veterinary clinic, or practicing veterinary medicine, was taken up for consideration.

Senator Drake offered amendment S-3171 filed by him from the floor, to page 1 of the bill and moved its adoption.

Amendment S-3171 was adopted by a voice vote.

Senator Szymoniak asked and received unanimous consent that action on **Senate File 419** be deferred.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McKibben until he returns, on request of Senator Miller.

CONSIDERATION OF BILL (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration **Senate File 451**.

Senate File 451

On motion of Senator Maddox, **Senate File 451**, a bill for an act relating to the payment of the legal defense costs of indigent persons, expanding the duties of the state public defender, and providing for the appointment and removal of certain state public defender personnel, was taken up for consideration.

Senator Maddox asked and received unanimous consent to withdraw amendment S-3173 filed by him from the floor, to pages 1 and 9 of the bill.

Senator Maddox offered amendment S-3178 filed by him from the floor, to pages 1, 5-9, 12 and 13 of the bill and moved its adoption.

Amendment S-3178 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 451), the vote was:

Ayes, 46:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Lamberti	Lundby	Maddox	McKean
McLaren	Miller	Redfern	Rehberg
Rife	Rittmer	Schuerer	Sexton
Shearer	Soukup	Szymoniak	Tinsman
Veenstra	Zieman		

Nays, none.

Absent or not voting, 4:

Kramer	McCoy	McKibben	Redwine
--------	-------	----------	---------

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

Senator Iverson asked and received unanimous consent that **Senate File 451** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 29, 1999, concurred in the Senate amendment and passed the following bill in which the **concurrence** of the **House** was asked:

House File 573, a bill for an act to change the penalties applicable to the possession, manufacture, or delivery of methamphetamine and other controlled substances, relating to the possession or control of adulterated or improperly labeled articles, providing for the reopening of certain sentences, and providing for restrictions on bail.

ALSO: That the House has on March 29, 1999, passed the following bills in which the **concurrence** of the **Senate** is asked:

House File 711, a bill for an act concerning the imposition of a drug abuse resistance education surcharge for criminal alcohol beverage control offenses.

Read first time and referred to committee on **Judiciary**.

House File 713, a bill for an act relating to protective orders for domestic abuse.

Read first time and referred to committee on **Judiciary**.

House File 716, a bill for an act relating to the recording of trials before a magistrate.

Read first time and referred to committee on **Judiciary**.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

BUSINESS AND LABOR RELATIONS

Convened: March 29, 1999, 2:16 p.m.

Members Present: McKibben, Chair; Freeman, Vice Chair; Dearden, Ranking Member; Behn, Fraise, Hedge, Horn, King, Rife, and Schuerer.

Members Absent: Hansen (excused).

Committee Business: An informational meeting with Labor Commissioner Byron K. Orton.

Adjourned: 3:08 p.m.

HUMAN RESOURCES

Convened: March 29, 1999, 3:05 p.m.

Members Present: Boettger, Chair; Redwine, Vice Chair; Szymoniak, Ranking Member; Bartz, Behn, Dvorsky, Hammond, Harper, Miller, Schuerer, Shearer, Tinsman, and Veenstra.

Members Absent: None.

Committee Business: Passed HF's 38, 379, and 402.

Adjourned: 3:39 p.m.

TRANSPORTATION

Convened: March 29, 1999, 3:10 p.m.

Members Present: Drake, Chair; Sexton, Vice Chair; McCoy, Ranking Member; Fink, Fraise, Freeman, Jensen, Judge, Kibbie, McKean, McKibben, Rittmer, and Zieman.

Members Absent: None.

Committee Business: Passed HF 637. Recommended governor's appointee for confirmation.

Adjourned: 3:20 p.m.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Pearl Albert, Brandon – For celebrating your 101st Birthday on April 12, 1999. Senator Rehberg (03/29/99).

Fern Freeman, Independence – For celebrating your 102nd Birthday on March 28, 1999. Senator Rehberg (03/29/99).

Jeff Vanis, Central City – For achieving the rank of Eagle Scout. Senator McKean (03/29/99).

Andrew David Welchans, Hamburg – For achieving the rank of Eagle Scout. Senator McLaren (03/29/99).

Casey Carl Welchans, Hamburg – For achieving the rank of Eagle Scout. Senator McLaren (03/29/99).

Justin Dean Welchans, Hamburg – For achieving the rank of Eagle Scout. Senator McLaren (03/29/99).

SIMILAR BILL RECEIVED

On March 29, 1999, **House File 476** was received and attached to similar **Senate File 351** on the calendar.

SUBCOMMITTEE ASSIGNMENTS

Senate Resolution 10

STATE GOVERNMENT: Deluhery, Chair; Drake and Rittmer

House Joint Resolution 13

STATE GOVERNMENT: Deluhery, Chair; Drake and Rittmer

House File 234

STATE GOVERNMENT: Kibbie, Chair; King and Lundby

House File 343

AGRICULTURE: Shearer, Chair; Hedge and Zieman

House File 501

JUDICIARY: Lamberti, Chair; Hammond and Maddox

House File 521

BUSINESS AND LABOR RELATIONS: Freeman, Chair; Behn and Hansen

House File 647

JUDICIARY: Maddox, Chair; Hansen and McKibben

House File 688

STATE GOVERNMENT: Fink, Chair; Drake and Szymoniak

House File 705

JUDICIARY: Lamberti, Chair; Angelo and Hammond

House File 706

JUDICIARY: Hansen, Chair; McKibben and Miller

House File 710

JUDICIARY: Fraise, Chair; Lamberti and McKean

House File 714

JUDICIARY: Miller, Chair; Horn and McKean

COMMITTEE REPORTS**EDUCATION**

Final Bill Action: SENATE CONCURRENT RESOLUTION 12, a concurrent resolution urging that Iowa State University of Science and Technology retain the name of its College of Agriculture.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Redfern, Rehberg, Connolly, Angelo, Boettger, Dvorsky, Fink, Gaskill, Harper, Redwine, Sexton, Shearer, Tinsman, and Veenstra. Nays, 1: Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 144, a bill for an act relating to the distribution of moneys held in trust for a participant in the certified school to career program.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Redfern, Rehberg, Connolly, Angelo, Boettger, Dvorsky, Fink, Gaskill, Harper, Redwine, Sexton, Shearer, Szymoniak, Tinsman, and Veenstra. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 743, a bill for an act relating to the establishment of an Iowa early intervention block grant program, providing for a school improvement technology block grant program, and making appropriations.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Redfern, Rehberg, Connolly, Angelo, Boettger, Dvorsky, Fink, Gaskill, Harper, Redwine, Sexton, Shearer, Szymoniak, Tinsman, and Veenstra. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: HOUSE FILE 38, a bill for an act eliminating references to an obsolete federal requirement relating to the attachment of an adoption information form to an adoption petition and decree.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Boettger, Redwine, Szymoniak, Bartz, Dvorsky, Hammond, Harper, Miller, Shearer, Tinsman, and Veenstra. Nays, none. Absent or not voting, 2: Behn and Schuerer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 379, a bill for an act changing the name of care review committee to resident advocate committee.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Boettger, Redwine, Szymoniak, Bartz, Behn, Dvorsky, Hammond, Harper, Miller, Schuerer, Shearer, Tinsman, and Veenstra. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 402, a bill for an act providing for the establishment of a scope of practice review committee regarding the proposed licensure of certified professional midwives.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Boettger, Redwine, Szymoniak, Bartz, Behn, Dvorsky, Hammond, Harper, Miller, Shearer, Tinsman, and Veenstra. Nays, none. Absent or not voting, 2: Behn and Schuerer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: HOUSE FILE 637, a bill for an act increasing the fine for moving traffic violations in school zones.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Drake, Sexton, McCoy, Fink, Fraise, Freeman, Jensen, Judge, Kibbie, McKean, McKibben, Rittmer, and Zieman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3175	S.F. 413	John Redwine
S-3176	S.F. 437	Jeff Lamberti
		Tom Flynn
S-3177	H.F. 218	Steve King
S-3178	S.F. 451	Gene Maddox
S-3179	S.F. 405	John W. Jensen
		Jeff Lamberti
		Tom Flynn
S-3180	H.F. 218	Steven D. Hansen

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 6:39 p.m., until 9:00 a.m., Tuesday, March 30, 1999.

JOURNAL OF THE SENATE

SEVENTY-NINTH CALENDAR DAY
FORTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 30, 1999

The Senate met in regular session at 9:04 a.m., President Kramer presiding.

Prayer was offered by Pastor Steve Pike of the Martelle Christian Church, Martelle, Iowa.

The Journal of Monday, March 29, 1999, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Fraise and Dearden until they arrive, on request of Senator Fink.

Senator McCoy until he arrives, on request of Senator Shearer.

Senator Lundby until she returns, on request of Senator Bartz.

CONSIDERATION OF BILL (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 448.

Senate File 448

On motion of Senator Judge, **Senate File 448**, a bill for an act relating to the purchase of certain parcels with delinquent taxes by a city or county, and providing effective and applicability dates, was taken up for consideration.

Senator Judge offered amendment S-3095 filed by him on March 17, 1999, to page 1 of the bill and moved its adoption.

Amendment S-3095 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 448), the vote was:

Ayes, 46:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Deluhery
Drake	Dvorsky	Fink	Flynn
Freeman	Gaskill	Gronstal	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Johnson	Judge
Kibbie	King	Kramer	Lamberti
Maddox	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Sexton
Shearer	Soukup	Szymoniak	Tinsman
Veenstra	Zieman		

Nays, none.

Absent or not voting, 4:

Dearden	Fraise	Lundby	McCoy
---------	--------	--------	-------

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

UNFINISHED BUSINESS

(Deferred March 29, 1999)

Senate File 419

The Senate resumed consideration of **Senate File 419**, a bill for an act applying certain veterinary practice requirements to persons providing veterinary medical services, owning a veterinary clinic, or practicing veterinary medicine, deferred March 29, 1999.

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. 419), the vote was:

Ayes, 43:

Angelo	Bartz	Behn	Black
Bolkcom	Connolly	Deluhery	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gaskill	Gronstal	Hammond
Hansen	Harper	Horn	Iverson
Jensen	Johnson	Judge	Kibbie
King	Kramer	Lamberti	Lundby
Maddox	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Sexton
Tinsman	Veenstra	Zieman	

Nays, 5:

Boettger	Hedge	Shearer	Soukup
Szymoniak			

Absent or not voting, 2:

Dearden	McCoy
---------	-------

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that Senate Files 419 and 448 be immediately messaged to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 179, 413, 418 and 408.

Senate File 179

On motion of Senator Schuerer, **Senate File 179**, a bill for an act relating to requests and hearings for correction and expungement of child abuse information, with report of committee recommending passage, was taken up for consideration.

Senator Hammond offered amendment S-3149 filed by her on March 24, 1999, to page 1 of the bill and moved its adoption.

A non-record roll call was requested.

The ayes were 24, nays 24.

Amendment S-3149 lost.

Senator Maddox took the chair at 9:29 a.m.

Senator Hammond asked and received unanimous consent that action on **Senate File 179** be deferred.

Senate File 413

On motion of Senator Redwine, **Senate File 413**, a bill for an act providing for access to a safe deposit box on the death of the owner or lessee of such box, and exempting state banks from liability associated with such access, was taken up for consideration.

Senator Redwine offered amendment S-3137 filed by him on March 24, 1999, to pages 1 and 2 of the bill and moved its adoption.

Amendment S-3137 was adopted by a voice vote.

Senator Redwine offered amendment S-3175 filed by him on March 29, 1999, to page 2 and to the title page of the bill and moved its adoption.

Amendment S-3175 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 413), the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Deluhery
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Shearer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, none.

Absent or not voting, 2:

Dearden McCoy

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

Senator Iverson asked and received unanimous consent that Senate File 413 be immediately messaged to the House.

Senate File 418

On motion of Senator Bartz, Senate File 418, a bill for an act relating to the criteria for evaluation of lakes for the purpose of improvement or rehabilitation, was taken up for consideration.

Senator Black asked and received unanimous consent that action on Senate File 418 be deferred.

Senate File 408

On motion of Senator King, **Senate File 408**, a bill for an act relating to drug and alcohol testing of private sector employees and prospective employees pursuant to an employer's drug and alcohol testing program, was taken up for consideration.

Senator King asked and received unanimous consent to withdraw amendment S-3123 filed by him on March 23, 1999, to pages 1 and 2 of the bill.

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

On the question "Shall the bill pass?" (S.F. 408), the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Deluhery
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Sexton	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

Dearden

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

UNFINISHED BUSINESS
(Deferred March 29, 1999)

Senate File 405

The Senate resumed consideration of **Senate File 405**, a bill for an act limiting the liability of financial institutions for certain actions arising out of the failure of information technology as the result of a year 2000 problem, and amendment S-3179 filed by Senators Jensen, Lamberti and Flynn on March 29, 1999, striking everything after the enacting clause and to the title page of the bill, deferred March 29, 1999.

Senator Flynn asked and received unanimous consent that action on **amendment S-3179** and **Senate File 405** be deferred.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration **Senate File 284**.

Senate File 284

On motion of Senator Szymoniak, **Senate File 284**, a bill for an act providing for the liability of a person with supervisory or other administrative responsibilities over an individual who the person knew or was informed committed sexual abuse of a child, with report of committee without recommendation, was taken up for consideration.

Senator Flynn offered amendment S-3065 filed by him on March 15, 1999, to page 1 of the bill and moved its adoption.

Amendment S-3065 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. 284), the vote was:

Ayes, 50:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Sexton
Shearer	Soukup	Szymoniak	Tinsman
Veenstra	Zieman		

Nays, none.

Absent or not voting, none.

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 284 and 408** be **immediately messaged** to the House.

BUSINESS PENDING

Senate File 179

The Senate resumed consideration of **Senate File 179**, a bill for an act relating to requests and hearings for correction and expungement of child abuse information, previously deferred.

Senator Hammond offered amendment S-3182 filed by her from the floor, to page 1 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S-3182 be adopted?" (S.F. 179), the vote was:

Ayes, 24:

Black	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Gronstal	Hammond
Hansen	Harper	Horn	Judge
Kibbie	Lundby	McCoy	Rife
Shearer	Soukup	Szymoniak	Tinsman

Nays, 26:

Angelo	Bartz	Behn	Boettger
Freeman	Gaskill	Hedge	Iverson
Jensen	Johnson	King	Kramer
Lamberti	Maddox	McKean	McKibben
McLaren	Miller	Redfern	Redwine
Rehberg	Rittmer	Schuerer	Sexton
Veenstra	Zieman		

Absent or not voting, none.

Amendment S-3182 lost.

Senator Dvorsky asked and received unanimous consent that action on **Senate File 179** be deferred.

PRESENTATION OF VISITORS

The Chair welcomed eighth grade students from Camanche Middle School accompanied by teacher Willard Larsen. Senator Rittmer.

BUSINESS PENDING

Senate File 405

The Senate resumed consideration of **Senate File 405**, a bill for an act limiting the liability of financial institutions for certain actions arising out of the failure of information technology as the result of a year 2000 problem, and amendment S-3179 by Senators Jensen, Lamberti and Flynn striking everything after the enacting clause and to the title page of the bill, previously deferred.

Senator Gronstal offered amendment S-3189 filed by him from the floor, to amendment S-3179 and moved its adoption.

Amendment S-3189 was adopted by a voice vote.

President Kramer took the chair at 10:58 a.m.

Senator Flynn moved adoption of amendment S-3179, which motion prevailed by a voice vote.

With the adoption of amendment S-3179, the Chair ruled amendment S-3187, filed by Senator Gronstal from the floor, to page 3 and to the title page of the bill, out of order.

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

On the question "Shall the bill pass?" (S.F. 405), the vote was:

Ayes, 50:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Sexton
Shearer	Soukup	Szymoniak	Tinsman
Veenstra	Zieman		

Nays, none.

Absent or not voting, none.

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

Senator Iverson asked and received unanimous consent that Senate File 405 be immediately messaged to the House.

INTRODUCTION OF RESOLUTION

Senate Resolution 11, by Rehberg and Kibbie, a resolution congratulating members of the All-Iowa Community College Academic Team.

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

RECESS

On motion of Senator Iverson, the Senate recessed at 11:17 a.m., until 3:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT AND COMMUNICATIONS

Convened: March 25, 1999, 8:25 a.m.

Members Present: King, Chair; Lundby, Vice Chair; Deluhery, Ranking Member; Harper and Rittmer.

Members Absent: None.

Committee Business: Discussion of budget bill shell and decision-making.

Recessed: 9:05 a.m.

Reconvened: March 30, 1999, 7:30 a.m.

Adjourned: 9:10 a.m.

AGRICULTURE

Convened: March 30, 1999, 8:32 a.m.

Members Present: Gaskill, Chair; Miller, Vice Chair; Fraise, Ranking Member; Angelo, Bartz, Behn, Hedge, Judge, Kibbie, Sexton, Shearer, Soukup, Veenstra, and Zieman.

Members Absent: Black (excused).

Committee Business: Passed HF's 343 and 531.

Adjourned: 8:47 a.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: March 30, 1999, 11:25 a.m.

Members Present: Bartz, Chair; King, Vice Chair; Fink, Ranking Member, Black, Bolkom, Dearden, Deluhery, Drake, Freeman, Gaskill, Johnson, Kibbie, Miller, Rehberg, and Rife.

Members Absent: None.

Committee Business: Passed HF 696, as amended. Recommended governor's appointees for confirmation.

Adjourned: 12:25 p.m.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Calendar with recommendations for confirmation on March 30, 1999:

HUMAN RESOURCES

Jill Meilahn – Board of Examiners for Athletic Training

Rebecca Beach – Board of Behavioral Science Examiners

William Joseph Brand – Administrator of the Division of Community Action Agencies

Kathy Beauchamp – Commission on Community Action Agencies

Michael Coverdale – Commission on Community Action Agencies

Arbella Jetter – Commission on Community Action Agencies

John Lowe – Commission of Elder Affairs

Jane Paulsen – Commission of Elder Affairs

Albert Sorensen – State Citizen Foster Care Review Board

Edward Nichols – Health Facilities Council

Thomas Glenn – Iowa Council on Human Investment

Betty Grandquist – Iowa Council on Human Investment

Christine Louscher – Council on Human Services

Lori Bears – Mental Health and Developmental Disabilities Commission

Michael Flaum – Mental Health and Developmental Disabilities Commission

Jackie Kibbie-Williams – Mental Health and Developmental Disabilities Commission

Charlotte B. Nelson – Administrator of the Division on the Status of Women

NATURAL RESOURCES AND ENVIRONMENT

James Braun – Environmental Protection Commission

Elizabeth Christiansen – Environmental Protection Commission

Rita Venner – Environmental Protection Commission

Paul Christiansen – Natural Resource Commission

Carol Kramer – Natural Resource Commission

William Sullivan – Natural Resource Commission

SUBCOMMITTEE ASSIGNMENTS**House File 474**

LOCAL GOVERNMENT: Bartz, Chair; Bolkcom and Zieman

House File 590

STATE GOVERNMENT: Schuerer, Chair; Dearden and King

House File 711

JUDICIARY: McKibben, Chair; Hansen and McKean

House File 713

JUDICIARY: Tinsman, Chair; Lamberti and McCoy

House File 716

JUDICIARY: Miller, Chair; Fraise and McKean

House File 743

APPROPRIATIONS: Redwine, Chair; Connolly, Horn, King, and Rehberg

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Service Bureau:

March 1, 1999

DEPARTMENT OF EDUCATION

Report on Phase III, a section of the Educational Excellence Program, as required by Chapter 294A.19.

IOWA DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

FY '99 Semi-Annual Report of the Office of Renewable Fuels and Co-Products.

LEGISLATIVE FISCAL BUREAU

Spreadsheet on General Funds Receipts for FY '99, through February 28, 1999.

IOWA DEPARTMENT OF PUBLIC HEALTH

1998 Termination of Pregnancy Report.

March 2, 1999

LEGISLATIVE FISCAL BUREAU

Report on Block Grant and Federal Funds Appropriations Bill, Senate Study Bill 1144.

March 3, 1999

DEPARTMENT OF NATURAL RESOURCES

Report for the "Iowa Comparative Risk Project", a report identifying six priorities to reduce environmental risk to the state.

March 22, 1999

IOWA DIVISION OF LATINO AFFAIRS

Annual Report February 1997-February 1999.

March 24, 1999

IOWA CIVIL RIGHTS COMMISSION

Annual Report FY '98.

March 26, 1999

HEALTHY AND WELL KIDS IN IOWA

Annual Report, HAWK-I Board, pursuant to Iowa Code section 514.I (7)(g).

ICN AGENCY REPORTS

January 8, 1999

DEPARTMENT OF REVENUE AND FINANCE

ICN Savings Report for FY '98, pursuant to Chapter 8D.10, Code of Iowa.

March 2, 1999

IOWA COMMUNICATIONS NETWORK

Annual Report FY '98.

March 12, 1999

IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION

Letter stating deferment of filling the Executive Director position for the Iowa Communications Network, pursuant to Iowa Code Section 2.32(4).

AMENDMENTS FILED

S-3181	S.F. 462	John P. Kibbie
S-3182	S.F. 179	Johnie Hammond
S-3183	S.F. 414	Steve King
S-3184	S.F. 434	Mike Connolly
S-3185	S.F. 414	Steve King
S-3186	S.F. 414	Steve King
S-3187	S.F. 405	Michael E. Gronstal
S-3188	S.F. 192	Andy McKean
S-3189	S.F. 405	Michael E. Gronstal
S-3190	S.F. 414	Steve King
S-3191	S.F. 414	Steve King
S-3192	S.F. 418	Dennis H. Black
S-3193	S.F. 253	Dennis H. Black

AFTERNOON SESSION

The Senate reconvened at 3:43 p.m., President pro tempore Redfern presiding.

The Senate stood at ease at 3:45 p.m. until the fall of the gavel, for the purpose of party caucuses.

The Senate resumed session at 4:11 p.m., President Kramer presiding.

QUORUM CALL

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

The vote revealed 35 present, 15 absent, and a quorum present.

UNFINISHED BUSINESS
(Deferred March 15, 1999)

Senate File 253

The Senate resumed consideration of **Senate File 253**, a bill for an act concerning reporting requirements for real estate conveyances relating to the identification of wells, disposal sites for solid waste, underground storage tanks, and hazardous waste, deferred March 15, 1999.

Senator Black offered amendment S-3193 filed by him from the floor, to page 1 of the bill and moved its adoption.

Amendment S-3193 was adopted by a voice vote.

Senator McCoy offered amendment S-3069 filed by him on March 15, 1999, to page 2 and to the title page of the bill and moved its adoption.

Amendment S-3069 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. 253), the vote was:

Ayes, 33:

Bartz	Black	Boettger	Connolly
Dearden	Deluhery	Fink	Flynn
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Kibbie
King	Kramer	Maddox	McCoy
Redfern	Redwine	Rittmer	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, 17:

Angelo	Behn	Bolkcom	Drake
Dvorsky	Johnson	Judge	Lamberti
Lundby	McKean	McKibben	McLaren
Miller	Rehberg	Rife	Schuerer
Sexton			

Absent or not voting, none.

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

SPECIAL GUEST

Senator Kibbie presented Ruby Hermeier, Ringsted, Iowa, who is the Iowa Mother of the Year and will participate in the National Mother of the Year contest in Hawaii on April 27, 1999. Mrs. Hermeier, nominated by Marian Jensen, former Iowa Young Mother of the Year, was accompanied by her husband, Pastor Hermeier.

CONSIDERATION OF BILL (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 192.

Senate File 192

On motion of Senator McKean, **Senate File 192**, a bill for an act relating to open containers in motor vehicles and providing a penalty, was taken up for consideration.

Senator McKean offered amendment S-3188 filed by him from the floor, to page 2 of the bill and moved its adoption.

Amendment S-3188 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 192), the vote was:

Ayes, 37:

Behn	Black	Boettger	Bolkcom
Connolly	Deluhery	Drake	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Harper	Hedge
Iverson	Jensen	Johnson	Judge
King	Kramer	Lundby	Maddox
McKean	McKibben	Miller	Redfern
Redwine	Rehberg	Sexton	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, 13:

Angelo	Bartz	Dearden	Dvorsky
Hansen	Horn	Kibbie	Lamberti
McCoy	McLaren	Rife	Rittmer
Schuerer			

Absent or not voting, none.

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

MOTION TO RECONSIDER ADOPTED

Senator Gronstal called up the motion to reconsider Senate File 445 filed by him on March 25, 1999, found on page 817 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 445) the vote was:

Ayes, 30:

Black	Connolly	Dearden	Deluhery
Fink	Flynn	Fraise	Gaskill
Gronstal	Hansen	Harper	Iverson
Johnson	Judge	Kibbie	Kramer
Lamberti	Lundby	Maddox	McCoy
McLaren	Rehberg	Rife	Rittmer
Sexton	Shearer	Soukup	Szymoniak
Tinsman	Zieman		

Nays, 20:

Angelo	Bartz	Behn	Boettger
Bolkcom	Drake	Dvorsky	Freeman
Hammond	Hedge	Horn	Jensen
King	McKean	McKibben	Miller
Redfern	Redwine	Schuerer	Veenstra

Absent or not voting, none.

The motion prevailed.

Senator Gronstal moved to reconsider the vote by which Senate File 445 went to its last reading, which motion prevailed by a voice vote.

Senator Gronstal asked and received unanimous consent that action on **Senate File 445** be **deferred**.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 192 and 253** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 30, 1999, passed the following bill in which the concurrence of the House was asked:

Senate File 404, a bill for an act relating to a relationship involving real estate licensees and real estate clients, and establishing restrictions on the payment of commissions or other consideration.

ALSO: That the House has on March 30, 1999, passed the following bills in which the concurrence of the Senate is asked:

House File 661, a bill for an act relating to the offense of sexual abuse, providing related definitions, and applying penalties.

Read first time and referred to committee on **Judiciary**.

House File 675, a bill for an act relating to schools and school districts by affecting boiler and steam vessel maintenance and monitoring, the regular school calendar, superintendent licensure and qualifications, and school breakfast programming.

Read first time and referred to committee on **Education**.

House File 700, a bill for an act relating to the liability for unpaid rates or charges of a city utility or enterprise service for water, sewage, and solid waste services.

Read first time and referred to committee on **Commerce**.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 17, by Kibbie, a concurrent resolution to urge that the United States Congress enact and the United States Department of Agriculture implement measures necessary in order to allow the interstate sale of meat and poultry products by state-inspected establishments.

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

BUSINESS PENDING

Senate File 179

The Senate resumed consideration of **Senate File 179**, a bill for an act relating to requests and hearings for correction and expungement of child abuse information, previously deferred.

Senator Dvorsky offered amendment S-3200 filed by Senators Dvorsky, King and Hammond from the floor, to page 1 of the bill and moved its adoption.

Amendment S-3200 was adopted by a voice vote.

Senator Schuerer moved that the bill be read the last time now and placed upon its passage, 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, 46:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hansen	Hedge	Horn
Iverson	Jensen	Johnson	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Soukup	Tinsman
Veenstra	Zieman		

Nays, 4:

Hammond	Harper	Shearer	Szymoniak
---------	--------	---------	-----------

Absent or not voting, none.

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

Senator Iverson asked and received unanimous consent that Senate File 179 be immediately messaged to the House.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: March 30, 1999, 2:06 p.m.

Members Present: Jensen, Chair; Maddox, Vice Chair; Deluhery, Ranking Member; Bolkcom, Flynn, Gronstal, Hansen, Johnson, King, Lamberti, Lundby, McCoy, Redfern, Redwine, and Schuerer.

Members Absent: None.

Committee Business: Passed HF's 433 and 624.

Adjourned: 2:30 p.m.

JUDICIARY

Convened: March 30, 1999, 1:10 p.m.

Members Present: McKean, Chair; Lamberti, Vice Chair; Hansen, Ranking Member; Angelo, Boettger, Dvorsky, Fraise, Hammond, Horn, Maddox, McCoy, McKibben, Miller, Redfern, and Tinsman.

Members Absent: None.

Committee Business: Subcommittee assignments. Passed HF's 210, 308, 387, 395, 498, 660, 662, and 711. Recommended governor's appointees for confirmation.

Adjourned: 1:55 p.m.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Calendar with recommendations for confirmation on March 30, 1999:

JUDICIARY

Rachel Scherle – Iowa State Civil Rights Commission

Craig Rypma – State Judicial Nominating Commission

Lennis Moore – Commission on Judicial Qualifications

Karen Muelhaupt – Board of Parole

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Eric Hanenstein, Columbus Junction – For achieving the rank of Eagle Scout. Senator Shearer (03/30/99).

Michael M. Payne, Hamburg – For achieving the rank of Eagle Scout. Senator McLaren (03/30/99).

Russel and Marie Reed, Emmetsburg – For celebrating your 60th Wedding Anniversary on March 31, 1999. Senator Kibbie (03/30/99).

PRESENTATION OF VISITORS

The Chair welcomed 11 Student Council members from Washington Junior High, Dubuque, Iowa, who were present in the NE balcony. Senator Connolly.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: HOUSE FILE 343, a bill for an act providing for the collection of moneys by a county board of supervisors arising out of the construction of a drainage improvement within a railroad right-of-way.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Gaskill, Miller, Fraise, Bartz, Behn, Hedge, Judge, Kibbie, Sexton, Shearer, Soukup, Veenstra, and Zieman. Nays, 1: Angelo. Absent or not voting, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 531, a bill for an act providing for the certification of manure applicators by delaying dates required for certification, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Gaskill, Miller, Fraise, Angelo, Bartz, Behn, Hedge, Judge, Kibbie, Sexton, Shearer, Soukup, Veenstra, and Zieman. Nays, none. Absent or not voting, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: HOUSE FILE 433, a bill for an act relating to the exclusion of certain transactions involving a public utility or common carrier from the applicability of the consumer credit code.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 15: Jensen, Maddox, Deluhery, Bolkcom, Flynn, Gronstal, Hansen, Johnson, King, Lamberti, Lundby, McCoy, Redfern, Redwine, and Schuerer. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 624, a bill for an act relating to electronic commerce security, and providing penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3195.

Final Vote: Ayes, 14: Jensen, Maddox, Deluhery, Bolkcom, Flynn, Gronstal, Hansen, Johnson, King, Lamberti, Lundby, Redfern, Redwine, and Schuerer. Nays, none. Absent or not voting, 1: McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: HOUSE FILE 210, a bill for an act relating to the exclusion of certain transactions under the business opportunities law and providing effective and retroactive applicability dates.

Recommendation: DO PASS.

Final Vote: Ayes, 15: McKean, Lamberti, Hansen, Angelo, Boettger, Dvorsky, Fraise, Hammond, Horn, Maddox, McCoy, McKibben, Miller, Redfern, and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 308, a bill for an act relating to peace officer status for investigators of the department of inspections and appeals.

Recommendation: DO PASS.

Final Vote: Ayes, 14: McKean, Lamberti, Hansen, Angelo, Dvorsky, Fraise, Hammond, Horn, Maddox, McCoy, McKibben, Miller, Redfern, and Tinsman. Nays, none. Absent or not voting, 1: Boettger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 387, a bill for an act relating to confidentiality for certain taxpayer communications.

Recommendation: DO PASS.

Final Vote: Ayes, 14: McKean, Lamberti, Hansen, Angelo, Boettger, Dvorsky, Fraise, Hammond, Horn, Maddox, McKibben, Miller, Redfern, and Tinsman. Nays, none. Absent or not voting, 1: McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 395, a bill for an act providing that defendants convicted of class "C" vehicular manslaughter are not bailable on appeal.

Recommendation: DO PASS.

Final Vote: Ayes, 13: McKean, Lamberti, Hansen, Angelo, Dvorsky, Fraise, Horn, Maddox, McCoy, McKibben, Miller, Redfern, and Tinsman. Nays, 1: Hammond. Absent or not voting, 1: Boettger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 498, a bill for an act defining as a fraudulent practice certain creation or use of retail sales receipts or universal price code labels, and applying penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3198.

Final Vote: Ayes, 15: McKean, Lamberti, Hansen, Angelo, Boettger, Dvorsky, Fraise, Hammond, Horn, Maddox, McCoy, McKibben, Miller, Redfern, and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 660, a bill for an act relating to certain property of a debtor which is exempt from execution, and providing an effective date and for the Act's applicability.

Recommendation: DO PASS.

Final Vote: Ayes, 15: McKean, Lamberti, Hansen, Angelo, Boettger, Dvorsky, Fraise, Hammond, Horn, Maddox, McCoy, McKibben, Miller, Redfern, and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 662, a bill for an act relating to estate issues by modifying the warranty by a trustee, jurisdiction of the probate court, fees payable on certain trusts, notice provisions relating to claims against estates, and disclaimers made by beneficiaries.

Recommendation: DO PASS.

Final Vote: Ayes, 14: McKean, Lamberti, Hansen, Angelo, Boettger, Dvorsky, Fraise, Hammond, Horn, Maddox, McKibben, Miller, Redfern, and Tinsman. Nays, none. Absent or not voting, 1: McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 711, a bill for an act concerning the imposition of a drug abuse resistance education surcharge for criminal alcohol beverage control offenses.

Recommendation: DO PASS.

Final Vote: Ayes, 13: McKean, Lamberti, Hansen, Angelo, Boettger, Dvorsky, Fraise, Hammond, Horn, McKibben, Miller, Redfern, and Tinsman. Nays, 1: Maddox. Absent or not voting, 1: McCoy.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 234, a bill for an act limiting the liability of the state and political subdivisions of the state for certain losses caused by the failure of computer software or a device containing a computer processor.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Rittmer, Kibbie, Connolly, Dearden, Deluhery, Drake, Fink, King, McLaren, Schuerer, and Sexton. Nays, none. Absent or not voting, 4: Lamberti, Lundby, Maddox, and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 518, a bill for an act relating to the fire safety provisions applicable to a bed and breakfast inn.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Rittmer, Kibbie, Connolly, Dearden, Deluhery, Drake, Fink, King, McLaren, Schuerer, and Sexton. Nays, none. Absent or not voting, 4: Lamberti, Lundby, Maddox, and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EXPLANATION OF VOTES

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on March 22, 1999, when the votes were taken on Senate Files 230, 338, 362, House Files 200, 209, 222, and 588. Had I been present, I would have voted "Aye" on all.

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on March 23, 1999, when the votes were taken on Senate Files 76, 304, 324, 395, 399, 406, 428, 458, House Files 164, 182, 224, 299, 332, and 443. Had I been present, I would have voted "Aye" on all.

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on March 24, 1999, when the votes were taken on Senate Files 275, 277, 404, 439, House Files 136, 571, amendments S-3136 and S-3138. Had I been present, I would have voted "Aye" on all.

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on March 25, 1999, when the votes were taken on Senate Files 190, 211, 221, 228, 292, 392, 393, 441, 445, 460, House Files 347 and 573. Had I been present, I would have voted "Aye" on all.

TOM FLYNN

AMENDMENTS FILED

S-3194	H.F. 531	John P. Kibbie
S-3195	H.F. 624	Commerce
S-3196	S.F. 445	Andy McKean
S-3197	S.F. 445	John Redwine
S-3198	H.F. 498	Judiciary
S-3199	H.F. 497	Ken Veenstra
S-3200	S.F. 179	Robert E. Dvorsky
		Steve King
		Johnie Hammond
S-3201	H.F. 714	Andy McKean

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 5:00 p.m., until 9:00 a.m., Wednesday, March 31, 1999.

JOURNAL OF THE SENATE

EIGHTIETH CALENDAR DAY
FORTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 31, 1999

The Senate met in regular session at 9:13 a.m., President Kramer presiding.

Prayer was offered by the Honorable Mark Shearer, member of the Senate, Washington County, Washington, Iowa.

The Journal of Tuesday, March 30, 1999, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Freeman until she arrives, on request of Senator Lundby.

RECESS

On motion of Senator Iverson, the Senate recessed at 9:26 a.m., until 3:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: March 30, 1999, 5:25 p.m.

Members Present: McLaren, Chair; Kramer, Vice Chair; Flynn, Ranking Member; Behn, Bolkcom, Connolly, Deluhery, Dvorsky, Freeman, Hammond, Hedge, Horn, Jensen, Johnson, King, Lamberti, Maddox, McCoy, Redwine, Rehberg, Rife, Schuerer, Soukup, and Tinsman.

Members Absent: Black (excused).

Committee Business: Approved SSB 1206. Passed HF 743.

Adjourned: 6:48 p.m.

STATE GOVERNMENT

Convened: March 30, 1999, 3:10 p.m.

Members Present: Rittmer, Chair; Lamberti, Vice Chair; Kibbie, Ranking Member; Connolly, Dearden, Deluhery, Drake, Fink, King, Lundby, Maddox, McLaren, Schuerer, and Sexton.

Members Absent: Szymoniak (excused).

Committee Business: Passed HFs 234 and 518. Approved subcommittee appointments. Recommended governor's appointees for confirmation.

Adjourned: 3:35 p.m.

BUSINESS AND LABOR RELATIONS

Convened: March 31, 1999, 10:16 a.m.

Members Present: McKibben, Chair; Freeman, Vice Chair; Dearden, Ranking Member; Behn, Fraise, Hansen, Hedge, Horn, King, Rife, and Schuerer.

Members Absent: None.

Committee Business: Passed HF 521, as amended.

Adjourned: 10:49 a.m.

EDUCATION

Convened: March 31, 1999, 10:20 a.m.

Members Present: Redfern, Chair; Rehberg, Vice Chair; Connolly, Ranking Member; Angelo, Boettger, Dvorsky, Fink, Gaskill, Harper, Redwine, Sexton, Shearer, Szymoniak, Tinsman, and Veenstra.

Members Absent: None.

Committee Business: Subcommittee assignment. Passed HF's 532, 672, and 689. Passed SCR 10. Recommended governor's appointees for confirmation.

Adjourned: 11:00 a.m.

HUMAN RESOURCES

Convened: March 31, 1999, 11:14 a.m.

Members Present: Boettger, Chair; Redwine, Vice Chair; Szymoniak, Ranking Member; Bartz, Behn, Dvorsky, Hammond, Harper, Miller, Schuerer, Shearer, Tinsman, and Veenstra.

Members Absent: None.

Committee Business: Passed HF 708. Passed HF 732, as amended.

Adjourned: 11:59 a.m.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 30, 1999, the Governor approved and transmitted to the Secretary of State the following bill:

S.F. 283 – 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.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Des Moines Christian School, Des Moines – For being Runner-up in the Class 1-A Boys' Basketball Tournament. Senator Maddox (03/30/99).

Joshua Uzel, Carroll – For achieving the rank of Eagle Scout. Senator Behn (03/31/99).

West Des Moines Valley High School, West Des Moines – For being Runner-up in the Class 4-A Boys' Basketball Tournament. Senator Maddox (03/30/99).

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Calendar with recommendations for confirmation on March 31, 1999:

EDUCATION

Helen Lewis – Board of Educational Examiners

Deborah Turner – State Board of Regents

HUMAN RESOURCES

Jack Hillyard – Board of Behavioral Science Examiners

Julia Scurr – Commission for the Blind

Loren Woods – Commission on the Deaf

Richard Dickinson – State Citizen Foster Care Review Board

Dianne Dethmers Paca – Council on Human Services

Stephen C. Gleason – Director of Public Health

STATE GOVERNMENT

Dorothy Dunphy – Accountancy Examining Board

Shirley Daggett – Alcoholic Beverages Commission

Raymond Barker – Board of Barber Examiners

Daryl Engelen – Board of Chiropractic Examiners

David Creighton, Sr. – Board of Cosmetology Arts and Sciences Examiners

Janet Fisher – Board of Cosmetology Arts and Sciences Examiners

Sheila O'Hern – Board of Cosmetology Arts and Sciences Examiners

Debra Yossi – Board of Dental Examiners

Nicholas Konrady – Engineering and Land Surveying Examining Board

Phyllis Peters – Iowa Ethics and Campaign Disclosure Board

Patricia Stark – Board for the Licensing of Hearing Aid Dealers

Janet Adams – Investment Board of the IPERS

Sheila Riggs – Investment Board of the IPERS

Gregory Jones – Landscape Architectural Examining Board

Edward J. Stanek – Commissioner of the Lottery

Diane Nagle – Board of Medical Examiners

Stuart Winston – Board of Medical Examiners

Allen Zagoren – Board of Medical Examiners

J. Craig Fratzke – Board of Mortuary Science Examiners

Anna Fallon – Board of Nursing Examiners

Duane Atteberry – Board of Optometry Examiners

Larry Hicks – Board of Optometry Examiners

Mary Pat Mitchell – Board of Pharmacy Examiners

Matthew Osterhaus – Board of Pharmacy Examiners

Madonna Ryan – Board of Psychology Examiners

Kurosh Shahriari – Board of Psychology Examiners

Diane L. Hamilton – State Racing and Gaming Commission

Willard Hansen – State Racing and Gaming Commission

James F. Hassenfritz – State Racing and Gaming Commission

Michael W. Mahaffey – State Racing and Gaming Commission

Rita Sealock – State Racing and Gaming Commission

Sharon Chism – Real Estate Appraiser Examining Board

Barbara Leestamper – Real Estate Commission

Robert Miller – Real Estate Commission

GOVERNOR'S APPOINTEES PLACED ON INDIVIDUAL CONFIRMATION CALENDAR

The following appointees, assigned to standing committee for investigation, were placed on the Individual Confirmation Calendar with recommendations for confirmation on March 31, 1999:

BUSINESS AND LABOR RELATIONS

Byron K. Orton – Labor Commissioner

STATE GOVERNMENT

Brian B. Bales – Executive Director of the Commission of Veterans Affairs

SUBCOMMITTEE ASSIGNMENTS

House File 375

COMMERCE: Schuerer, Chair; Hansen and Lundby

House File 661

JUDICIARY: Angelo, Chair; Hammond and Lamberti

House File 676

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM: Behn, Chair; Hansen and Tinsman

House File 700

COMMERCE: Redfern, Chair; Johnson and McCoy

COMMITTEE REPORTS**APPROPRIATIONS**

Final Bill Action: *SENATE FILE 464 (SSB 1206), a bill for an act relating to the funding of, operation of, and appropriation of moneys to the college student aid commission, the department of cultural affairs, the department of education, and the state board of regents, providing related statutory changes, and providing effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 24: McLaren, Kramer, Flynn, Behn, Bolcom, Connolly, Deluhery, Dvorsky, Freeman, Hammond, Hedge, Horn, Jensen, Johnson, King, Lamberti, Maddox, McCoy, Redwine, Rehberg, Rife, Schuerer, Soukup, and Tinsman. Nays, none. Absent or not voting, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Appropriations Committee on Senate File 464, and they were attached to the committee report.

ALSO:

Final Bill Action: HOUSE FILE 743, a bill for an act relating to the establishment of an Iowa early intervention block grant program, providing for a school improvement technology block grant program, and making appropriations.

Recommendation: DO PASS.

Final Vote: Ayes, 24: McLaren, Kramer, Flynn, Behn, Bolcom, Connolly, Deluhery, Dvorsky, Freeman, Hammond, Hedge, Horn, Jensen, Johnson, King, Lamberti, Maddox, McCoy, Redwine, Rehberg, Rife, Schuerer, Soukup, and Tinsman. Nays, none. Absent or not voting, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BUSINESS AND LABOR RELATIONS

Final Bill Action: HOUSE FILE 521, a bill for an act relating to the licensure and operation of employment agencies and providing a penalty.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3202.

Final Vote: Ayes, 10: McKibben, Freeman, Dearden, Behn, Fraise, Hansen, Hedge, King, Rife, and Schuerer. Nays, none. Absent or not voting, 1: Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENT FILED

S-3202 H.F. 521 Business and Labor Relations

AFTERNOON SESSION

The Senate reconvened at 3:22 p.m., President pro tempore Redfern presiding.

HOUSE MESSAGES RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 23, 1999, passed the following bill in which the concurrence of the Senate is asked:

House File 375, a bill for an act eliminating the requirement that information relating to open-end credit accounts and credit cards be filed with the treasurer of state.

Read first time and referred to committee on **Commerce**.

ALSO: That the House has on March 31, 1999, passed the following bills in which the concurrence of the Senate is asked:

House File 634, a bill for an act relating to expenditure of moneys from the primary road fund for dust control on certain roads.

Read first time and referred to committee on **Transportation**.

House File 664, a bill for an act creating an adult mental health, mental retardation, and developmental disabilities services funding decategorization pilot project.

Read first time and referred to committee on **Human Resources**.

House File 680, a bill for an act relating to the establishment of a community college governance task force.

Read first time and referred to committee on **Education**.

House File 703, a bill for an act relating to membership of county compensation boards.

Read first time and referred to committee on **Local Government**.

House File 741, a bill for an act relating to the authorization requirements for psychiatric medical institutions for children and providing an effective date.

Read first time and referred to committee on **Human Resources**.

INTRODUCTION OF RESOLUTION

Senate Resolution 12, by Dvorsky, Bolkcom, Horn, Hammond, Black, Fink, McKibben, Hansen, Gronstal, Dearden, Shearer, Judge, Deluhery, Soukup, Harper, Szymoniak, Fraise, Redfern and Bartz, a resolution honoring University of Iowa Basketball Coach Tom Davis.

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

INTRODUCTION OF BILL

Senate File 464, by committee on Appropriations, a bill for an act relating to the funding of, operation of, and appropriation of moneys to the college student aid commission, the department of cultural affairs, the department of education, and the state board of regents, providing related statutory changes, and providing effective dates.

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

QUORUM CALL

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

The vote revealed 36 present, 14 absent, and a quorum present.

PRESENTATION OF VISITORS

The Chair welcomed forty-one eighth grade students from Ruthven-Ayrshire, Ruthven, Iowa, accompanied by Jon Josephson. Senator Kibbie.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Iverson until his return, on request of Senator Hedge.

CONSIDERATION OF BILLS (Ways and Means Calendar)

Senator Hedge asked and received unanimous consent to take up for consideration Senate Files 462 and 463.

Senate File 462

On motion of Senator Drake, **Senate File 462**, a bill for an act relating to veterans' benefits, veterans preference, veterans' claims, reimbursement for military service tax exemption, and providing a penalty and applicability date, was taken up for consideration.

Senator Kibbie offered amendment S-3181 filed by him on March 30, 1999, to pages 4 and 5 of the bill and moved its adoption.

Amendment S-3181 was adopted by a voice vote.

President Kramer took the chair at 3:36 p.m.

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

On the question "Shall the bill pass?" (S.F. 462), the vote was:

Ayes, 46:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Johnson	Judge
Kibbie	Kramer	Lamberti	Lundby
Maddox	McCoy	McKean	McKibben
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Sexton

Shearer
Veenstra

Soukup
Zieman

Szymoniak

Tinsman

Nays, none.

Absent or not voting, 4:

Iverson

Jensen

King

McLaren

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

Senate File 463

On motion of Senator Drake, **Senate File 463**, a bill for an act exempting property owned and operated by an Indian housing authority from property tax and including 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. 463), the vote was:

Ayes, 49:

Angelo
Boettger
Deluhery
Flynn
Gronstal
Hedge
Judge
Lamberti
McKean
Redfern
Rittmer
Soukup
Zieman

Bartz
Bolkcom
Drake
Fraise
Hammond
Horn
Kibbie
Lundby
McKibben
Redwine
Schuerer
Szymoniak

Behn
Connolly
Dvorsky
Freeman
Hansen
Jensen
King
Maddox
McLaren
Rehberg
Sexton
Tinsman

Black
Dearden
Fink
Gaskill
Harper
Johnson
Kramer
McCoy
Miller
Rife
Shearer
Veenstra

Nays, none.

Absent or not voting, 1:

Iverson

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 Hedge asked and received unanimous consent to take up for consideration Senate File 328.

Senate File 328

On motion of Senator McLaren, **Senate File 328**, a bill for an act establishing a tourism 2000 fund and providing for activities related to a tourism 2000 congress, with report of committee recommending passage, was taken up for consideration.

Senator McLaren asked and received unanimous consent that action on **Senate File 328** be **deferred**.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration House File 743.

House File 743

On motion of Senator Redfern, **House File 743**, a bill for an act relating to the establishment of an Iowa early intervention block grant program, providing for a school improvement technology block grant program, and making appropriations, with report of committee recommending passage, was taken up for consideration.

Senator Rehberg asked and received unanimous consent to withdraw amendment S-3203 filed by Senators Rehberg, et al., from the floor, to pages 1 and 2 of the bill.

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

On the question "Shall the bill pass?" (H.F. 743), the vote was:

Ayes, 48

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKean	McKibben	Miller
Redfern	Redwine	Rehberg	Rittmer
Schuerer	Sexton	Shearer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, 2:

McLaren Rife

Absent or not voting, none.

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that Senate Files 462, 463 and House File 743 be immediately messaged to the House.

MOTION TO RECONSIDER ADOPTED

Senator Boettger called up the motion to reconsider Senate File 439 filed by her on March 24, 1999, found on page 768 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 439) the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill

Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rittmer
Schuerer	Sexton	Shearer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, none.

Absent or not voting, 2:

Lamberti Rife

The motion prevailed.

Senator Boettger moved to reconsider the vote by which Senate File 439 went to its last reading, which motion prevailed by a voice vote.

Senate File 439

On motion of Senator Boettger, **Senate File 439**, a bill for an act relating to the Iowa community empowerment Act and related provisions, and providing an effective date, was taken up for reconsideration.

Senator Boettger asked and received unanimous consent that action on **Senate File 439** be **deferred**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bolkcom for the remainder of the day, on request of Senator Dvorsky.

MOTION TO RECONSIDER ADOPTED

Senator McKean called up the motion to reconsider Senate File 458 filed by him on March 23, 1999, found on page 759 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 458) the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black
Boettger	Connolly	Dearden	Deluhery
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rittmer
Schuerer	Sexton	Shearer	Soukup
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 3:

Bolkcom	Rife	Szymoniak
---------	------	-----------

The motion prevailed.

Senator McKean moved to reconsider the vote by which Senate file 458 went to its last reading, which motion prevailed by a voice vote.

Senate File 458

On motion of Senator McKean, **Senate File 458**, a bill for an act relating to information required to be placed on property tax statements, was taken up for reconsideration.

Senator Iverson asked and received unanimous consent that action on **Senate File 458** be deferred.

BILLS REFERRED TO COMMITTEE

Senator Iverson asked and received unanimous consent that the following bills be referred from the Regular Calendar to committee:

S.F. 54	State Government
S.F. 83	Commerce

S.F. 98	State Government
S.F. 104	Judiciary
S.F. 113	Transportation
S.F. 166	State Government
S.F. 184	Local Government
S.F. 205	Human Resources
S.F. 213	State Government
S.F. 285	State Government
S.F. 312	Natural Resources and Environment
S.F. 357	State Government
S.F. 396	Transportation
S.F. 397	Human Resources
S.F. 409	Commerce
S.F. 414	Business and Labor Relations
S.F. 420	State Government
S.F. 422	Judiciary
S.F. 423	Judiciary
S.F. 427	Natural Resources and Environment
S.F. 432	Judiciary
S.F. 433	State Government
S.F. 434	State Government
S.F. 435	Business and Labor Relations
S.F. 438	Natural Resources and Environment
S.F. 440	State Government
S.F. 444	Business and Labor Relations
S.F. 446	State Government

Senator Iverson asked and received unanimous consent that the following bills be referred from the Unfinished Business Calendar to committee:

S.F. 394	Business and Labor Relations
S.F. 418	Natural Resources and Environment
S.F. 426	Small Business, Economic Development and Tourism

BILLS PLACED ON UNFINISHED BUSINESS CALENDAR

Senator Iverson asked and received unanimous consent that the following bills be placed on the Unfinished Business Calendar:

S.F. 136

S.F. 286

S.F. 293

S.F. 351

S.F. 436

S.F. 456

S.F. 459

S.F. 461

HOUSE MESSAGE RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 31, 1999, passed the following bill in which the concurrence of the Senate is asked:

House File 351, a bill for an act relating to required conditions applying to agreements to provide private industry employment for inmates of correctional institutions.

Read first time and referred to committee on **Judiciary**.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: March 31, 1999, 1:10 p.m.

Members Present: McKean, Chair; Lamberti, Vice Chair; Hansen, Ranking Member; Angelo, Boettger, Dvorsky, Fraise, Hammond, Horn, Maddox, McCoy, McKibben, Miller, Redfern, and Tinsman.

Members Absent: None.

Committee Business: Subcommittee assignment. Recommended governor's appointee for confirmation. Passed HF's 172, 501, 584, 647, 661, 663, 705, 713, and 714.

Adjourned: 1:55 p.m.

RULES AND ADMINISTRATION

Convened: March 31, 1999, 4:55 p.m.

Members Present: Iverson, Chair; Kramer, Vice Chair; Gronstal, Ranking Member; Dvorsky, Fink, Harper, Jensen, Lundby, Redfern, Rehberg, and Rittmer.

Members Absent: None.

Committee Business: Passed SCR 17 and SR 11.

Adjourned: 4:58 p.m.

WAYS AND MEANS

Convened: March 31, 1999, 2:06 p.m.

Members Present: Johnson, Chair; McKibben, Vice Chair; Harper, Ranking Member; Bartz, Bolcom, Connolly, Deluhery, Drake, Flynn, Hedge, Lamberti, Maddox, McLaren, Redwine, and Soukup.

Members Absent: None.

Committee Business: Recommended governor's appointees for confirmation. Passed SF 411, as amended. Passed SF 452, as amended.

Adjourned: 3:13 p.m.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Calendar with recommendations for confirmation on March 31, 1999:

WAYS AND MEANS

Virginia Bordwell – Iowa Finance Authority

Vincent Lintz – Iowa Finance Authority

Lisa Wageman – Iowa Finance Authority

**GOVERNOR'S APPOINTEE PLACED ON
INDIVIDUAL CONFIRMATION CALENDAR**

The following appointee, assigned to standing committee for investigation, was placed on the Individual Confirmation Calendar with recommendation for confirmation on March 31, 1999:

JUDICIARY

R. Bruce Upchurch – Drug Enforcement and Abuse Prevention Coordinator

GOVERNOR'S WITHDRAWAL OF APPOINTEES

The following letters from the Governor were received in the office of the Secretary of the Senate on March 31, 1999:

On March 15 of this year, I submitted the name of Phyllis Cacciatore of Polk County to serve on the Board of Dental Examiners. The Code of Iowa, Section 147.18 states "No examiners shall be connected in any manner with any wholesale or jobbing house dealing in supplies. . ." Mrs. Cacciatore's spouse is a partner in Iowa Dental Supply and she is therefore unable to serve. I withdraw her name from consideration by the Senate.

On March 15 of this year, I submitted the name of Mark Haverland of Polk County to serve on the Human Services Council. The Code of Iowa, Section 217.2 states "No more than two members shall, at the time of appointment, reside in the same congressional district." Because two current members reside in the Fourth Congressional District, Mr. Haverland is unable to serve and I withdraw his name from consideration by the Senate.

On March 15 of this year, I submitted the name of Madonna Ryan of Polk County to serve on the Board of Psychology Examiners. Ms. Ryan has indicated that she no longer wishes to serve and I withdraw her name from consideration by the Senate.

Sincerely,
THOMAS J. VILSACK
Governor

PETITION

The following petition was presented and placed on file by:

Senator Zieman, from seventy-eight residents of Allamakee, Winneshiek, Clayton, and Fayette Counties, favoring Senate File 400 regarding Ethanol.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 18, by committee on Education, a concurrent resolution requesting the Department of Education to cooperate with the Iowa Arts Council in administering a contest for students to submit design proposals for Iowa's participation in the United States Mint's 50 state quarters program.

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

STUDY BILL RECEIVED

SSB 1213 Ways and Means

Relating to the state sales and use taxes by providing for the effective date for any rate increase or decrease, filing of consolidated sales tax returns by affiliated corporations, changing the statute of limitations for assessing tax and applying for refunds and relating to local sales and services taxes by providing the effective dates for imposing, repealing, or changing rates, and including effective dates.

COMMITTEE REPORTS

EDUCATION

Final Bill Action: *SENATE CONCURRENT RESOLUTION 18, a concurrent resolution to cooperate with the Iowa Arts Council in administering a contest for students to submit design proposals for Iowa's participation in the United States Mint's 50 state quarters program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Redfern, Rehberg, Connolly, Angelo, Boettger, Dvorsky, Fink, Gaskill, Harper, Redwine, Sexton, Shearer, Szymoniak, Tinsman, and Veenstra. 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 Education Committee on Senate Concurrent Resolution 18, and they were attached to the committee report.

ALSO:

Final Bill Action: HOUSE FILE 532, a bill for an act relating to practitioner preparation programs and providing for a pilot study to assess the performance of teacher education graduates.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Redfern, Rehberg, Connolly, Angelo, Boettger, Dvorsky, Fink, Gaskill, Harper, Redwine, Sexton, Shearer, Szymoniak, Tinsman, and Veenstra. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 672, a bill for an act relating to area education agencies and school districts by modifying the time guidelines concerning bargaining by certain employees, changing dates relating to budget certification and notice of teacher termination for school districts, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Redfern, Rehberg, Connolly, Angelo, Boettger, Dvorsky, Fink, Gaskill, Harper, Redwine, Sexton, Shearer, Szymoniak, Tinsman, and Veenstra. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 689, a bill for an act relating to a proposal by the department of cultural affairs concerning the establishment of an Iowa freedom trail program.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Redfern, Rehberg, Connolly, Angelo, Boettger, Dvorsky, Fink, Gaskill, Harper, Redwine, Sexton, Shearer, Szymoniak, Tinsman, and Veenstra. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: HOUSE FILE 708, a bill for an act establishing a governor's award for quality care in health care facilities.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Boettger, Redwine, Szymoniak, Bartz, Behn, Dvorsky, Hammond, Harper, Miller, Schuerer, Shearer, Tinsman, and Veenstra. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 732, a bill for an act relating to telehealth by providing for patient consent to telehealth services and for complaints and disciplinary actions against health care practitioners.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3211.

Final Vote: Ayes, 11: Boettger, Redwine, Szymoniak, Bartz, Behn, Hammond, Harper, Miller, Schuerer, Tinsman, and Veenstra. Nays, 2: Dvorsky and Shearer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: HOUSE FILE 172, a bill for an act relating to adoption procedural requirements including those related to investigations, reports, and counseling.

Recommendation: DO PASS.

Final Vote: Ayes, 14: McKean, Lamberti, Hansen, Angelo, Boettger, Dvorsky, Fraise, Hammond, Horn, Maddox, McKibben, Miller, Redfern, and Tinsman. Nays, none. Absent or not voting, 1: McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 501, a bill for an act relating to the definitions and penalties applicable to conviction of certain felonies, by making changes related to the offenses of assault and willful injury and making changes in the mandatory minimum penalties for certain felony offenses.

Recommendation: DO PASS.

Final Vote: Ayes, 8: McKean, Lamberti, Angelo, Boettger, McKibben, Miller, Redfern, and Tinsman. Nays, 7: Hansen, Dvorsky, Fraise, Hammond, Horn, Maddox, and McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 584, a bill for an act relating to the uniform principal and income Act and providing for its applicability.

Recommendation: DO PASS.

Final Vote: Ayes, 9: McKean, Lamberti, Angelo, Boettger, Dvorsky, Maddox, McKibben, Miller, and Redfern. Nays, none. Absent or not voting, 6: Hansen, Fraise, Hammond, Horn, McCoy, and Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 647, a bill for an act relating to judges, concerning associate juvenile judges, associate probate judges, and retired judges.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3210.

Final Vote: Ayes, 14: McKean, Lamberti, Hansen, Angelo, Boettger, Dvorsky, Fraise, Hammond, Horn, Maddox, McKibben, Miller, Redfern, and Tinsman. Nays, none. Absent or not voting, 1: McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 661, a bill for an act relating to the offense of sexual abuse, providing related definitions, and applying penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 15: McKean, Lamberti, Hansen, Angelo, Boettger, Dvorsky, Fraise, Hammond, Horn, Maddox, McCoy, McKibben, Miller, Redfern, and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 663, a bill for an act relating to the establishment of an Iowa trust code, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 10: McKean, Lamberti, Angelo, Boettger, Dvorsky, Hammond, Maddox, McKibben, Miller, and Redfern. Nays, none. Absent or not voting, 5: Hansen, Fraise, Horn, McCoy, and Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 705, a bill for an act to change the penalties for the criminal offense of accommodation involving marijuana.

Recommendation: DO PASS.

Final Vote: Ayes, 12: McKean, Lamberti, Hansen, Angelo, Boettger, Fraise, Hammond, Maddox, McKibben, Miller, Redfern, and Tinsman. Nays, 3: Dvorsky, Horn, and McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 713, a bill for an act relating to protective orders for domestic abuse.

Recommendation: DO PASS.

Final Vote: Ayes, 14: McKean, Lamberti, Hansen, Angelo, Boettger, Dvorsky, Fraise, Hammond, Horn, Maddox, McKibben, Miller, Redfern, and Tinsman. Nays, none. Absent or not voting, 1: McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 714, a bill for an act relating to alternative forms of identification to be attached to a petition in an action for seeking a name change.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3209.

Final Vote: Ayes, 15: McKean, Lamberti, Hansen, Angelo, Boettger, Dvorsky, Fraise, Hammond, Horn, Maddox, McCoy, McKibben, Miller, Redfern, and Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Final Bill Action: HOUSE FILE 696, a bill for an act relating to the sale of timber by a county conservation board.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3204.

Final Vote: Ayes, 15: Bartz, King, Fink, Black, Bolcom, Dearden, Deluhery, Drake, Freeman, Gaskill, Johnson, Kibbie, Miller, Rehberg, and Rife. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 17, a concurrent resolution to urge that the United States Congress enact and the United States Department of Agriculture implement measures necessary in order to allow the interstate sale of meat and poultry products by state-inspected establishments.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Iverson, Kramer, Gronstal, Dvorsky, Fink, Jensen, Redfern, Rehberg, and Rittmer. Nays, none. Absent or not voting, 2: Harper and Lundby.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE RESOLUTION 11, a resolution congratulating members of the All-Iowa Community College Academic Team.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Iverson, Kramer, Gronstal, Dvorsky, Fink, Jensen, Redfern, Rehberg, and Rittmer. Nays, none. Absent or not voting, 2: Harper and Lundby.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS**House File 634**

TRANSPORTATION: Freeman, Chair; Drake and Kibbie

House File 664

HUMAN RESOURCES: Szymoniak, Chair; Boettger and Veenstra

House File 737

APPROPRIATIONS: Rife, Chair; Bolkcom and McLaren

House File 741

HUMAN RESOURCES: Tinsman, Chair; Boettger and Hammond

AMENDMENTS FILED

S-3203 H.F. 743 Kitty Rehberg
 Jerry Behn
 Steve King
 Lyle E. Zieman

Ken Veenstra

Neal Schuerer

S-3204 H.F. 696 Natural Resources and Environment

S-3205 S.F. 351 Jeff Angelo

S-3206 H.F. 476 Jeff Angelo

S-3207 H.F. 476 Jeff Angelo

S-3208 H.F. 476 Jeff Angelo

S-3209 H.F. 714 Judiciary

S-3210 H.F. 647 Judiciary

S-3211 H.F. 732 Human Resources

S-3212 H.F. 218 Steven D. Hansen

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 4:55 p.m., until 9:00 a.m., Thursday, April 1, 1999.

JOURNAL OF THE SENATE

EIGHTY-FIRST CALENDAR DAY
FORTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 1, 1999

The Senate met in regular session at 9:21 a.m., President Kramer presiding.

Prayer was offered by Pastor Justin C. May of the Akron First Church of Christ, Akron, Iowa.

The Journal of Wednesday, March 31, 1999, was approved.

BILL REFERRED TO COMMITTEE

Senator Hedge asked and received unanimous consent that **Senate File 464** be referred from the **Appropriations Calendar** to the **Unfinished Business Calendar**.

ADOPTION OF RESOLUTION

Senator Hedge asked and received unanimous consent to take up for consideration Senate Resolution 11.

Senate Resolution 11

On motion of Senator Rehberg, **Senate Resolution 11**, a resolution congratulating members of the All-Iowa Community College Academic Team, with report of committee recommending passage, was taken up for consideration.

Senator Rehberg moved adoption of Senate Resolution 11, which motion prevailed by a voice vote.

HOUSE MESSAGES RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 31, 1999, passed the following bills in which the concurrence of the Senate is asked:

House File 683, a bill for an act relating to mediation services related to custody, visitation, and support of a child.

Read first time and referred to committee on **Judiciary**.

House File 734, a bill for an act relating to the drug utilization review commission and providing an effective date.

Read first time and referred to committee on **Human Resources**.

APPENDIX

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Calendar with recommendations for confirmation on April 1, 1999:

STATE GOVERNMENT

James Egerton – Accountancy Examining Board
Thomas Stanzel – Board of Chiropractic Examiners
Teresa Mertens – Board of Cosmetology Arts and Sciences Examiners
Mark McCormick – Ethics and Campaign Disclosure Board
(Appointment and Reappointment)
Marie Callas – Board for the Licensing of Hearing Aid Dealers
Michael McCoy – Iowa Lottery Board
Susan Thompson – Iowa Lottery Board
Lana Fogue – Board of Examiners for Massage Therapy
Larry Hertel – State Board of Examiners for Nursing Home Administrators
Jacob Sines – Board of Psychology Examiners
Lance Clemsen – Board of Social Work Examiners
Tracy Rial – Board of Speech Pathology and Audiology Examiners

GOVERNOR'S APPOINTEE PLACED ON INDIVIDUAL CONFIRMATION CALENDAR

The following appointee, assigned to standing committee for investigation, was placed on the Individual Confirmation Calendar with recommendation for confirmation on April 1, 1999:

STATE GOVERNMENT

Mollie K. Anderson – Director of the Department of Personnel

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 1, 1999, 2:25 p.m.

Members Present: McLaren, Chair; Kramer, Vice Chair; Flynn, Ranking Member; Behn, Black, Bolcom, Connolly, Deluhery, Dvorsky, Freeman, Hammond, Hedge, Jensen, Johnson, King, Lamberti, Maddox, McCoy, Redwine, Rehberg, Schuerer, Soukup, and Tinsman.

Members Absent: Horn and Rife (both excused).

Committee Business: Approved SSB 1205.

Adjourned: 3:35 p.m.

COMMERCE

Convened: April 1, 1999, 1:05 p.m.

Members Present: Jensen, Chair; Maddox, Vice Chair; Deluhery, Ranking Member; Bolcom, Flynn, Johnson, King, Lamberti, Lundby, McCoy, Redfern, Redwine, and Schuerer.

Members Absent: Gronstal and Hansen (both excused).

Committee Business: Passed HF's 331, 375, 448, and 700. Recommended governor's appointee for confirmation.

Adjourned: 1:30 p.m.

EDUCATION

Convened: April 1, 1999, 9:01 a.m.

Members Present: Redfern, Chair; Rehberg, Vice Chair; Connolly, Ranking Member; Angelo, Boettger, Dvorsky, Fink, Gaskill, Harper, Sexton, Shearer, Szymoniak, Tinsman, and Veenstra.

Members Absent: Redwine (excused).

Committee Business: Subcommittee assignment. Passed HF 675, as amended. Recommended governor's appointee for confirmation.

Adjourned: 9:10 a.m.

HUMAN RESOURCES

Convened: April 1, 1999, 9:37 a.m.

Members Present: Boettger, Chair; Redwine, Vice Chair; Szymoniak, Ranking Member; Bartz, Behn, Dvorsky, Hammond, Harper, Miller, Schuerer, Shearer, Tinsman, and Veenstra.

Members Absent: None.

Committee Business: Passed HF 664, as amended. Passed HF's 255, 707, 734, and 741.

Adjourned: 10:27 a.m.

LOCAL GOVERNMENT

Convened: April 1, 1999, 11:02 a.m.

Members Present: Angelo, Chair; Bartz, Vice Chair; Bolkom, Ranking Member; Fraise, Gaskill, Judge, Hammond, McCoy, McKean, McKibben, Miller, Rife, and Zieman.

Members Absent: None.

Committee Business: Passed HF 472, as amended. Passed HF's 115, 474, and 703. Recommended governor's appointee for confirmation.

Adjourned: 11:37 p.m.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Convened: April 1, 1999, 10:10 a.m.

Members Present: Lundby, Chair; Flynn, Hansen, Judge, Rittmer, Sexton, Soukup, and Zieman.

Members Absent: Behn, Vice Chair; Shearer, Ranking Member; Boettger, Tinsman, and Veenstra (all excused).

Committee Business: Passed HF's 337 and 676. Recommended governor's appointees for confirmation.

Adjourned: 10:20 a.m.

STATE GOVERNMENT

Convened: April 1, 1999, 11:05 a.m.

Members Present: Rittmer, Chair; Lamberti, Vice Chair; Kibbie, Ranking Member; Connolly, Dearden, Deluhery, Drake, Fink, King, Lundby, Maddox, McLaren, Schuerer, Sexton, and Szymoniak.

Members Absent: None.

Committee Business: Passed SCR 13. Passed HF's 100, 310, 688, and HJR 13. Withdrew HF 590. Recommended governor's appointee for confirmation.

Adjourned: 11:38 a.m.

TRANSPORTATION

Convened: April 1, 1999, 9:45 a.m.

Members Present: Drake, Chair; Sexton, Vice Chair; McCoy, Ranking Member; Fink, Fraise, Freeman, Jensen, Judge, Kibbie, McKibben, Rittmer, and Ziemann.

Members Absent: McKean (excused).

Committee Business: Passed HF 634.

Adjourned: 9:53 a.m.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Gladys Binning, Leon – For celebrating your 100th Birthday on April 7, 1999. Senator Angelo (03/31/99).

Barbara Cunningham, Shenandoah – For being the recipient of the Charles F. Martin Award, Iowa State Education Association's top award. Senator Angelo (04/01/99).

Julia Frost, Leon – For celebrating your 100th Birthday on April 1, 1999. Senator Angelo (03/31/99).

E. C. Wickersham, Marshalltown – For celebrating your 100th Birthday. Senator McKibben (03/31/99).

PETITIONS

The following petitions were presented and placed on file by:

Senator Hedge, from twenty-nine residents of Mahaska, Keokuk, Wapello, and Washington Counties, Iowa, favoring legislation regarding the Fuel Quality Standard for Iowa.

Senator McLaren, from eighty-nine residents of Pottawattamie and Cass Counties, Iowa, favoring legislation increasing ethanol production and raising the value of corn.

Senator Miller, from forty residents of Wapello and Jefferson Counties, Iowa, favoring legislation regarding the Ethanol Mandate.

Senator Rehberg, from twenty-seven residents of Fayette County, Iowa, favoring legislation regarding Ethanol.

Senator Rife, from forty-five residents of Cedar and Scott Counties, Iowa, favoring Senate File 400 – Fuel Quality Standard (Ethanol).

Senator Soukup, from one hundred and twenty-eight residents of Howard and Mitchell Counties, Iowa, favoring legislation regarding the Ethanol Mandate.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Calendar with recommendations for confirmation on April 1, 1999:

EDUCATION

Connie Cook – School Budget Review Committee

LOCAL GOVERNMENT

Joanne Stockdale – County Finance Committee

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

David J. Lyons – Director of the Department of Economic Development

Robert Bocken – Iowa Economic Development Board

Pamela Sessions – Iowa Economic Development Board

GOVERNOR'S APPOINTEE PLACED ON INDIVIDUAL CONFIRMATION CALENDAR

MADAM PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of James Braun to Environmental Protection Commission be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar."

JOHN W. JENSEN

INTRODUCTION OF BILLS

Senate File 465, by committee on Ways and Means, a bill for an act authorizing the establishment of an accelerated career education program, providing a tax credit from withholding, and relating to the transfer of job training withholding to the workforce development fund account.

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

Senate File 466, by committee on Ways and Means, a bill for an act relating to the remediation of agrichemical sites, providing for fees, and providing for the repeal of a section relating to cleanup prioritization.

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

Senate File 467, by Redfern, a bill for an act relating to the filing deadline for an application for exemption from property taxation of certain real estate and providing an effective date and an applicability date.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

SUBCOMMITTEE ASSIGNMENTS

House File 675

EDUCATION: Sexton, Chair; Rehberg and Shearer

House File 680

EDUCATION: Rehberg, Chair; Dvorsky and Veenstra

House File 703

LOCAL GOVERNMENT: Angelo, Chair; Fraise and Gaskill

House File 734

HUMAN RESOURCES: Redwine, Chair; Boettger, Hammond, Szymoniak, and Tinsman

COMMITTEE REPORTS

COMMERCE

Final Bill Action: HOUSE FILE 331, a bill for an act relating to transfers of structured settlement payment rights for tort and workers' compensation claims, providing civil remedies, and an applicability date.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Jensen, Maddox, Deluhery, Bolkcom, Flynn, Johnson, King, Lamberti, Lundby, McCoy, Redfern, Redwine, and Schuerer. Nays, none. Absent or not voting, 2: Gronstal and Hansen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 375, a bill for an act eliminating the requirement that information relating to open-end credit accounts and credit cards be filed with the treasurer of state.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Jensen, Maddox, Deluhery, Bolkcom, Flynn, Johnson, King, Lamberti, Lundby, McCoy, Redfern, Redwine, and Schuerer. Nays, none. Absent or not voting, 2: Gronstal and Hansen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 448, a bill for an act prohibiting the transmission of electronic mail which includes advertisements in certain circumstances and providing for monetary damages, criminal penalties, and other remedies.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Jensen, Maddox, Deluhery, Bolkcom, Flynn, Johnson, King, Lamberti, McCoy, Redfern, Redwine, and Schuerer. Nays, 1: Lundby. Absent or not voting, 2: Gronstal and Hansen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 700, a bill for an act relating to the liability for unpaid rates or charges of a city utility or enterprise service for water, sewage, and solid waste services.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Jensen, Maddox, Deluhery, Bolkcom, Flynn, Johnson, King, Lamberti, Lundby, McCoy, Redfern, Redwine, and Schuerer. Nays, none. Absent or not voting, 2: Gronstal and Hansen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: *HOUSE FILE 675, a bill for an act relating to schools and school districts by affecting boiler and steam vessel maintenance and monitoring, the regular school calendar, superintendent licensure and qualifications, and school breakfast programming.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3218.

Final Vote: Ayes, 14: Redfern, Rehberg, Connolly, Angelo, Boettger, Dvorsky, Fink, Gaskill, Harper, Sexton, Shearer, Szymoniak, Tinsman, and Veenstra. Nays, none. Absent or not voting, 1: Redwine.

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 House File 675, and they were attached to the committee report.

HUMAN RESOURCES

Final Bill Action: HOUSE FILE 255, a bill for an act relating to visitation provisions between siblings under a custody order.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Boettger, Redwine, Szymoniak, Bartz, Behn, Dvorsky, Hammond, Harper, Miller, Schuerer, Shearer, Tinsman, and Veenstra. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 707, a bill for an act relating to regulation of needles by requiring the conducting of a study.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Boettger, Redwine, Szymoniak, Bartz, Behn, Dvorsky, Hammond, Harper, Miller, Schuerer, Shearer, Tinsman, and Veenstra. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 734, a bill for an act relating to the drug utilization review commission and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Boettger, Redwine, Szymoniak, Bartz, Behn, Dvorsky, Harper, Miller, Schuerer, Shearer, Tinsman, and Veenstra. Nays, 1: Hammond.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 741, a bill for an act relating to the authorization requirements for psychiatric medical institutions for children and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Boettger, Redwine, Szymoniak, Bartz, Behn, Dvorsky, Hammond, Harper, Miller, Schuerer, Shearer, Tinsman, and Veenstra. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 664, a bill for an act creating an adult mental health, mental retardation, and developmental disabilities services funding decategorization pilot project.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3217.

Final Vote: Ayes, 13: Boettger, Redwine, Szymoniak, Bartz, Behn, Dvorsky, Hammond, Harper, Miller, Schuerer, Shearer, Tinsman, and Veenstra. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: HOUSE FILE 115, a bill for an act relating to the award of a contract for a public improvement by a city or the governing body of a city utility.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Angelo, Bartz, Bolcom, Fraise, Gaskill, Hammond, Judge, McCoy, McKean, McKibben, Miller, Rife, and Zieman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 472, a bill for an act relating to burial sites on private property.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3219.

Final Vote: Ayes, 13: Angelo, Bartz, Bolkcom, Fraise, Gaskill, Hammond, Judge, McCoy, McKean, McKibben, Miller, Rife, and Ziemann. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 474, a bill for an act relating to the powers and duties of county treasurers by amending Code sections pertaining to special assessments, certain motor vehicle ownership transfers, tax statement addresses, tax redemption, and tax clearance statements for mobile homes, and providing effective date and applicability date provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Angelo, Bartz, Bolkcom, Fraise, Gaskill, Hammond, Judge, McCoy, McKean, McKibben, Miller, and Ziemann. Nays, none. Absent or not voting, 1: Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 703, a bill for an act relating to membership of county compensation boards.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Angelo, Bartz, Fraise, Gaskill, Judge, McKean, McKibben, Miller, and Ziemann. Nays, 3: Bolkcom, Hammond, and McCoy. Pass, 1: Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Final Bill Action: HOUSE FILE 337, a bill for an act relating to the workforce development fund account and fees paid by community colleges and generated by the funding of new jobs training programs.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Lundby, Flynn, Hansen, Judge, Rittmer, Sexton, Soukup, and Ziemann. Nays, none. Absent or not voting, 5: Behn, Shearer, Boettger, Tinsman, and Veenstra.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 676, a bill for an act amending provisions in the "Iowa Agricultural Industry Finance Act".

Recommendation: DO PASS.

Final Vote: Ayes, 8: Lundby, Flynn, Hansen, Judge, Rittmer, Sexton, Soukup, and Zieman. Nays, none. Absent or not voting, 5: Behn, Shearer, Boettger, Tinsman, and Veenstra.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE CONCURRENT RESOLUTION 13, a concurrent resolution urging the Governor to appoint a commission to develop design proposals for Iowa's participation in the United States Mint's 50 state quarters program.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Rittmer, Lamberti, Kibbie, Connolly, Dearden, Deluhery, Drake, Fink, King, Lundby, Maddox, McLaren, Schuerer, Sexton, and Szymoniak. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE JOINT RESOLUTION 13, a joint resolution requesting the United States Department of Defense and the United States Army to place additional production work at the Rock Island Arsenal.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Rittmer, Lamberti, Kibbie, Connolly, Dearden, Deluhery, Drake, Fink, King, Lundby, Maddox, McLaren, Schuerer, Sexton, and Szymoniak. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 100, a bill for an act relating to the revocation or suspension of a law enforcement officer's certification.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Rittmer, Lamberti, Kibbie, Connolly, Dearden, Deluhery, Drake, Fink, King, Lundby, Maddox, McLaren, Schuerer, Sexton, and Szymoniak. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 310, a bill for an act relating to the licensure or regulation of alarm system, bail enforcement, private investigative, or private security businesses, and providing a penalty and an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Rittmer, Lamberti, Kibbie, Connolly, Dearden, Deluhery, Drake, Fink, Lundby, Maddox, McLaren, Schuerer, Sexton, and Szymoniak. Nays, 1: King.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 688, a bill for an act providing for the designation of a state poet laureate.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Rittmer, Lamberti, Kibbie, Connolly, Dearden, Deluhery, Drake, Fink, King, Lundby, Maddox, McLaren, Schuerer, Sexton, and Szymoniak. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: HOUSE FILE 634, a bill for an act relating to expenditure of moneys from the primary road fund for dust control on certain roads.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Drake, Sexton, McCoy, Fink, Fraise, Freeman, Jensen, Judge, Kibbie, McKibben, Rittmer, and Zieman. Nays, none. Absent or not voting, 1: McKean.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: *SENATE FILE 465 (Formerly SF 411), a bill for an act authorizing the establishment of an accelerated career education program, providing a tax credit from withholding, and relating to the transfer of job training withholding to the workforce development fund account.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Johnson, McKibben, Harper, Bartz, Bolkcom, Deluhery, Drake, Flynn, Hedge, Lamberti, Maddox, McLaren, Redwine, and Soukup. Nays, 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 Ways and Means Committee on Senate File 465, and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 466 (Formerly SF 452), a bill for an act relating to the remediation of agrichemical sites, providing for fees, and providing for the repeal of a section relating to cleanup prioritization.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Johnson, McKibben, Harper, Bartz, Bolkcom, Connolly, Deluhery, Drake, Flynn, Hedge, Lamberti, Maddox, McLaren, Redwine, and Soukup. 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 Ways and Means Committee on Senate File 466, and they were attached to the committee report.

AMENDMENTS FILED

S-3213	H.F. 476	Elaine Szymoniak
S-3214	H.F. 476	Dennis H. Black
S-3215	H.F. 476	Dennis H. Black
S-3216	H.F. 696	Merlin E. Bartz
		Joe Bolkcom
		JoAnn Johnson
		David P. Miller
S-3217	H.F. 664	Human Resources
S-3218	H.F. 675	Education
S-3219	H.F. 472	Local Government

ADJOURNMENT

On motion of Senator Hedge, the Senate adjourned at 9:39 a.m., until 1:00 p.m., Monday, April 5, 1999.

JOURNAL OF THE SENATE

EIGHTY-FIFTH CALENDAR DAY
FORTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 5, 1999

The Senate met in regular session at 1:14 p.m., President Kramer presiding.

Prayer was offered by Pastor Tom Dettmer, of Bethany Lutheran Church, Spencer, Iowa.

The Journal of Thursday, April 1, 1999, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator McKean for the day, on request of Senator Redwine; Senator Iverson until he arrives, on request of Senator Hedge; Senators Hansen and Connolly until they arrive, on request of Senator Gronstal; Senator Flynn until he arrives, on request of Senator Fink.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hedge asked and received unanimous consent to take up for consideration House Files 38 and 403.

House File 38

On motion of Senator Hammond, **House File 38**, a bill for an act eliminating references to an obsolete federal requirement relating to the attachment of an adoption information form to an adoption petition and decree, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 38), the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Dearden	Deluhery
Drake	Dvorsky	Fink	Fraise
Freeman	Gaskill	Gronstal	Hammond
Harper	Hedge	Horn	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Sexton	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 5:

Connolly	Flynn	Hansen	Iverson
McKean			

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

House File 403

On motion of Senator Dvorsky, **House File 403**, a bill for an act relating to the fingerprinting of persons or juveniles who have been arrested or taken into custody and changing the procedures for the collection of a criminal disposition report, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 403), the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Dearden	Deluhery
Drake	Dvorsky	Fink	Fraise
Freeman	Gaskill	Gronstal	Hammond
Harper	Hedge	Horn	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Sexton	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 5:

Connolly	Flynn	Hansen	Iverson
McKean			

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

IMMEDIATELY MESSAGED

Senator Hedge asked and received unanimous consent that **House Files 38 and 403** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 31, 1999, passed the following bills in which the concurrence of the Senate is asked:

House File 723, a bill for an act prohibiting the mistreatment of persons and animals and providing for penalties.

Read first time and referred to committee on **Judiciary**.

House File 745, a bill for an act appropriating funds to the department of economic development, certain board of regents

institutions, the department of workforce development, and the public employment relations board, making related statutory changes, and providing an effective date.

Read first time and referred to committee on Appropriations.

ALSO: That the House has on April 1, 1999, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 136, a bill for an act relating to the criminal offenses that require registration as provided in the sex offender registry law and providing an effective date.

House File 209, a bill for an act relating to increasing the penalty for eluding or attempting to elude an official law enforcement vehicle.

House File 224, a bill for an act relating to qualifications and terms of commissioners and the management and operation of certain public hospitals.

House File 571, a bill for an act relating to the deposit of public funds and the conditions which must be met by a savings and loan association or savings bank to be eligible to receive such deposits, and providing an effective date.

INTRODUCTION OF BILL

Senate File 468, by committee on Appropriations, a bill for an act relating to and making appropriations to the justice system and providing effective dates.

Read first time and placed on Appropriations calendar.

RECESS

On motion of Senator Hedge, the Senate recessed at 1:31 p.m., until 3:00 p.m.

APPENDIX

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 203, the following corrections were made:

1. Page 15, line 6, the word "fire-fighting" was changed to the words "fire fighting".
2. Page 15, line 8, the words "ten dollar" were changed to the word "ten-dollar."
3. Page 16, line 29, a period was added after the number "5".

MICHAEL E. MARSHALL
Secretary of the Senate

COMMITTEE REPORT

APPROPRIATIONS

Final Bill Action: SENATE FILE 468 (SSB 1205), a bill for an act relating to and making appropriations to the justice system and providing effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 17: McLaren, Kramer, Behn, Black, Freeman, Hedge, Jensen, Johnson, King, Lamberti, Maddox, McCoy, Redwine, Rehberg, Schuerer, Soukup, and Tinsman. Nays, 6: Flynn, Bolkcom, Connolly, Deluhery, Dvorsky, and Hammond. Absent or not voting, 2: Horn and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Appropriations Committee on Senate File 468, and they were attached to the committee report.

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 5th day of April, 1999:

Senate Files 203 and 361.

MICHAEL E. MARSHALL
Secretary of the Senate

AFTERNOON SESSION

The Senate reconvened at 3:14 p.m., President Kramer presiding.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Hedge asked and received unanimous consent to take up for consideration House Files 497, 349 and 633.

House File 497

On motion of Senator Veenstra, **House File 497**, a bill for an act relating to certain programs and public health issues under the purview of the Iowa department of public health, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Boettger offered amendment S-3113 filed by the committee on Human Resources on March 23, 1999, to page 1 of the bill and moved its adoption.

Amendment S-3113 was adopted by a voice vote.

Senator Veenstra offered amendment S-3199 filed by him on March 30, 1999, to page 6 of the bill and moved its adoption.

Amendment S-3199 was adopted by a voice vote.

With the adoption of amendment S-3199, the Chair ruled amendment S-3155, filed by Senator Veenstra on March 25, 1999, to page 6 of the bill, out of order.

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

On the question "Shall the bill pass?" (H.F. 497), the vote was:

Ayes, 46:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Dearden	Deluhery
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Jensen	Johnson	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McCoy	McKibben
McLaren	Miller	Redfern	Redwine
Rehberg	Rittmer	Schuerer	Sexton
Shearer	Soukup	Szymoniak	Tinsman
Veenstra	Zieman		

Nays, none.

Absent or not voting, 4:

Connolly	Iverson	McKean	Rife
----------	---------	--------	------

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

House File 349

On motion of Senator Fink, **House File 349**, a bill for an act eliminating requirements relating to the department of natural resources adopting rules requiring public water systems to test source water, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 349), the vote was:

Ayes, 46:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Dearden	Deluhery
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Jensen	Johnson	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McCoy	McKibben

McLaren	Miller	Redfern	Redwine
Rehberg	Rittmer	Schuerer	Sexton
Shearer	Soukup	Szymoniak	Tinsman
Veenstra	Zieman		

Nays, none.

Absent or not voting, 4:

Connolly	Iverson	McKean	Rife
----------	---------	--------	------

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

House File 633

On motion of Senator Miller, **House File 633**, a bill for an act restricting the awarding of child visitation rights to a parent convicted of murder in the first degree of the other parent, 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. 633), the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Dearden	Deluhery
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Jensen	Johnson	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McCoy	McKibben
McLaren	Miller	Redfern	Redwine
Rehberg	Rife	Rittmer	Schuerer
Sexton	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 3:

Connolly	Iverson	McKean
----------	---------	--------

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

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hedge asked and received unanimous consent to take up for consideration House Files 387, 144 and 518.

House File 387

On motion of Senator Redfern, **House File 387**, a bill for an act relating to confidentiality for certain taxpayer communications, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 387), the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Dearden	Deluhery
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Jensen	Johnson	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McCoy	McKibben
McLaren	Miller	Redfern	Redwine
Rehberg	Rife	Rittmer	Schuerer
Sexton	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 3:

Connolly	Iverson	McKean
----------	---------	--------

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

House File 144

On motion of Senator Boettger, **House File 144**, a bill for an act relating to the distribution of moneys held in trust for a participant in the certified school to career program, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 144), the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Dearden	Deluhery
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Jensen	Johnson	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McCoy	McKibben
McLaren	Miller	Redfern	Redwine
Rehberg	Rife	Rittmer	Schuerer
Sexton	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 3:

Connolly	Iverson	McKean
----------	---------	--------

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

House File 518

On motion of Senator Fink, **House File 518**, a bill for an act relating to the fire safety provisions applicable to a bed and breakfast inn, with report of committee recommending passage, was taken up for consideration.

Senator Fink moved that the bill be read the last time now and placed upon its passage, 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, 48:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Dearden	Deluhery
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Shearer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, none.

Absent or not voting, 2:

Connolly McKean

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 Iverson asked and received unanimous consent to take up for consideration House File 659.

House File 659

On motion of Senator Redfern, **House File 659**, a bill for an act establishing the crime of identity theft and providing penalties, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 659), the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Dearden	Deluhery
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gaskill	Gronstal
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Johnson	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McCoy	McKibben
McLaren	Miller	Redfern	Redwine
Rehberg	Rife	Rittmer	Schuerer
Sexton	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, 1:

Hammond

Absent or not voting, 2:

Connolly McKean

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

BILLS PLACED ON UNFINISHED BUSINESS CALENDAR

Senator Iverson asked and received unanimous consent that the following bills be placed on the Unfinished Business Calendar:

S.F. 465

S.F. 466

S.F. 468

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that House Files 144, 349, 387, 497, 518, 633 and 659 be immediately messaged to the House.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: April 5, 1999, 2:19 p.m.

Members Present: Redfern, Chair; Rehberg, Vice Chair; Angelo, Boettger, Fink, Harper, Redwine, Sexton, Shearer, Szymoniak, Tinsman, and Veenstra.

Members Absent: Connolly, Ranking Member; Dvorsky and Gaskill (all excused).

Committee Business: Recommended governor's appointees for confirmation.

Adjourned: 2:22 p.m.

STATE GOVERNMENT

Convened: April 5, 1999, 1:40 p.m.

Members Present: Rittmer, Chair; Lamberti, Vice Chair; Kibbie, Ranking Member; Dearden, Deluhery, Drake, Fink, King, Maddox, Schuerer, Sexton, and Szymoniak.

Members Absent: Connolly, Lundby, and McLaren (all excused).

Committee Business: Meeting with Dr. Steven Wettach, candidate for the appointment to the Board of Dental Examiners.

Adjourned: 2:15 p.m.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Calendar with recommendations for confirmation on April 5, 1999:

COMMERCE

Timothy Lapointe – Iowa Telecommunications and Technology Commission

EDUCATION

Mary Settles – Board of Educational Examiners

David Neil – State Board of Regents

Owen Newlin – State Board of Regents

EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on April 5, 1999, when the votes were taken on House Files 38 and 403. Had I been present, I would have voted "Aye" on both.

TOM FLYNN

SUBCOMMITTEE ASSIGNMENTS

Senate File 467

WAYS AND MEANS: Hedge, Chair; Bolkcom and Redwine

SSB 1213

WAYS AND MEANS: Lamberti, Chair; Flynn and Redwine

AMENDMENT FILED

S-3220 H.F. 501 Jeff Lamberti

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 3:55 p.m., until 9:00 a.m., Tuesday, April 6, 1999.

JOURNAL OF THE SENATE

EIGHTY-SIXTH CALENDAR DAY
FIFTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 6, 1999

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

Prayer was offered by Reverend Richard Harken, pastor of the First Presbyterian Church, Boone, Iowa.

The Journal of Monday, April 5, 1999, was approved.

HOUSE MESSAGES RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 5, 1999, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 106, a bill for an act providing for accessibility requirements for elevators and providing an effective date. (S-3227)

Senate File 149, a bill for an act establishing a time limit for disallowance or reduction of motor vehicle warranty claims, relating to establishment of motor vehicle service or warranty facilities, and making a penalty applicable. (S-3226)

Senate File 216, a bill for an act relating to the commitment of sexually violent predators, by changing the deadline for filing a petition by the attorney general; providing for waiver or continuance of the probable cause hearing; granting greater enforcement power to the prosecuting attorney; extending the time to hold a trial; establishing supervised release for sexually violent persons who have

been rehabilitated; providing for the preservation of certain child abuse reports; and providing the department of justice with access to such reports. (S-3225)

Senate File 338, a bill for an act relating to access privileges to certain buildings and structures by certified local exchange carriers and franchised cable television providers. (S-3228)

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Zieman until he arrives, on request of Senator Hedge.

Senator McKean until he arrives, on request of Senator Jensen.

UNFINISHED BUSINESS (Deferred March 23, 1999)

House File 208

The Senate resumed consideration of **House File 208**, a bill for an act establishing a southern Iowa development and conservation authority, specifying membership, powers, and duties, creating a southern Iowa development and conservation fund, and providing for other properly related matters, deferred March 23, 1999.

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. 208), the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer

Schuerer
Szymoniak

Sexton
Tinsman

Shearer
Veenstra

Soukup

Nays, none.

Absent or not voting, 3:

McCoy

McKean

Zieman

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

ADOPTION OF RESOLUTION

Senator Iverson asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 11.

Senate Concurrent Resolution 11

On motion of Senator Iverson, **Senate Concurrent Resolution 11**, a concurrent resolution requesting the United States Congress to prevent the federal government from attempting to recoup Medicaid payments from the state tobacco litigation settlement agreement moneys, and to allow the states to keep all settlement moneys, without offset, with report of committee recommending passage, was taken up for consideration.

Senator Iverson moved adoption of Senate Concurrent Resolution 11.

On the question "Shall the resolution be adopted?" (S.C.R. 11) the vote was:

Ayes, 47:

Angelo
Boettger
Deluhery
Flynn
Gronstal
Hedge
Johnson
Kramer
McKibben
Redwine
Schuerer
Szymoniak

Bartz
Bolkcom
Drake
Fraise
Hammond
Horn
Judge
Lamberti
McLaren
Rehberg
Sexton
Tinsman

Behn
Connolly
Dvorsky
Freeman
Hansen
Iverson
Kibbie
Lundby
Miller
Rife
Shearer
Veenstra

Black
Dearden
Fink
Gaskill
Harper
Jensen
King
Maddox
Redfern
Rittmer
Soukup

Nays, none.

Absent or not voting, 3:

McCoy

McKean

Zieman

The motion prevailed and the resolution was adopted.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House File 208** and **Senate Concurrent Resolution 11** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 464.

Senate File 464

On motion of Senator Rehberg, **Senate File 464**, a bill for an act relating to the funding of, operation of, and appropriation of moneys to the college student aid commission, the department of cultural affairs, the department of education, and the state board of regents, providing related statutory changes, and providing effective dates, was taken up for consideration.

Senator Hedge took the chair at 9:58 a.m.

Senator Kibbie offered amendment S-3230 filed by Senators Kibbie, et al., from the floor, to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3230 be adopted?" (S.F. 464), the vote was:

Ayes, 20:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gronstal	Hammond	Hansen
Harper	Horn	Judge	Kibbie
McCoy	Shearer	Soukup	Szymoniak

Nays, 28:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Jensen	Johnson	King
Kramer	Lamberti	Lundby	Maddox
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Tinsman	Veenstra

Absent or not voting, 2:

McKean Zieman

Amendment S-3230 lost.

Senator Gronstal offered amendment S-3237 filed by Senators Gronstal, et al., from the floor, to pages 2 and 3 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S-3237 be adopted?" (S.F. 464), the vote was:

Ayes, 20:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gronstal	Hammond	Hansen
Harper	Horn	Judge	Kibbie
McCoy	Shearer	Soukup	Szymoniak

Nays, 28:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Jensen	Johnson	King
Kramer	Lamberti	Lundby	Maddox
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Tinsman	Veenstra

Absent or not voting, 2:

McKean

Zieman

Amendment S-3237 lost.

SPECIAL GUESTS

Senator Black introduced the following business leaders visiting from Kurgan, Russia:

Victor Koltchin
Oleg Menshikov
Elena Bogatyreva
Andrey Anishchenko
Sergei Rodionov
Alexander Streltsov
Tatiana Oreshenko
Natalia Belkina
Michael Sochnev

BUSINESS PENDING

Senate File 464

The Senate resumed consideration of Senate File 464.

Senator Kibbie offered amendment S-3234 filed by Senators Kibbie, et al., from the floor, to pages 5, 7, 11, 12 and 31 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3234 be adopted?" (S.F. 464), the vote was:

Ayes, 20:

Black
Deluhery
Fraise
Harper
McCoy

Bolkcom
Dvorsky
Gronstal
Horn
Shearer

Connolly
Fink
Hammond
Judge
Soukup

Dearden
Flynn
Hansen
Kibbie
Szymoniak

Nays, 27:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Jensen	Johnson	King
Kramer	Lamberti	Maddox	McKibben
McLaren	Miller	Redfern	Redwine
Rehberg	Rife	Rittmer	Schuerer
Sexton	Tinsman	Veenstra	

Absent or not voting, 3:

Lundby	McKean	Zieman
--------	--------	--------

Amendment S-3234 lost.

Senator Szymoniak offered amendment S-3231 filed by Senators Szymoniak and Dvorsky 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-3231 be adopted?" (S.F. 464), the vote was:

Ayes, 20:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gronstal	Hammond	Hansen
Harper	Horn	Judge	Kibbie
McCoy	Shearer	Soukup	Szymoniak

Nays, 27:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Jensen	Johnson	King
Lamberti	Lundby	Maddox	McKibben
McLaren	Miller	Redfern	Redwine
Rehberg	Rife	Rittmer	Schuerer
Sexton	Tinsman	Veenstra	

Absent or not voting, 3:

Kramer	McKean	Zieman
--------	--------	--------

Amendment S-3231 lost.

Senator Connolly offered amendment S-3233 filed by Senators Connolly, et al., from the floor, to page 7 of the bill.

QUORUM CALL

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

President Kramer took the chair at 10:36 a.m.

The vote revealed 40 present, 10 absent, and a quorum present.

PRESENTATION OF VISITORS

The Chair welcomed Belle Plaine High School Seniors, from Belle Plaine, Iowa, accompanied by Lisa Formanek. Senator Schuerer.

BUSINESS PENDING

Senate File 464

The Senate resumed consideration of **Senate File 464** and amendment S-3233 by Senators Connolly, et al., from the floor, to page 7 of the bill.

Senator Connolly moved adoption of amendment S-3233 and requested a record roll call.

On the question "Shall amendment S-3233 be adopted?" (S.F. 464), the vote was:

Ayes, 20:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gronstal	Hammond	Hansen
Harper	Horn	Judge	Kibbie
McCoy	Shearer	Soukup	Szymoniak

Nays, 28:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Jensen	Johnson	King

Kramer	Lamberti	Lundby	Maddox
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Tinsman	Veenstra

Absent or not voting, 2:

McKean	Zieman
--------	--------

Amendment S-3233 lost.

Senator Rehberg asked and received unanimous consent to withdraw amendment S-3248 filed by her from the floor to pages 7-9, 12 and 24 of the bill.

Senator Black offered amendment S-3244 filed by Senators Black, et al., from the floor, to pages 9 and 28 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3244 be adopted?" (S.F. 464), the vote was:

Ayes, 22:

Bartz	Black	Bolkcom	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gronstal	Hammond
Hansen	Harper	Horn	Judge
Kibbie	Lundby	McCoy	Shearer
Soukup	Szymoniak		

Nays, 26:

Angelo	Behn	Boettger	Drake
Freeman	Gaskill	Hedge	Iverson
Jensen	Johnson	King	Kramer
Lamberti	Maddox	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Sexton
Tinsman	Veenstra		

Absent or not voting, 2:

McKean	Zieman
--------	--------

Amendment S-3244 lost.

Senator Fink offered amendment S-3223 filed by Senators Fink, et al., from the floor, to page 10 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S-3223 be adopted?" (S.F. 464), the vote was:

Ayes, 20:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gronstal	Hammond	Hansen
Harper	Horn	Judge	Kibbie
McCoy	Shearer	Soukup	Szymoniak

Nays, 28:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Jensen	Johnson	King
Kramer	Lamberti	Lundby	Maddox
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Tinsman	Veenstra

Absent or not voting, 2:

McKean	Zieman
--------	--------

Amendment S-3223 lost.

Senator Harper offered amendment S-3238 filed by Senators Harper, Deluhery and Horn from the floor, to pages 10 and 29 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3238 be adopted?" (S.F. 464), the vote was:

Ayes, 20:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gronstal	Hammond	Hansen
Harper	Horn	Judge	Kibbie
McCoy	Shearer	Soukup	Szymoniak

Nays, 28:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Jensen	Johnson	King
Kramer	Lamberti	Lundby	Maddox
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Tinsman	Veenstra

Absent or not voting, 2:

McKean Zieman

Amendment S-3238 lost.

Senator Harper offered amendment S-3239 filed by Senators Harper, et al., from the floor, to pages 10 and 29 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3239 be adopted?" (S.F. 464), the vote was:

Ayes, 21:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gronstal	Hammond	Hansen
Harper	Horn	Judge	Kibbie
McCoy	Shearer	Soukup	Szymoniak
Tinsman			

Nays, 26:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Johnson	King	Kramer
Lamberti	Lundby	Maddox	McKibben
McLaren	Miller	Redfern	Redwine
Rehberg	Rife	Rittmer	Schuerer
Sexton	Veenstra		

Absent or not voting, 3:

Jensen McKean Zieman

Amendment S-3239 lost.

Senator Iverson asked and received unanimous consent that action on **Senate File 464** be **deferred**.

HOUSE MESSAGES RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 5, 1999, passed the following bills in which the **concurrence** of the House was asked:

Senate File 99, a bill for an act providing for a change in the composition requirement for nurses on the Iowa board of nursing examiners.

Senate File 173, a bill for an act relating to the description of disabilities of individuals receiving vocational rehabilitation services.

Senate File 193, a bill for an act relating to the duties of a guardian ad litem appointed to represent a child in juvenile court proceedings.

Senate File 448, a bill for an act relating to the purchase of certain parcels with delinquent taxes by a city or county, and providing effective and applicability dates.

ALSO: That the House has on April 6, 1999, passed the following bills in which the **concurrence** of the House was asked:

Senate File 190, a bill for an act relating to the requirements for establishing and operating a city cable communication utility.

Senate File 224, a bill for an act relating to proceedings before the utilities board and the provision of competitive utility services by allocating costs incurred by the utilities board and the office of consumer advocate to certain persons in certain proceedings related to providing competitive utility services, and by providing for the certification of competitive natural gas providers and aggregators, and providing an effective date.

Senate File 233, a bill for an act relating to the preservation of records held by financial institutions.

Senate File 281, a bill for an act concerning the workforce development department, by providing for the establishment of a workforce development corporation, expenses for members of the regional advisory board to the workforce development board, authority to charge fees for certain services of the department, and Iowa conservation corps employee rights.

Senate File 303, a bill for an act requiring that the clerk of the district court confirm that notice has been given to required parties prior to the filing of a non-statutory lien.

Senate File 335, a bill for an act relating to the transfer of real estate, the filing of a release of mortgage, and providing a remedy.

Senate File 366, a bill for an act making a supplemental appropriation for the fiscal year beginning July 1, 1998, for replacement of certain embedded chips in the technology and equipment of state departments and providing an effective date.

ALSO: That the House has on April 6, 1999, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 102, a bill for an act relating to nonsubstantive Code corrections.(S-3263)

Senate File 248, a bill for an act relating to acquired immune deficiency syndrome, providing penalties, and providing for a repeal.(S-3265)

RECESS

On motion of Senator Iverson, the Senate recessed at 11:42 a.m., until 3:30 p.m.

APPENDIX

REPORT OF COMMITTEE MEETING

APPROPRIATIONS

Convened: April 5, 1999, 5:40 p.m.

Members Present: McLaren, Chair; Kramer, Vice Chair; Flynn, Ranking Member; Behn, Bolkcom, Connolly, Deluhery, Dvorsky, Freeman, Hammond, Hedge, Horn, Jensen, Johnson, King, Lamberti, Maddox, Redwine, Rehberg, Rife, Schuerer, Soukup, and Tinsman.

Members Absent: Black and McCoy (both excused).

Committee Business: Passed HF 737, as amended.

Adjourned: 5:56 p.m.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Susan E. Lindemann, State Center – For being named to the 1999 All-State Academic Team for two-year colleges. Senator McKibben (04/05/99).

COMMITTEE REPORT

APPROPRIATIONS

Final Bill Action: HOUSE FILE 737, a bill for an act relating to and making appropriations to the department for the blind, the Iowa state civil rights commission, the department of elder affairs, the Iowa department of public health, the department of human rights, the governor's alliance on substance abuse, and the commission of veterans affairs, and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3266.

Final Vote: Ayes, 23: McLaren, Kramer, Flynn, Behn, Bolkcom, Connolly, Deluhery, Dvorsky, Freeman, Hammond, Hedge, Horn, Jensen, Johnson, King, Lamberti, Maddox, Redwine, Rehberg, Rife, Schuerer, Soukup, and Tinsman. Nays, none. Absent or not voting, 2: Black and McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3221	S.F. 464	Patrick J. Deluhery Matt McCoy Tom Flynn Betty Soukup Robert E. Dvorsky Wally E. Horn
S-3222	S.F. 464	Robert E. Dvorsky Joe Bolkcom Wally E. Horn
S-3223	S.F. 464	Bill Fink Betty Soukup Robert E. Dvorsky Wally E. Horn
S-3224	S.F. 464	Johnie Hammond Robert E. Dvorsky Mark Shearer Wally E. Horn
S-3225	S.F. 216	House
S-3226	S.F. 149	House
S-3227	S.F. 106	House
S-3228	S.F. 338	House
S-3229	S.F. 464	Steven D. Hansen Wally E. Horn
S-3230	S.F. 464	John P. Kibbie Steven D. Hansen Dennis H. Black Bill Fink Patrick J. Deluhery Wally E. Horn
S-3231	S.F. 464	Elaine Szymoniak Robert E. Dvorsky
S-3232	S.F. 464	Patricia M. Harper Betty A. Soukup Robert E. Dvorsky Wally E. Horn
S-3233	S.F. 464	Michael W. Connolly Patrick J. Deluhery Tom Flynn John Judge

		Joe Bolkcom
		Mark Shearer
		Betty Soukup
		Bill Fink
		Wally E. Horn
S-3234	S.F. 464	John P. Kibbie
		Patrick J. Deluhery
		Joe Bolkcom
		Robert E. Dvorsky
		Wally E. Horn
S-3235	S.F. 464	John P. Kibbie
		Dennis H. Black
		Johnie Hammond
		Wally E. Horn
		Patrick J. Deluhery
		Joe Bolkcom
		Robert E. Dvorsky
S-3236	S.F. 464	Michael W. Connolly
		Matt McCoy
		Patrick J. Deluhery
		Tom Flynn
		John Judge
		Mark Shearer
		Betty Soukup
		Robert E. Dvorsky
		Wally E. Horn
S-3237	S.F. 464	Michael E. Gronstal
		John P. Kibbie
		Dennis H. Black
		Dick L. Dearden
		Wally E. Horn
		Mark Shearer
		Robert E. Dvorsky
S-3238	S.F. 464	Patricia M. Harper
		Patrick J. Deluhery
		Wally E. Horn
S-3239	S.F. 464	Patricia M. Harper
		Patrick J. Deluhery
		Robert e. Dvorsky
		Bill Fink
		Wally E. Horn

S-3240	S.F. 464	Michael E. Gronstal Matt McCoy John Judge Patricia M. Harper Joe Bolkcom Robert E. Dvorsky Bill Fink Wally E. Horn
S-3241	S.F. 464	Johnnie Hammond Eugene Fraise Elaine Szymoniak Patricia M. Harper Robert E. Dvorsky Wally E. Horn
S-3242	S.F. 464	Elaine Szymoniak Robert E. Dvorsky Betty Soukup Mark Shearer Wally E. Horn
S-3243	S.F. 464	Maggie Tinsman Patrick J. Deluhery
S-3244	S.F. 464	Dennis H. Black Patrick J. Deluhery Bill Fink Robert E. Dvorsky Betty Soukup Joe Bolkcom Wally E. Horn
S-3245	S.F. 464	Tom Flynn John P. Kibbie John Judge Betty Soukup Mark Shearer Wally E. Horn Bill Fink Eugene Fraise
S-3246	S.F. 464	John Judge Betty Soukup Matt McCoy Michael E. Gronstal Joe Bolkcom

		Patricia M. Harper
		Robert E. Dvorsky
		Bill Fink
		Wally E. Horn
S-3247	S.F. 464	Michael E. Gronstal
		Matt McCoy
		John Judge
		Patricia M. Harper
		Joe Bolkcom
		Robert E. Dvorsky
		Wally E. Horn
S-3248	S.F. 464	Kitty Rehberg
S-3249	H.F. 700	Elaine Szymoniak
S-3250	S.F. 464	Robert E. Dvorsky
		Joe Bolkcom
S-3251	S.F. 464	Michael W. Connolly
		Wally E. Horn
		Robert E. Dvorsky
		Mark Shearer
S-3252	S.F. 464	Johnie Hammond
		Bill Fink
		Wally E. Horn
		Robert E. Dvorsky
S-3253	S.F. 464	Robert E. Dvorsky
		Wally E. Horn
		Mark Shearer
		Joe Bolkcom
		Michael W. Connolly
S-3254	H.F. 656	Michael W. Connolly
S-3255	H.F. 656	Michael W. Connolly
S-3256	H.F. 656	Michael W. Connolly
S-3257	H.F. 199	Michael W. Connolly
S-3258	H.F. 675	Michael W. Connolly
S-3259	S.F. 468	Michael W. Connolly
		Johnie Hammond
S-3260	H.F. 458	John W. Jensen
		Matt McCoy
S-3261	S.F. 464	Michael E. Gronstal
S-3262	S.F. 468	Robert E. Dvorsky
S-3263	S.F. 102	House
S-3264	H.F. 672	Michael E. Gronstal

S-3265	S.F. 248	House
S-3266	H.F. 737	Appropriations
S-3267	H.F. 476	Matt McCoy
S-3268	S.F. 458	Larry McKibben Eugene Fraise
S-3269	S.F. 464	John Judge Wally E. Horn Betty Soukup Robert E. Dvorsky Matt McCoy Patricia M. Harper Michael E. Gronstal Bill Fink Joe Bolkcom
S-3270	S.F. 136	Larry McKibben JoAnn Johnson

AFTERNOON SESSION

The Senate reconvened at 3:52 p.m., President Kramer presiding.

QUORUM CALL

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

The vote revealed 41 present, 9 absent, and a quorum present.

BUSINESS PENDING

Senate File 464

The Senate resumed consideration of **Senate File 464**, a bill for an act relating to the funding of, operation of, and appropriation of moneys to the college student aid commission, the department of cultural affairs, the department of education, and the state board of regents, providing related statutory changes, and providing effective dates, previously deferred.

Senator Deluhery offered amendment S-3221 filed by Senators Deluhery, et al., from the floor, to pages 12 and 24 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S-3221 be adopted?" (S.F. 464), the vote was:

Ayes, 20:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gronstal	Hammond	Hansen
Harper	Horn	Judge	Kibbie
McCoy	Shearer	Soukup	Szymoniak

Nays, 27:

Angelo	Behn	Boettger	Drake
Freeman	Gaskill	Hedge	Iverson
Jensen	Johnson	King	Kramer
Lamberti	Lundby	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg

Rife
Tinsman

Rittmer
Veenstra

Schuerer
Zieman

Sexton

Absent or not voting, 3:

Bartz

Maddox

McKean

Amendment S-3221 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Jensen until he returns, on request of Senator Iverson.

BUSINESS PENDING

Senate File 464

The Senate resumed consideration of **Senate File 464**.

Senator Kibbie offered amendment S-3235 filed by Senators Kibbie, et al., from the floor, to pages 12 and 13 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S-3235 be adopted?" (S.F. 464), the vote was:

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

Ayes, 23:

Angelo
Dearden
Flynn
Hammond
Judge
Shearer

Black
Deluhery
Fraise
Hansen
Kibbie
Soukup

Bolkcom
Dvorsky
Freeman
Harper
Lundby
Szymoniak

Connolly
Fink
Gronstal
Horn
Miller

Nays, 25:

Bartz
Gaskill
King
McCoy

Behn
Hedge
Kramer
McKibben

Boettger
Iverson
Lamberti
McLaren

Drake
Johnson
Maddox
Redfern

Redwine
Schuerer
Zieman

Rehberg
Sexton

Rife
Tinsman

Rittmer
Veenstra

Absent or not voting, 2:

Jensen

McKean

Amendment S-3235 lost.

Senator Dvorsky offered amendment S-3222 filed by Senators Dvorsky, Bolkcom and Horn from the floor, to page 13 of the bill and moved its adoption.

A non record roll call was requested

The ayes were 20, nays 28.

Amendment S-3222 lost.

Senator Connolly offered amendment S-3251 filed by Senators Connolly, et al., from the floor, to page 14 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S-3251 be adopted?" (S.F. 464), the vote was:

Ayes, 20:

Black
Deluhery
Fraise
Harper
McCoy

Bolkcom
Dvorsky
Gronstal
Horn
Shearer

Connolly
Fink
Hammond
Judge
Soukup

Dearden
Flynn
Hansen
Kibbie
Szymoniak

Nays, 27:

Angelo
Drake
Iverson
Lamberti
McLaren
Rehberg
Tinsman

Bartz
Freeman
Johnson
Lundby
Miller
Rittmer
Veenstra

Behn
Gaskill
King
Maddox
Redfern
Schuerer
Zieman

Boettger
Hedge
Kramer
McKibben
Redwine
Sexton

Absent or not voting, 3:

Jensen

McKean

Rife

Amendment S-3251 lost.

Senator Dvorsky offered amendment S-3253 filed by Senators Dvorsky, et al., from the floor, to page 14 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S-3253 be adopted?" (S.F. 464), the vote was:

Ayes, 20:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gronstal	Hammond	Hansen
Harper	Horn	Judge	Kibbie
McCoy	Shearer	Soukup	Szymoniak

Nays, 27:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Johnson	King	Kramer
Lamberti	Lundby	Maddox	McKibben
McLaren	Miller	Redfern	Redwine
Rehberg	Rittmer	Schuerer	Sexton
Tinsman	Veenstra	Zieman	

Absent or not voting, 3:

Jensen	McKean	Rife
--------	--------	------

Amendment S-3253 lost.

President pro tempore Redfern took the chair at 4:59 p.m.

Senator Hammond offered amendment S-3252 filed by Senators Hammond, et al., from the floor, to pages 18 and 19 of the bill.

Senator Hammond called for a division of amendment S-3252: lines 2-5 as division S-3252A; lines 6-11 as division S-3252B.

Senator Hammond asked and received unanimous consent to withdraw amendment S-3252 division B.

Senator Hammond moved adoption of amendment S-3252 division A and requested a record roll call.

On the question "Shall amendment S-3252A be adopted?" (S.F. 464), the vote was:

Ayes, 20:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gronstal	Hammond	Hansen
Harper	Horn	Judge	Kibbie
McCoy	Shearer	Soukup	Szymoniak

Nays, 28:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Johnson	King	Kramer
Lamberti	Lundby	Maddox	McKibben
McLaren	Miller	Redfern	Redwine
Rehberg	Rife	Rittmer	Schuerer
Sexton	Tinsman	Veenstra	Zieman

Absent or not voting, 2:

Jensen McKean

Amendment S-3252A lost.

Senator Harper offered amendment S-3232 filed by Senators Harper, et al., from the floor, to page 20 of the bill and moved its adoption.

A non-record roll call was requested.

The ayes were 22, nays 26.

Amendment S-3232 lost.

PRESENTATION OF GUESTS

The Chair welcomed Chief Bissy Ogunlayee, Nigeria; Mr. Umesh Dakal, Nepal; and Ms. Felicia Dube, South Africa; from the United Nations Center for Development and Population Activities.

BUSINESS PENDING

Senate File 464

The Senate resumed consideration of **Senate File 464**.

Senator Hammond offered amendment S-3224 filed by Senators Hammond, et al., from the floor, to page 24 of the bill.

Senator Hedge raised the point of order that amendment S-3224 was not germane to the bill.

The Chair ruled the point well taken and amendment S-3224 out of order.

Senator Hansen offered amendment S-3229 filed by Senators Hansen and Horn from the floor, to page 24 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S-3229 be adopted?" (S.F. 464), the vote was:

Ayes, 21:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gronstal	Hammond	Hansen
Harper	Horn	Judge	Kibbie
McCoy	Miller	Shearer	Soukup
Szymoniak			

Nays, 28:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Jensen	Johnson	King
Kramer	Lamberti	Lundby	Maddox
McKibben	McLaren	Redfern	Redwine
Rehberg	Rife	Rittmer	Schuerer
Sexton	Tinsman	Veenstra	Zieman

Absent or not voting, 1:

McKean

Amendment S-3229 lost.

Senator Gronstal asked and received unanimous consent to withdraw amendment S-3240 filed by Senators Gronstal, et al., from the floor, to page 24 and to the title page of the bill.

Senator Judge asked and received unanimous consent to withdraw amendment S-3246 filed by Senators Judge, et al., from the floor, to page 24 and to the title page of the bill.

Senator Gronstal asked and received unanimous consent to withdraw amendment S-3247 filed by Senators Gronstal, et al., from the floor to page 24 and to the title page of the bill.

Senator Szymoniak offered amendment S-3242 filed by Senators Szymoniak, et al., from the floor, to page 24 of the bill.

Senator Hedge 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.

President Kramer took the chair at 5:53 p.m.

Senator Dvorsky offered amendment S-3250 filed by Senators Dvorsky and Bolkcom from the floor, to page 24 of the bill.

Senator Redfern raised the point of order that amendment S-3250 was not germane to the bill.

The Chair ruled the point well taken and amendment S-3250 out of order.

Senator Connolly offered amendment S-3236 filed by Senators Connolly, et al., from the floor, to page 25 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S-3236 be adopted?" (S.F. 464), the vote was:

Ayes, 20:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gronstal	Hansen	Horn
Judge	Kibbie	Lundby	McCoy
Shearer	Soukup	Szymoniak	Tinsman

Nays, 29:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hammond
Harper	Hedge	Iverson	Jensen
Johnson	King	Kramer	Lamberti
Maddox	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Sexton	Veenstra
Zieman			

Absent or not voting, 1:

McKean

Amendment S-3236 lost.

Senator Tinsman offered amendment S-3243 filed by Senators Tinsman and Deluhery from the floor, to page 26 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3243 be adopted?" (S.F. 464), the vote was:

Ayes, 46:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Jensen	Johnson	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McCoy	McKibben
McLaren	Miller	Redfern	Redwine
Rehberg	Rittmer	Schuerer	Sexton
Shearer	Soukup	Szymoniak	Tinsman
Veenstra	Zieman		

Nays, 2:

Drake Iverson

Absent or not voting, 2:

McKean Rife

Amendment S-3243 was adopted.

Senator Hammond offered amendment S-3241 filed by Senators Hammond, et al., from the floor, to page 28 and to the title page of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3241 be adopted?" (S.F. 464), the vote was:

Ayes, 20:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gronstal	Hammond	Hansen
Harper	Horn	Judge	Kibbie
McCoy	Shearer	Soukup	Szymoniak

Nays, 28:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Jensen	Johnson	King
Kramer	Lamberti	Lundby	Maddox
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rittmer	Schuerer
Sexton	Tinsman	Veenstra	Zieman

Absent or not voting, 2:

McKean Rife

Amendment S-3241 lost.

Senator Flynn offered amendment S-3245 filed by Senators Flynn, et al., from the floor, to pages 28 and 31 of the bill.

Senator Redfern raised the point of order that amendment S-3245 was not germane to the bill.

The Chair ruled the point well taken and amendment S-3245 out of order.

Senator Rehberg offered amendment S-3275 filed by her from the floor, to pages 7-9, 12 and 24 of the bill and moved its adoption.

Amendment S-3275 was adopted by a voice vote.

Senator Szymoniak offered amendment S-3271 filed by Senators Szymoniak and Connolly from the floor, to pages 9 and 24 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S-3271 be adopted?" (S.F. 464), the vote was:

Ayes, 22:

Black	Boettger	Bolkcom	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gronstal	Hammond
Hansen	Harper	Horn	Judge
Kibbie	McCoy	Shearer	Soukup
Szymoniak	Tinsman		

Nays, 27:

Angelo	Bartz	Behn	Drake
Freeman	Gaskill	Hedge	Iverson
Jensen	Johnson	King	Kramer
Lamberti	Lundby	Maddox	McKibben
McLaren	Miller	Redfern	Redwine
Rehberg	Rife	Rittmer	Schuerer
Sexton	Veenstra	Zieman	

Absent or not voting, 1:

McKean

Amendment S-3271 lost.

Senator Fink offered amendment S-3289 filed by him from the floor, to pages 11 and 31 of the bill.

Senator Redfern raised the point of order that amendment S-3289 was not germane to the bill.

Senator Redfern withdrew his point of order.

Senator Fink moved adoption of amendment S-3289, which motion prevailed by a voice vote.

Senator Judge offered amendment S-3269 filed by Senators Judge, et al., from the floor, to page 24 and to the title page of the bill.

Senator Redfern raised the point of order that amendment S-3269 was not germane to the bill.

The Chair ruled the point well taken and amendment S-3269 out of order.

Senator Gronstal offered amendment S-3272 filed by Senators Gronstal, et al., from the floor, to page 24 and to the title page of the bill.

Senator Redfern raised the point of order that amendment S-3272 was not germane to the bill.

The Chair ruled the point well taken and amendment S-3272 out of order.

Senator Gronstal offered amendment S-3273 filed by Senators Gronstal, et al., from the floor, to page 24 and to the title page of the bill.

Senator Redfern raised the point of order that amendment S-3273 was not germane to the bill.

The Chair ruled the point well taken and amendment S-3273 out of order.

Senator Gronstal offered amendment S-3261 filed by him from the floor, to page 24 of the bill.

Senator Redfern raised the point of order that amendment S-3261 was not germane to the bill.

The Chair ruled the point well taken and amendment S-3261 out of order.

Senator Dvorsky offered amendment S-3274 filed by Senators Dvorsky and Fink from the floor, to pages 24 and 31 of the bill.

Senator Redfern raised the point of order that amendment S-3274 was not germane to the bill.

The Chair ruled the point well taken and amendment S-3274 out of order.

Senator Rehberg filed the following motion to reconsider from the floor and moved its adoption:

MADAM PRESIDENT: I move to reconsider the vote by which amendment S-3235 to Senate File 464 failed to be adopted by the Senate on April 6, 1999.

KITTY REHBERG

On the question "Shall the motion to reconsider S-3235 be adopted?" (S.F.464) the vote was:

Ayes, 21:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gronstal	Hammond	Hansen
Harper	Horn	Judge	Kibbie
Lundby	McCoy	Shearer	Soukup
Szymoniak			

Nays, 28:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Jensen	Johnson	King
Kramer	Lamberti	Maddox	McKibben
McLaren	Miller	Redfern	Redwine
Rehberg	Rife	Rittmer	Schuerer
Sexton	Tinsman	Veenstra	Zieman

Absent or not voting, 1:

McKean

The motion lost.

The following motion to reconsider filed by Senator McCoy from the floor was out of order:

MADAM PRESIDENT: I move to reconsider the vote by which amendment S-3235 to Senate File 464 failed to be adopted by the Senate on April 6, 1999.

MATT MCCOY

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

On the question "Shall the bill pass?" (S.F. 464), the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Sexton	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

McKean

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

The Senate stood at ease at 7:50 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 8:20 p.m., Senator Bartz presiding.

UNFINISHED BUSINESS

Senate File 468

On motion of Senator Maddox, **Senate File 468**, a bill for an act relating to and making appropriations to the justice system and providing effective dates, placed on the Unfinished Business Calendar on April 5, 1999, was taken up for consideration.

Senator Bolkcom offered amendment S-3282 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-3282 be adopted?" (S.F. 468), the vote was:

Ayes, 20:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gronstal	Hammond	Hansen
Harper	Horn	Judge	Kibbie
McCoy	Shearer	Soukup	Szymoniak

Nays, 29:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Jensen	Johnson	King
Kramer	Lamberti	Lundby	Maddox
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Tinsman	Veenstra
Zieman			

Absent or not voting, 1:

McKean

Amendment S-3282 lost.

Senator Maddox offered amendment S-3292 filed by him from the floor, to pages 1, 2, 5-10, 12, 13, 16, 18 and 20-25 of the bill.

Senator Maddox asked and received unanimous consent that action on amendment S-3292 be **deferred**.

Senator Dvorsky offered amendment S-3296 filed by Senators Dvorsky and Deluhery from the floor, to pages 1 and 15 of the bill and moved its adoption.

President Kramer took the chair at 8:40 p.m.

A record roll call was requested.

On the question "Shall amendment S-3296 be adopted?" (S.F. 468), the vote was:

Ayes, 20:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gronstal	Hammond	Hansen
Harper	Horn	Judge	Kibbie
McCoy	Shearer	Soukup	Szymoniak

Nays, 29:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Jensen	Johnson	King
Kramer	Lamberti	Lundby	Maddox
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Tinsman	Veenstra
Zieman			

Absent or not voting, 1:

McKean

Amendment S-3296 lost.

Senator Connolly asked and received unanimous consent to withdraw amendment S-3259 filed by Senators Connolly and Hammond from the floor to page 2 of the bill.

Senator Maddox offered amendment S-3293 filed by Senators Maddox and McLaren from the floor, to pages 2, 3, 7, 10, 13 and 15 of the bill.

Senator Maddox asked and received unanimous consent that action on amendment S-3293 be **deferred**.

Senator Harper asked and received unanimous consent to withdraw amendment S-3279 filed by her from the floor to page 3 of the bill.

Senator Fraise offered amendment S-3288 filed by Senators Fraise, et al., from the floor, to pages 5-10 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3288 be adopted?" (S.F. 468), the vote was:

Ayes, 20:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gronstal	Hammond	Hansen
Harper	Horn	Judge	Kibbie
McCoy	Shearer	Soukup	Szymoniak

Nays, 29:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Jensen	Johnson	King
Kramer	Lamberti	Lundby	Maddox
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Tinsman	Veenstra
Zieman			

Absent or not voting, 1:

McKean

Amendment S-3288 lost.

Senator Deluhery offered amendment S-3287 filed by Senators Deluhery, et al., from the floor, to pages 6, 7 and 11 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S-3287 be adopted?" (S.F. 468), the vote was:

Ayes, 20:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gronstal	Hammond	Hansen
Harper	Horn	Judge	Kibbie
McCoy	Shearer	Soukup	Szymoniak

Nays, 28:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Jensen	Johnson	King
Kramer	Lamberti	Lundby	Maddox
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rittmer	Schuerer
Sexton	Tinsman	Veenstra	Zieman

Absent or not voting, 2:

McKean	Rife
--------	------

Amendment S-3287 lost.

Senator Dvorsky offered amendment S-3280 filed by Senators Dvorsky and Fraise from the floor, to page 11 of the bill and moved its adoption.

Amendment S-3280 was adopted by a voice vote.

Senator Gronstal offered amendment S-3284 filed by Senators Gronstal, et al., from the floor, to pages 12 and 13 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S-3284 be adopted?" (S.F. 468), the vote was:

Ayes, 21:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gronstal	Hammond	Hansen
Harper	Horn	Judge	Kibbie
Lundby	McCoy	Shearer	Soukup
Szymoniak			

Nays, 28:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Jensen	Johnson	King
Kramer	Lamberti	Maddox	McKibben
McLaren	Miller	Redfern	Redwine
Rehberg	Rife	Rittmer	Schuerer
Sexton	Tinsman	Veenstra	Zieman

Absent or not voting, 1:

McKean

Amendment S-3284 lost.

Senator Szymoniak asked and received unanimous consent to withdraw amendment S-3281 filed by her from the floor, to page 15 of the bill.

Senator McCoy offered amendment S-3290 filed by him from the floor, to pages 16, 18 and 26 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3290 be adopted?" (S.F. 468), the vote was:

Ayes, 20:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gronstal	Hammond	Hansen
Harper	Horn	Judge	Kibbie
McCoy	Shearer	Soukup	Szymoniak

Nays, 29:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Jensen	Johnson	King
Kramer	Lamberti	Lundby	Maddox
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Tinsman	Veenstra
Zieman			

Absent or not voting, 1:

McKean

Amendment S-3290 lost.

Senator Judge offered amendment S-3286 filed by him from the floor, to pages 20-24 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S-3286 be adopted?" (S.F. 468), the vote was:

Ayes, 20:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gronstal	Hammond	Hansen
Harper	Horn	Judge	Kibbie
McCoy	Shearer	Soukup	Szymoniak

Nays, 29:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Jensen	Johnson	King
Kramer	Lamberti	Lundby	Maddox
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Tinsman	Veenstra
Zieman			

Absent or not voting, 1:

McKean

Amendment S-3286 lost.

President pro tempore Redfern took the chair at 9:31 p.m.

Senator Dvorsky offered amendment S-3262 filed by him from the floor, to page 20 of the bill.

President Kramer took the chair at 9:36 p.m.

Senator Dvorsky asked and received unanimous consent that action on amendment S-3262 be **deferred**.

Senator Black offered amendment S-3283 filed by Senators Black, et al., from the floor, to page 20 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3283 be adopted?" (S.F. 468), the vote was:

Ayes, 23:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gronstal	Hammond	Hansen
Harper	Horn	Jensen	Judge
Kibbie	Lundby	McCoy	Rittmer
Shearer	Soukup	Szymoniak	

Nays, 26:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Johnson	King	Kramer
Lamberti	Maddox	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Schuerer	Sexton	Tinsman
Veenstra	Zieman		

Absent or not voting, 1:

McKean

Amendment S-3283 lost.

Senator Maddox offered amendment S-3285 filed by him from the floor, to page 26 of the bill and moved its adoption.

Amendment S-3285 was adopted by a voice vote.

The Senate resumed consideration of amendment S-3292 by Senator Maddox to pages 1, 2, 5-10, 12, 13, 16, 18 and 20-25 of the bill, previously deferred.

Senator Gronstal called for a division of amendment S-3292: page 1, lines 35-37 and page 1, lines 47-page 2, line 1 as division S-3292A; page 1, lines 2-34 and lines 38-46; page 2, lines 2-50 and page 3 as division S-3292B.

Senator Maddox asked and received unanimous consent that action on division S-3292A be deferred.

Senator Maddox moved adoption of division S-3292B.

A record roll call was requested.

On the question "Shall amendment S-3292 division B be adopted?" (S.F. 468), the vote was:

Ayes, 28:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Jensen	Johnson	King
Kramer	Lamberti	Maddox	McKibben
McLaren	Miller	Redfern	Redwine
Rehberg	Rife	Rittmer	Schuerer
Sexton	Tinsman	Veenstra	Zieman

Nays, 21:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gronstal	Hammond	Hansen
Harper	Horn	Judge	Kibbie
Lundby	McCoy	Shearer	Soukup
Szymoniak			

Absent or not voting, 1:

McKean

Amendment S-3292 division B was adopted.

Senator Maddox moved adoption of division S-3292A, which motion prevailed by a voice vote.

The Senate resumed consideration of amendment S-3293 by Senators Maddox and McLaren to pages 2, 3, 7, 10, 13 and 15 of the bill, previously deferred.

Senator Connolly called for a division of amendment S-3293: lines 1-4 as division S-3293A; lines 5-47 as division S-3293B.

Senator Maddox moved adoption of amendment S-3293 division A, which motion prevailed by a voice vote.

Senator Maddox moved adoption of amendment S-3293 division B, which motion prevailed by a voice vote.

The Senate resumed consideration of amendment S-3262 by Senator Dvorsky to page 20 of the bill, previously deferred.

Senator Dvorsky moved adoption of amendment S-3262 and requested a record roll call.

On the question "Shall amendment S-3262 be adopted?" (S.F. 468), the vote was:

Ayes, 22:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gronstal	Hammond	Hansen
Harper	Horn	Judge	Kibbie
Lundby	McCoy	Rife	Shearer
Soukup	Szymoniak		

Nays, 26:

Angelo	Behn	Boettger	Drake
Freeman	Gaskill	Hedge	Iverson
Jensen	Johnson	King	Kramer
Lamberti	Maddox	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rittmer	Schuerer	Sexton	Tinsman
Veenstra	Zieman		

Absent or not voting, 2:

Bartz	McKean
-------	--------

Amendment S-3262 lost.

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

On the question "Shall the bill pass?" (S.F. 468), the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Sexton	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

McKean

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

HOUSE MESSAGES RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 6, 1999, passed the following bill in which the **concurrence** of the Senate is asked:

House File 758, a bill for an act relating to the authority of counties and cities to require storm shelters in mobile home parks, providing a property tax exemption, and providing an applicability date.

Read first time and referred to committee on **Ways and Means**.

ALSO: That the House has on April 6, 1999, amended and passed the following bill in which the **concurrence** of the Senate is asked:

Senate File 392, a bill for an act relating to telecommunications systems or services which may be provided by a city utility,

establishing certain requirements on such city, and including effective date and retroactive applicability provisions.(S-3277)

INTRODUCTION OF BILLS

Senate File 469, by committee on Ways and Means, a bill for an act relating to the state sales and use taxes by providing for the effective date for any rate increase or decrease, filing of consolidated sales tax returns by affiliated corporations, changing the statute of limitations for assessing tax and applying for refunds and relating to local sales and services taxes by providing the effective dates for imposing, repealing, or changing rates, and including effective dates.

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

Senate File 470, by Iverson, a bill for an act relating to campaign finance disclosure by regulating express advocacy of candidates and ballot issues, requiring annual authorization for political representation financed from deductions from wages, dues, and fees, providing and applying penalties, providing an effective date and for applicability, and providing for severability.

Read first time and referred to committee on **State Government**.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 13, by Dvorsky, Bolkcom, Judge, Dearden, Deluhery, Horn, Kibbie, Fraise, Gronstal, Fink, Hammond, McCoy, Harper, Flynn, Soukup, Shearer, Szymoniak, Connolly, McKibben, Behn, King, Veenstra, Redfern, Hedge, Angelo, Drake, Jensen, Rittmer, Tinsman, Schuerer, Redwine, Gaskill, Sexton and Black, a resolution congratulating the University of Iowa Hawkeyes Wrestling Team.

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

Senate Concurrent Resolution 19, by Fraise, a concurrent resolution designating December 15, 1999, as Bill of Rights Day.

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate File 468** be **immediately messaged** to the House.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: April 6, 1999, 2:06 p.m.

Members Present: Jensen, Chair; Deluhery, Ranking Member; Bolkcom, Flynn, Gronstal, Hansen, Johnson, King, Lamberti, Redfern, Redwine, and Schuerer.

Members Absent: Maddox, Vice Chair; Lundby and McCoy (all excused).

Committee Business: Recommended governor's appointees for confirmation.

Adjourned: 2:45 p.m.

STATE GOVERNMENT

Convened: April 6, 1999, 1:15 p.m.

Members Present: Rittmer, Chair; Lamberti, Vice Chair; Kibbie, Ranking Member; Connolly, Deluhery, Drake, Fink, King, Lundby, Maddox, Schuerer, Sexton, and Szymoniak.

Members Absent: Dearden and McLaren (both excused).

Committee Business: New appointees to the State Racing and Gaming Commission were present to state opinions and answer questions.

Adjourned: 2:00 p.m.

WAYS AND MEANS

Convened: April 6, 1999, 3:07 p.m.

Members Present: Johnson, Chair; McKibben, Vice Chair; Harper, Ranking Member; Bartz, Bolkcom, Connolly, Deluhery, Drake, Flynn, Hedge, Lamberti, Maddox, Redwine, and Soukup.

Members Absent: McLaren (excused).

Committee Business: Approved SSB 1213.

Adjourned: 3:17 p.m.

SUBCOMMITTEE ASSIGNMENT

House File 745

APPROPRIATIONS: Schuerer, Chair; Lamberti and Soukup

EXPLANATION OF VOTES

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on April 5, 1999, when the votes were taken on House Files 38, 144, 349, 387, 403, 497, 518, 633, and 659. Had I been present, I would have voted "Aye" on all bills.

MICHAEL W. CONNOLLY

GOVERNOR'S APPOINEES PLACED ON
INDIVIDUAL CONFIRMATION CALENDAR

MADAM PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the following names be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar":

William J. Brand – Administrator of the Division of Community Action Agencies
Michael Coverdale – Commission on Community Action Agencies
Janet Adams – Investment Board of the IPERS
Sheila Riggs – Investment Board of the IPERS
Stephen C. Gleason – Director of Public Health
Diane L. Hamilton – State Racing and Gaming Commission
Willard Hansen – State Racing and Gaming Commission
James F. Hassenfritz – State Racing and Gaming Commission
Michael W. Mahaffey – State Racing and Gaming Commission
Rita Sealock – State Racing and Gaming Commission
David Neil – State Board of Regents
Owen Newlin – State Board of Regents
Deborah Turner – State Board of Regents

STEWART E. IVERSON, JR.

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 464 passed the Senate on April 6, 1999.

WALLY E. HORN

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 464 passed the Senate on April 6, 1999.

DERRYL McLAREN

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 464 passed the Senate on April 6, 1999.

KITTY REHBERG

COMMITTEE REPORT

WAYS AND MEANS

Final Bill Action: SENATE FILE 469 (SSB 1213), a bill for an act relating to the state sales and use taxes by providing for the effective date for any rate increase or decrease, filing of consolidated sales tax returns by affiliated corporations, changing the statute of limitations for assessing tax and applying for refunds and relating to local sales and services taxes by providing the effective dates for imposing, repealing, or changing rates, and including effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Johnson, McKibben, Harper, Bartz, Bolkcom, Connolly, Deluhery, Drake, Flynn, Hedge, Lamberti, Maddox, Redwine, and Soukup. Nays, none. Absent or not voting, 1: McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3271	S.F. 464	Elaine Szymoniak Michael W. Connolly
S-3272	S.F. 464	Michael E. Gronstal Bill Fink Robert E. Dvorsky Matt McCoy John Judge Patricia M. Harper Wally E. Horn Joe Bolkcom
S-3273	S.F. 464	Michael E. Gronstal Bill Fink Robert E. Dvorsky Matt McCoy John Judge Patricia M. Harper Wally E. Horn Joe Bolkcom
S-3274	S.F. 464	Robert E. Dvorsky Bill Fink
S-3275	S.F. 464	Kitty Rehberg
S-3276	H.F. 476	Jeff Lamberti
S-3277	S.F. 392	House
S-3278	H.F. 714	David Miller

S-3279	S.F. 468	Patricia M. Harper
S-3280	S.F. 468	Robert E. Dvorsky Eugene Fraise
S-3281	S.F. 468	Elaine Szymoniak
S-3282	S.F. 468	Joe Bolkcom
S-3283	S.F. 468	Dennis H. Black Eugene Fraise Tom Flynn Michael E. Gronstal John P. Kibbie Michael W. Connolly Bill Fink Steven D. Hansen Mark Shearer Betty Soukup Patrick J. Deluhery John Judge
S-3284	S.F. 468	Michael E. Gronstal Tom Flynn Eugene Fraise Robert E. Dvorsky Elaine Szymoniak Dennis H. Black Patricia M. Harper John P. Kibbie Michael W. Connolly Betty Soukup Matt McCoy Wally E. Horn Bill Fink Steven D. Hansen Mark Shearer Joe Bolkcom Dick L. Dearden Patrick J. Deluhery Johnie Hammond John Judge
S-3285	S.F. 468	Gene Maddox
S-3286	S.F. 468	John Judge
S-3287	S.F. 468	Patrick J. Deluhery Michael W. Connolly

John Judge
Joe Bolkcom
Eugene Fraise
Betty Soukup
Michael E. Gronstal
Bill Fink
Dennis H. Black
Robert E. Dvorsky
Johnie Hammond
Wally E. Horn
John P. Kibbie
Matt McCoy
Tom Flynn
Mark Shearer
Elaine Szymoniak
Patricia M. Harper
Dick L. Dearden
Steven D. Hansen

S-3288 S.F. 468

Eugene Fraise
Michael W. Connolly
John Judge
Joe Bolkcom
Betty Soukup
Michael E. Gronstal
Wally E. Horn
Steven D. Hansen
Dick L. Dearden
Bill Fink
Dennis H. Black
Patricia M. Harper
Robert E. Dvorsky
Elaine Szymoniak
Johnie Hammond
Patrick J. Deluhery
John P. Kibbie
Tom Flynn
Matt McCoy
Mark Shearer

S-3289 S.F. 464

S-3290 S.F. 468

Bill Fink
Matt McCoy

S-3291	S.F. 136	Larry McKibben Patricia M. Harper JoAnn Johnson Michael E. Gronstal
S-3292	S.F. 468	Gene Maddox
S-3293	S.F. 468	Gene Maddox Derryl McLaren
S-3294	H.F. 656	Sheldon Rittmer
S-3295	H.F. 656	Sheldon Rittmer
S-3296	S.F. 468	Robert E. Dvorsky Patrick J. Deluhery
S-3297	H.F. 461	Matt McCoy Steven D. Hansen

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 10:32 p.m., until 9:00 a.m., Wednesday, April 7, 1999.

JOURNAL OF THE SENATE

EIGHTY-SEVENTH CALENDAR DAY
FIFTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 7, 1999

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

Prayer was offered by Reverend Lawrence R. Hoffman, pastor of Saint Anthony's Church, Des Moines, Iowa.

The Journal of Tuesday, April 6, 1999, was approved.

SPECIAL GUESTS

Senator Hedge introduced the following guests representing the Sixty-Fourth Annual Pella Tulip Time Festival:

Queen Elizabeth Schepel, who introduced the members of her court: Rachel Henderson, Lindsey Kraayenbrink, Amy Steenhoek and Jessica Van Ee.

Queen Elizabeth invited the members of the Senate to attend the Tulip Time Festival in Pella on May 6, 7 and 8.

The Queen and her court presented President Kramer with a box of Dutch cookies.

The Queen, her attendants, and their parents distributed the famous Dutch cookies to the Senators and staff.

INTRODUCTION OF GUESTS

The Chair welcomed University of Northern Iowa students who are shadowing several Senators today.

Senator Boettger took the chair at 9:27 a.m.

President Kramer took the chair at 9:36 a.m.

SPECIAL GUESTS

Senator Black introduced the Honorable William Dieleman, former member of the Senate from Marion County, Pella, Iowa

Senator Iverson introduced the Honorable Ray Taylor, former member of the Senate from Hardin County, Steamboat Rock, Iowa.

Senator Jensen introduced the Honorable Merlin Hulse, former member of the Senate from Cedar County, Clarence, Iowa.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Black until he returns and Senator Judge for the remainder of the week, on request of Senator Gronstal; Senators Jensen and Drake until they return, on request of Senator Iverson; Senator Kibbie until he returns, on request of Senator Fraise.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 59, Senator Iverson called up the following eligible appointees on the En Bloc Confirmation Calendar:

Dorothy Dunphy, Accountancy Examining Board

James Egerton, Accountancy Examining Board

Shirley Daggett, Alcoholic Beverages Commission

Jill Meilahn, Board of Examiners for Athletic Training

Raymond Barker, Board of Barber Examiners

Rebecca Beach, Board of Behavioral Science Examiners

Jack Hillyard, Board of Behavioral Science Examiners

Julia Scurr, Commission for the Blind

Daryl Engelen, Board of Chiropractic Examiners
Thomas Stanzel, Board of Chiropractic Examiners

Alicia Claypool, Iowa State Civil Rights Commission
David Leshtz, Iowa State Civil Rights Commission
Rachel Scherle, Iowa State Civil Rights Commission

Kathy Beauchamp, Commission on Community Action Agencies
Arbella Jetter, Commission on Community Action Agencies

Frances Colston, Board of Corrections
Robyn Mills, Board of Corrections
Arthur Neu, Board of Corrections

David Creighton, Sr., Board of Cosmetology Arts and Sciences Examiners
Janet Fisher, Board of Cosmetology Arts and Sciences Examiners
Teresa Mertens, Board of Cosmetology Arts and Sciences Examiners
Sheila O'Hern, Board of Cosmetology Arts and Sciences Examiners

Joanne Stockdale, County Finance Committee

Loren Woods, Commission on the Deaf

Debra Yossi, Board of Dental Examiners

David J. Lyons, Director of the Department of Economic Development

Robert Bocken, Iowa Economic Development Board
Pamela Sessions, Iowa Economic Development Board

Bill Haigh, Board of Educational Examiners
Helen Lewis, Board of Educational Examiners
Mary Settles, Board of Educational Examiners

John Lowe, Commission of Elder Affairs
Jane Paulsen, Commission of Elder Affairs

Nicholas Konrady, Engineering and Land Surveying Examining Board

Elizabeth Christiansen, Environmental Protection Commission
Rita Venner, Environmental Protection Commission

Mark McCormick, Ethics and Campaign Disclosure Board
(Appointment and Reappointment)

Phyllis Peters, Iowa Ethics and Campaign Disclosure Board

Richard Dickinson, State Citizen Foster Care Review Board
Albert Sorenson, State Citizen Foster Care Review Board
Edward Nichols, Health Facilities Council

Marie Callas, Board for the Licensing and Regulation of Hearing
Aid Dealers

Patricia Stark, Board for the Licensing and Regulation of Hearing
Aid Dealers

Robert Fleming, Iowa Higher Education Loan Authority

Thomas Glenn, Iowa Council on Human Investment
Betty Grandquist, Iowa Council on Human Investment

Dianne Dethmers Paca, Council on Human Services
Christine Louscher, Council on Human Services

Virginia Bordwell, Iowa Finance Authority
Vincent Lintz, Iowa Finance Authority
Lisa Wageman, Iowa Finance Authority

Craig Rypma, State Judicial Nominating Commission

Lennis Moore, Commission on Judicial Qualifications

Gregory Jones, Landscape Architectural Examining Board

Edward J. Stanek, Commissioner of the Lottery

Michael McCoy, Lottery Board
Susan Thompson, Lottery Board

Lana Fogue, Board of Examiners for Massage Therapy

Diane Nagle, Board of Medical Examiners

Stuart Winston, Board of Medical Examiners
Allen Zagoren, Board of Medical Examiners

Lori Bears, Mental Health and Developmental Disabilities Commission
Michael Flaum, Mental Health and Developmental Disabilities Commission

Jackie Kibbie-Williams, Mental Health and Developmental Disabilities Commission

J. Craig Fratzke, Board of Mortuary Science Examiners

Paul Christiansen, Natural Resource Commission
Carol Kramer, Natural Resource Commission
William Sullivan, Natural Resource Commission

Anna Fallon, Board of Nursing Examiners

Larry Hertel, State Board of Examiners for Nursing Home Administrators

Duane Atteberry, Board of Optometry Examiners
Larry Hicks, Board of Optometry Examiners

Karen Muelhaupt, Board of Parole

Mary Pat Mitchell, Board of Pharmacy Examiners
Matthew Osterhaus, Board of Pharmacy Examiners

Kurosh Shahriari, Board of Psychology Examiners
Jacob Sines, Board of Psychology Examiners

Sharon Chism, Real Estate Appraiser Examining Board

Barbara Leestamper, Real Estate Commission
Robert Miller, Real Estate Commission

Gerald D. Bair, Director of Revenue and Finance

Connie Cook, School Budget Review Committee

Lance Clemesen, Board of Social Work Examiners

Tracy Rial, Board of Speech Pathology and Audiology Examiners

Lowell Norland, State Board of Tax Review

Timothy Lapointe, Iowa Telecommunications and Technology Commission

Tom Aller, State Transportation Commission

Charlotte B. Nelson, Administrator of the Division on the Status of Women

Senator Iverson moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 44:

Angelo	Bartz	Behn	Boettger
Bolkcom	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Freeman	Gaskill	Gronstal	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Johnson	King	Kramer
Lamberti	Lundby	Maddox	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Shearer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, none.

Present, 1:

McCoy

Absent or not voting, 5:

Black	Drake	Jensen	Judge
Kibbie			

The appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

HOUSE MESSAGES RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 6, 1999, passed the following bill in which the **concurrence** of the Senate is asked:

House File 746, a bill for an act relating to and making appropriations for agriculture and natural resources and providing effective dates.

Read first time and referred to committee on **Appropriations**.

ALSO: That the House has on April 6, 1999, amended and passed the following bill in which the **concurrence** of the Senate is asked:

Senate File 115, a bill for an act relating to alcohol testing of private sector employees and prospective employees and providing an effective date. (S-3298)

RECESS

On motion of Senator Iverson, the Senate recessed at 10:32 a.m., until 1:45 p.m.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Associated General Contractors of Iowa – For receiving an award from the Associated General Contractors of America for “best infrastructure awareness campaign” for AGC of Iowa’s four-year effort to restore fiscal integrity to Iowa’s Road Use Tax Fund. Senator Iverson (04/05/99).

Carolyn Carroll, Leon – For 28 years of dedicated service as the City Clerk of Leon. Senator Angelo (04/06/99).

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on April 6, 1999, the Governor approved and transmitted to the Secretary of State the following bill:

S.F. 361 – Relating to enforcement, prevention, education, and treatment for substance abuse and sexual abuse, and providing appropriations.

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 468, the following correction was made:

1. Page 27, line 20, the word and number “Section 101” were changed to the word and number “Section 23”.

MICHAEL E. MARSHALL
Secretary of the Senate

GOVERNOR'S APPOINTEE PLACED ON EN BLOC CALENDAR

The following appointee, assigned to standing committees for investigation, was placed on the En Bloc Calendar with recommendation for confirmation on April 6, 1999:

COMMERCE

Don Gettings – Credit Union Review Board

STUDY BILLS RECEIVED**SSB 1214 Ways and Means**

Relating to the repeal of local option sales and services taxes.

SSB 1215 Ways and Means

Relating to the treatment of manufactured housing under the state sales and use taxes, local property taxes, and the requirements for the issuance of a certificate of title.

SUBCOMMITTEE ASSIGNMENTS**Senate File 470**

STATE GOVERNMENT: Lamberti, Chair; Deluhery and King

House File 758

WAYS AND MEANS: Johnson, Chair; Deluhery and Drake

SSB 1214

WAYS AND MEANS: Hedge, Chair; Johnson and Soukup

SSB 1215

WAYS AND MEANS: Maddox, Chair; Flynn and Johnson

**GOVERNOR'S APPOINTEE PLACED ON
INDIVIDUAL CONFIRMATION CALENDAR**

The following appointee, assigned to standing committee for investigation, was placed on the Individual Confirmation Calendar with recommendation for confirmation on April 6, 1999:

COMMERCE

Susan Frye - Utilities Board

AMENDMENTS FILED

S-3298	S.F. 115	House
S-3299	H.F. 737	Patricia Harper
S-3300	H.F. 737	Joe Bolckcom

AFTERNOON SESSION

The Senate reconvened at 1:55 p.m., President Kramer presiding.

SPECIAL GUESTS

Senator Flynn introduced the Honorable Richard Norpel, former member of the Senate, Jackson County, Bellevue, Iowa, and the Honorable Andrew Frommelt, former member of the Senate from Dubuque County, Dubuque, Iowa, who were present on the Senate floor.

President Kramer introduced the Honorable Donald Gettings, former member of the Senate from Wapello County, Ottumwa, Iowa, who was present on the floor of the Senate.

COMMITTEE FROM THE HOUSE

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

Senator Hedge moved that the Senate proceed to the House Chamber in accordance with Senate Concurrent Resolution 6 in columns of two led by the Secretary of the Senate and the Sergeant-at-arms.

The motion prevailed by a voice vote.

JOINT CONVENTION
PIONEER LAWMAKERS

Fifty-Fifth Biennial Session
House Chamber 2:03 p.m.

In accordance with Senate Concurrent Resolution 6, the joint convention was called to order, President Kramer presiding.

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

Senator Hedge 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 Lamberti and Flynn on the part of the Senate; and Representatives Wiedman and Reynolds on the part of the House.

The committee escorted the Pioneer Lawmakers to seats in the House Chamber.

President Kramer presented the Honorable Donald Redfern, President pro tempore of the Senate, who welcomed the Pioneer Lawmakers on behalf of the Senate.

President Kramer presented the Honorable Christopher Rants, Speaker pro tempore of the House of Representatives, who welcomed the Pioneer Lawmakers on behalf of the House.

President Kramer presented the Honorable Richard F. Drake, member of the Senate who responded to the welcome.

Senator Drake announced the 1979 class of legislators who were eligible to become members of the Pioneer Lawmakers.

Senator Drake presented David Yepsen, Des Moines Register columnist, who addressed the joint convention.

Madame President

Mr. Speaker

Pioneer Lawmakers

Ladies and Gentlemen of the Iowa General Assembly:

Thank you for inviting me to address the Pioneer Lawmakers session of the Legislature.

When Senator Drake asked me if I would make a few remarks to the Pioneer Lawmakers session, I said I surely would and was honored that he asked.

But I also asked if he had the votes to get that motion approved.

After all, many of you hear more from me on Monday morning than you really care to.

Senator Drake replied "Haven't you ever been to a transportation committee meeting?"

Well, yes, I replied. They're fun to cover if you're up at that hour or don't blink.

"Then you know I've got the votes," he said. "Just keep it short."

So thank you Senator for the invitation. In that spirit, I'll proceed. Far be it from me to do anything to impede the adjournment of this session. What was it you promised, Representative Siegrist - April 23?

This is actually the second time I have addressed the Iowa General Assembly. The first time, in June, 1967, I was the 17-year old governor of the American Legion Boys State program. They weren't in too good of a mood, mired in a June session as they were.

I told them they should lower the voting age. They didn't. And legislators haven't taken my suggestions since, so I'll not preach any here today.

However, my work has been acknowledged frequently from the floor of each chamber although not always in flattering terms.

I was recognized once by Representative Doderer. Fourteen years ago this month she rose on a point of personal privilege to say this was an important day for Iowa women.

Everyone looked around the chamber to ask what was going on. She said "David Yepsen's wife just had a baby girl and that's going to make him a whole lot more sensitive to the needs of Iowa women than he's been."

Well, I want to report, Representative Doderer, that Elizabeth's teachers have given her the tests and find she has a "slightly liberal" political philosophy. I told Governor Vilsack that and he said "Tell your wife she's doing a good job raising your daughter".

To the point here today, my friend John Flannery out in the lobby is fond of telling me that this place is really just one big family. We've all got our roles to play as members, as staff, as reporters, doorkeepers, clerks, secretaries or lobbyists or pages. We work, fight, celebrate and commiserate together. Like it or not, for several months out of the year we're all thrown together into this hothouse atmosphere where we all play that part and try to do the right things for the people of Iowa.

Tell John I think he's right because you don't get to choose all the members of your real family either.

Sometimes our family roles conflict. Most of you understand the press has a watchdog role to play in our society. But you still don't like it when we write those stories about campaign finance, ethics or secrecy in government. But that's our job.

But John's on to something. Regardless of the role we play in this statehouse family, we all come here with a fierce love of Iowa and a desire to make it better. It's a trait that has gone on in these halls for over 100 years and if Senator Jensen has his way, it'll go on here in a newly restored capitol for another 100 years.

In fact, it may take 100 years to complete the restoration.

For decades, men and women from all walks of life have come to this building to serve Iowa. Most of could be making more money doing something else. Most make personal financial and family sacrifices to be here. All of us have had the unpleasant

experience of calling a spouse or loved one to tell them we won't be home for dinner that night or have to work this weekend.

If it weren't for their understanding many couldn't work here. So on this day of remembrances, I'd like to acknowledge your families at home who put up with so much to enable you to be here. We overlook them too often.

There also lots of hidden stories in this statehouse family that really never get told. Like the members who helped one another through tough financial times, or help a colleague fight an alcohol problem or console one another in time of trouble. Some great battles have been fought on this floor. But some lifelong friendships have been formed here too and today's the day we renew those friendships and forget the fights.

It's a story we don't often write because they're private matters. But they're no less real and it's why all of us our saying our prayers for Stew and Jean Iverson right now.

I have noticed over the years there are family rituals to this place and Pioneer Lawmakers is one of them.

Every two years we get together to honor the family elders - those members who came here 20 years ago and to remember those members who have passed away.

This year, we honor the Class of 1979 - those lawmakers who were first elected in 1978.

That was just a year after I was assigned to cover the statehouse. It seems like yesterday I was walking into the building and thinking what a beautiful but intimidating place this was.

I think most of us can recall a similar memory of our first day walking into this capitol to go to work, whatever our job. We were all newcomers to the family and, truth be told, we are all honored to come to work each day.

I succeeded Jim Flansburg who had succeeded George Mills. They passed on a lot of advice: Like:

"Watch the code editor's bill. Laverne Schroeder repealed the whole state housing code one year in that bill."

And "it isn't really tea that Jimmy Briles has in his cup on the last night of the session."

"Watch the IPERS bill to see if there's still someone in Boone County who Jack Nystrom hasn't got covered.

"In 20 years, you'll figure out what really went on. Which is why I'm looking forward today to finding out what deals really were cut in that usury debate of 20 years ago.

Or, debate will always be long-winded when it's a bill everyone understands and short when they don't understand it. So we all know we're in for a long afternoon when there's a bill about dove hunting, fences or farm pickup trucks.

Or don't go out with Ed Jones at night if you have to be functional the next day.

1978 was an important election in the country and in Iowa. It was a harbinger election that foretold the sweeping change coming in the 1980 election. In Iowa, Democratic U.S. Sen. Dick Clark was upset by Roger Jepsen. It was a stunning upset,

caused as many Catholic and evangelical voters left the Democratic party over the abortion issue. For the most part, they have not returned and the shape of politics has been different ever since. The change in politics was affirmed in 1980 by the Reagan landslide, an election that fundamentally changed the nation's philosophy toward government.

The change rippled through legislative politics too. Democrats who had won the Legislature during the Watergate era lost it to the Republicans in 1978. The GOP control would be short-lived, thanks to the farm crisis of the 1980s that made Democrats out of many rural voters.

The only good news for Democrats that year was the election of Tom Miller as Iowa's new attorney general. He defeated the eminently quotable Richard Turner, who was always a reporters best friend on a slow news day.

Bob Ray won yet another term as governor, defeating Jerry Fitzgerald. Lt. Gov. Art Neu retired from that job, having grown tired of waiting around for Ray to leave his job. That enabled an unknown state Representative named Terry Branstad to win the Lieutenant Governorship and we just all knew that little guy was going nowhere in Iowa politics.

A new generation of leaders emerged that year. Lowell Junkins became minority leader in the Iowa Senate. Cal Hultman became majority leader.

Those two have proven that there really is life after the Legislature and it's often quite profitable too.

What the election of 1978 illustrated was something that is still true today. Iowa has a healthy, vigorous two party system. The two parties in Iowa compete hard with one another for the support of Iowans. When that competition turns nasty we're all losers.

But when that competition turns positive as each side tries to out do the other by offering the best candidates and best ideas they can find, then all of us in Iowa are the winners.

That's the kind of session you are having this year and it's commendable. A healthy two party system is alive and well in Iowa today.

The 1979 session of the Legislature was memorable for a couple reasons. They had a \$150 million surplus that year and gave a third of it back to the tax payers in a rebate. That's not been repeated since but just imagine what these boys could do today with a \$900 million surplus!

They also started income tax indexing. Inflation was 9.4 percent that year so that meant something to taxpayers. Unlike the rebate, indexing's an idea that successors have kept around.

They legalized graduated payment mortgages and variable rate mortgages. They cut unemployment benefits and allowed credit unions to run checking accounts.

Much has changed since 1978 and not all of it for the better. Budgets are larger. Staffs bigger. The costs of campaigns has exploded and they're about to become more expensive now that corporate contributions are legal.

Why, in 1978, you could win an open seat in the Iowa Legislature for less than \$5,000! Some things never change, though. If you aren't a member, it's still hard to find a place to park around here. There are about 30 lobbyists here who are former members and they'll all tell you the greatest mistake they made while serving was in not providing more places for people to park.

But a lot of good things have happened too. It's more business like. The work week is more family friendly. Marathon late night sessions are rare. More women serve in the Legislature today. Some day when half the membership is female, we'll be able to say we have a Legislature that truly reflects the population of this state.

But there I've started to preach and I promised not to do that. So to Senator Drake, thank you again for the invitation to address this joint session. To the Pioneer Lawmakers, welcome home. To the members, good luck in making that April 23 adjournment.

And to both present and former members in this chamber, I want to say something those of us in the media rarely say - and that is thank you. Thank you for your personal sacrifice. Thank you for your public service. Thank you for trying to make Iowa better and for your willingness to be in what Theodore Roosevelt once called "The Arena."

Representative Gipp moved that the joint convention be dissolved at 2:30 p.m.

The motion prevailed by a voice vote.

The Senate returned to the Senate Chamber and resumed regular session.

SPECIAL GUESTS

Senator Iverson introduced the Honorable Wayne Bennett, former member of the Senate from Ida County, Ida Grove, Iowa, who was present on the Senate floor.

Senator Freeman introduced the Honorable Arne Waldstein, former member of the Senate from Buena Vista County, Storm Lake, Iowa, who was present on the Senate floor.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Fink for the remainder of the day, on request of Senator Gronstal.

UNFINISHED BUSINESS

Senate File 465

On motion of Senator McKibben, **Senate File 465**, a bill for an act authorizing the establishment of an accelerated career education program, providing a tax credit from withholding, and relating to the transfer of job training withholding to the workforce development fund account, placed on the Unfinished Business Calendar on April 5, 1999, was taken up for consideration.

The Senate stood at ease at 3:29 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 4:31 p.m., President Kramer presiding.

Senator Connolly offered amendment S-3303 filed by him from the floor, to pages 3 and 4 of the bill and called for a division: lines 1-6 as division A; lines 7-8 as division B; lines 9-13 as division C.

Senator Connolly moved adoption of amendment S-3303 division A, which motion lost by a voice vote.

Senator Connolly moved adoption of amendment S-3303 division B, which motion lost by a voice vote.

Senator Connolly moved adoption of amendment S-3303 division C and requested a record roll call.

On the question "Shall amendment S-3303 division C be adopted?" (S.F. 465), the vote was:

Ayes, 5:

Bolkcom
Kibbie

Connolly

Fraise

Hammond

Nays, 43:

Angelo
Boettger
Dvorsky
Gronstal

Bartz
Dearden
Flynn
Hansen

Behn
Deluhery
Freeman
Harper

Black
Drake
Gaskill
Hedge

Horn	Iverson	Jensen	Johnson
King	Kramer	Lamberti	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Miller	Redfern	Redwine
Rehberg	Rife	Rittmer	Schuerer
Sexton	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Absent or not voting, 2:

Fink Judge

Amendment S-3303 division C lost.

Senator Boettger took the chair at 5:03 p.m.

President Kramer took the chair at 5:30 p.m.

Senator McKibben moved that the bill be read the last time now and placed upon its passage, 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:

Ayes, 47:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Flynn
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Kibbie	Kramer	Lamberti	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Miller	Redfern	Redwine
Rehberg	Rife	Rittmer	Schuerer
Sexton	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, 1:

King

Absent or not voting, 2:

Fink Judge

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

Senator Iverson asked and received unanimous consent that **Senate File 465** be immediately messaged to the House.

HOUSE MESSAGES RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 7, 1999, passed the following bills in which the concurrence of the House was asked:

Senate File 55, a bill for an act to legalize the transfer of certain property by the joint county system of Black Hawk and Buchanan counties to the Independence community school district, and providing an effective date.

Senate File 67, a bill for an act relating to the assessment of civil damages for the illegal taking of a swan or a crane.

Senate File 68, a bill for an act relating to counties included in the mid-America port commission.

Senate File 176, a bill for an act relating to the elimination of investment counseling as a taxable service under the state sales and use taxes.

Senate File 264, a bill for an act relating to the regulatory authority of the natural resource commission on the Sac and Fox tribe of the Mississippi in Iowa settlement in Tama county.

Senate File 265, a bill for an act relating to the taking of muskrats by colony trap.

ALSO: That the House has on April 7, 1999, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 230, a bill for an act updating the Iowa Code references to the Internal Revenue Code, extending the loss

carryback period for farm net operating losses, providing certain tax credits to estates and trusts, and providing an effective date and a retroactive applicability date. (S-3302)

APPENDIX

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: April 7, 1999, 11:00 a.m.

Members Present: Boettger, Chair; Redwine, Vice Chair; Szymoniak, Ranking Member; Bartz, Behn, Dvorsky, Hammond, Harper, Miller, Schuerer, Tinsman, and Veenstra.

Members Absent: Shearer (excused).

Committee Business: Recommended governor's appointee for confirmation.

Adjourned: 12:28 p.m.

STATE GOVERNMENT

Convened: April 7, 1999, 10:38 a.m.

Members Present: Rittmer, Chair; Lamberti, Vice Chair; Dearden, King, Maddox, Schuerer, Sexton, and Szymoniak.

Members Absent: Kibbie, Ranking Member; Connolly, Deluhery, Drake, Fink, Lundby, and McLaren (all excused).

Committee Business: Subcommittee assignment.

Adjourned: 10:41 a.m.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on April 7, 1999, the Governor approved and transmitted to the Secretary of State the following bill:

S.F. 203 – Relating to transportation, including regulation of school buses and special trucks, vehicle titling and registration, commercial driver's licenses, regulations on motor carriers, regulations on motor vehicle manufacturers, distributors, and dealers, size, weight, and load restrictions on vehicles, driver education, transportation of students, equipment on vehicles, rescission of a driver's license revocation, and administrative procedures of the state department of transportation, and providing for fees and penalties and an effective date.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Dean Aydelott, Missouri Valley – For achieving the rank of Eagle Scout. Senator Boettger (05/23/99).

Estella Boettger, Harlan – For celebrating your 90th Birthday on April 17, 1999. Senator Boettger (04/07/99).

Steven J. C. Ehrig – For achieving the rank of Eagle Scout. Senator Rehberg (04/07/99).

Harlan Community High School Jazz Band – For winning the Class 3A State Jazz Band Championship. Senator Boettger (04/07/99).

Jarrold Knudsen – For achieving the rank of Eagle Scout. Senator Redwine (04/07/99).

Steve Lawson, Director Harlan Community High School Jazz Band – For winning the Class 3A State Jazz Band Championship. Senator Boettger (04/07/99).

Jon Lowry – For achieving the rank of Eagle Scout. Senator Redwine (04/07/99).

Natalie Lukan, Marshalltown – For being the State Winner of the American History Contest. Senator McKibben (04/07/99).

Operation: New View Community Action Agency – For celebrating your 25th Anniversary. Senator Flynn (04/07/99).

GOVERNOR'S APPOINTEE PLACED ON EN BLOC CALENDAR

The following appointee, assigned to standing committees for investigation, was placed on the En Bloc Calendar with recommendation for confirmation on April 7, 1999:

HUMAN RESOURCES

Nancy McKlveen – Mental Health and Developmental Disabilities Commission

SUBCOMMITTEE ASSIGNMENTS

House File 351

JUDICIARY: Angelo, Chair; Fraise and McKean

House File 683

JUDICIARY: Tinsman, Chair; Hansen and Miller

GOVERNOR'S WITHDRAWAL OF APPOINTEE

The following letter from the Governor was received in the office of the Secretary of the Senate on April 7, 1999:

On March 15 of this year, I submitted the name of Steven Wettach of Henry County to serve on the Board of Dental Examiners. At his request, I withdraw his name from further consideration by the Senate.

Sincerely,
THOMAS J. VILSACK
Governor

AMENDMENTS FILED

S-3301	H.F. 218	Merlin E. Bartz
S-3302	S.F. 230	House
S-3303	S.F. 465	Michael W. Connolly
S-3304	H.F. 737	Joe Bolkcom
S-3305	H.F. 737	Joe Bolkcom
		Robert E. Dvorsky
		Matt McCoy
		Johnie Hammond
		Patrick J. Deluhery
		Eugene Fraise
		Bill Fink
		Dennis H. Black
		Tom Flynn
		Steven D. Hansen
		Michael W. Connolly
		Elaine Szymoniak
		Betty Soukup
		Patricia M. Harper
		Michael E. Gronstal
		John P. Kibbie
		Mark Shearer
		Wally E. Horn
		Dick L. Dearden
S-3306	H.F. 737	Joe Bolkcom
		Jack Rife

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 5:46 p.m., until 9:00 a.m., Thursday, April 8, 1999.

41st

Memorial

Service

Senate Chamber
Wednesday, April 7, 1999
7:00 p.m.

Mary Kramer
West Des Moines
President of the Senate

Michael E. Marshall
Urbandale
Secretary of the Senate

Ron J. Corbett
Cedar Rapids
Speaker of the House

Elizabeth A. Isaacson
Des Moines
Chief Clerk of the House

JOINT MEMORIAL SERVICE

SEVENTY-EIGHTH GENERAL ASSEMBLY

SENATE CHAMBER

WEDNESDAY, APRIL 7, 1999

PROGRAM

Senator John Jensen, presiding

Prelude.....Pianist, Senator Mary Kramer

“Life’s Railway to Heaven”.....C. Tillman
 Instrumental: Senator Andy McKean

Invocation.....Senator John Jensen

MEMORIALS – HOUSE

Reader: Representative Dan Boddicker

MEMORIALS – SENATE and HOUSE

Reader: Senator O. Gene Maddox

MEMORIALS – HOUSE

Reader: Representative Donna M. Barry

“In This Very Room”.....Ron and Carol Harris

Memorial Choir: Directed by Senator Mark S. Shearer

Accompanied by Senator Mary Kramer

MEMORIALS – HOUSE and SENATE

Reading: Representative Hubert M. Houser and Senator Robert E. Dvorsky

“On Eagle’s Wings”.....Michael Joncas

Senator Merlin Bartz

MEMORIALS – SENATE and HOUSE

Reading: Senator Eugene Fraise

MEMORIALS – HOUSE and SENATE

Reading: Representative Dennis May

MEMORIALS – HOUSE

Reading: Senator Michael W. Connolly

“Let There Be Peace on Earth”.....Sy Miller and Jill Jackson

Memorial Choir

IN MEMORIAM

SERVED IN THE SENATE

Honorable Max Milo Mills (Marshall County): 61st and 62nd (1965-1968)

SERVED IN THE HOUSE OF REPRESENTATIVES AND THE SENATE

Honorable Warren E. Curtis (Cherokee County): House – 64th (1971-1972) Senate – 65th, 66th, 67th, and 67th X (1973-1978)

Honorable Robert R. Dodds (Des Moines County): House – 57th, 58th, and 59th (1957-1962) Senate – 60th, 60th X, 61st, 62nd, and 63rd (1963-1970)

Honorable James O. Henry (Pottawattamie County): House – 55th and 56th (1953-1956) Senate – 57th and 58th (1957-1960)

Honorable Lee Holt (Clay County): House – 68th, 69th, 69th X, 69th XX (1979-1982) Senate – 70th, 71st, 72nd, 72nd X, and 72nd XX (1983-1988)

Honorable Emil J. Husak (Tama County): House – 64th, 65th, 66th, 67th, 67th X, and 68th (1971-1980) Senate – 69th, 69X, 69th XX, 70th, 71st, 72nd, 72nd X, 72nd XX, 73rd, 74th, 74th X, 74th XX, 75th and 76th (1981-1996)

SERVED IN THE HOUSE OF REPRESENTATIVES

Honorable M. W. "Jack" Beaman (Clarke County): 72nd, 72nd X, 72nd XX, 73rd, 74th, 74th X, 74th XX, and 75th (1987-1994)

Honorable Phillip E. Brammer (Linn County): 70th, 71st, 72nd, 72nd X, 72nd XX, 73rd, 74th, 74th X, 74th XX, 75th, and 76th (1983-1996)

Honorable Donovan W. Burington (Woodbury County): 46th (1935-1936)

Honorable Herbert L. Campbell, II (Washington County): 63rd and 64th (1969-1972)

Honorable Horace C. Daggett (Union County): 65th, 66th, 67th, 67th X, 68th, 69th, 69th X, 69th XX, 70th, 71st, 72nd, 72nd X, 72nd XX, 73rd, 74th, 74th X, 74th XX, 75th, and 76th (1973-1996)

Honorable Lloyd G. Jackson (Clinton County): 61st (1965-1966)

Honorable James D. Jordan (Linn County): 65th and 66th (1973-1976)

Honorable Willis E. Junker (Woodbury County): 65th, 66th, 67th and 67thX (1973-1978)

Honorable Carroll A. Lane (Carroll County): 50th, 50thX, and 51st (1943-1946)

Honorable Harry C. Madden (Union County): 61st (1965-1966)

Honorable Floyd H. Millen (Van Buren County): 60th, 60thX, 61st, 62nd, 63rd, 64th, 65th, 66th, 67th, 67X, and 68th (1963-1980)

Honorable Roy A. Miller (Jones County): 60th, 60thX, 62nd and 63rd (1963-1964) and (1967-1970)

Honorable Harold F. Mueller (Worth County): 58th, 59th, 60th, 60thX, and 61st (1959-1966)

Honorable Louis J. Muhlbauer (Crawford County): 70th, 71st, 72nd, 72ndX, 72ndXX, 73rd, 74th, 74thX, and 74thXX (1983-1992)

Honorable Samuel E. Orebaugh (Polk County): 50th and 50thX (1943-1944)

Honorable Don W. Shoning (Woodbury County): 71st, 72nd, 72ndX, 72ndXX, 73rd, 74th, 74thX, and 74thXX (1985-1992)

CANDLELIGHTERS

Senator Betty Soukup
Senator Maggie Tinsman
Senator Patricia Harper
Representative Effie Lee Boggess
Representative Russell J. Eddie

HOSTS

Senator Mary Lou Freeman
Senator H. Kay Hedge
Senator John P. Kibbie
Representative Cecil Dolecheck
Representative Clarence C. Hoffman
Representative John P. Sunderbruch

SENATE MEMORIAL COMMITTEE

Honorable Richard F. Drake, Chair
Honorable Michael W. Connolly
Honorable John P. Kibbie
Honorable Merlin E. Bartz
Honorable O. Gene Maddox
Honorable Mark S. Shearer

HOUSE MEMORIAL COMMITTEE

Honorable Ralph F. Klemme, Chair
Honorable Carmine Boal
Honorable William A. Dotzler, Jr.
Honorable Dolores M. Mertz

JOURNAL OF THE SENATE

EIGHTY-EIGHTH CALENDAR DAY
FIFTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 8, 1999

The Senate met in regular session at 9:19 a.m., President Kramer presiding.

Prayer was offered by Jane Jordon, pastor of the United Methodist Church, Woodbine, Iowa.

The Journal of Wednesday, April 7, 1999, was approved.

A quartet from Woodbine sang in the well of the Senate. Members of the quartet include: Jim Cotton, Max Poe, Bill Hutcheson and Forrest Johnson. They were accompanied by Maggie Cotton on the piano.

RECESS

On motion of Senator Iverson, the Senate recessed at 9:33 a.m., until the fall of the gavel.

RECONVENED

The Senate reconvened at 10:57 a.m., President Kramer presiding.

QUORUM CALL

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

The vote revealed 38 present, 12 absent, and a quorum present.

INTRODUCTION OF VISITORS

The Chair welcomed ten University of Dubuque students, Dubuque, Iowa, accompanied by Dr. David Roberts, who were present in the Senate Gallery. Senator Flynn.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Horn and Hansen until they arrive, on request of Senator Fink; Senator Zieman until he arrives, on request of Senator Johnson.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration House Files 570, 345 and 375.

House File 570

On motion of Senator Angelo, House File 570, a bill for an act relating to the Iowa turkey marketing council, by providing procedures for the administration of the council, a producer assessment, refunds, and for the expenditure of moneys by the council, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Angelo offered amendment S-3111 filed by the committee on Agriculture on March 22, 1999, to page 6 of the bill and moved its adoption.

Amendment S-3111 was adopted by a voice vote.

Senator Angelo moved that the bill be read the last time now and placed upon its passage, 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, 45:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Deluhery
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gaskill	Gronstal
Hammond	Harper	Hedge	Iverson
Jensen	Johnson	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Sexton
Shearer	Soukup	Szymoniak	Tinsman
Veenstra			

Nays, 1:

Dearden

Absent or not voting, 4:

Hansen	Horn	Judge	Zieman
--------	------	-------	--------

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

House File 345

On motion of Senator Schuerer, **House File 345**, a bill for an act relating to permissible fees to be charged for maintaining a demand deposit account with a line of credit, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 345), the vote was:

Ayes, 38:

Angelo	Bartz	Behn	Black
Boettger	Deluhery	Drake	Flynn
Freeman	Gaskill	Gronstal	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Kibbie	Kramer	Lamberti
Lundby	Maddox	McKean	McKibben
McLaren	Miller	Redfern	Redwine

Rehberg
Sexton
Tinsman

Rife
Shearer
Veenstra

Rittmer
Soukup

Schuerer
Szymoniak

Nays, 8:

Bolkcom
Fink

Connolly
Fraise

Dearden
Hammond

Dvorsky
McCoy

Absent or not voting, 4:

Hansen

Judge

King

Zieman

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

House File 375

On motion of Senator Schuerer, **House File 375**, a bill for an act eliminating the requirement that information relating to open-end credit accounts and credit cards be filed with the treasurer of state, with report of committee recommending passage, was taken up for consideration.

Senator Fink asked and received unanimous consent that action on **House File 375** be deferred.

MOTION TO RECONSIDER LOST

Senate File 464

Senator Rehberg called up the motion to reconsider Senate File 464, a bill for an act relating to the funding of, operation of, and appropriation of moneys to the college student aid commission, the department of cultural affairs, the department of education, and the state board of regents, providing related statutory changes, and providing effective dates, filed by her on April 6, 1999, found on page 974 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 464) the vote was:

Ayes, 18:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gronstal	Hammond	Harper
Horn	Kibbie	McCoy	Shearer
Soukup	Szymoniak		

Nays, 29:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Jensen	Johnson	King
Kramer	Lamberti	Lundby	Maddox
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Sexton	Tinsman
Veenstra			

Absent or not voting, 3:

Hansen	Judge	Zieman
--------	-------	--------

The motion lost.

The motions to reconsider Senate File 464, filed by Senators Horn and McLaren on April 6, 1999, and found on page 974 of the Senate Journal, were out of order.

PRESENTATION OF VISITORS

The Chair welcomed thirty-five sixth grade students from Nashua Community School, Nashua, Iowa, accompanied by Principal Ed Anderson. Senator Soukup.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that Senate File 464 and House Files 345 and 570 be immediately messaged to the House.

HOUSE MESSAGE RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 8, 1999, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 22, a concurrent resolution recognizing the Annie E. Casey Foundation for the Foundation's many contributions to this state's efforts to the well-being of Iowa's children and families through community-based reforms.

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

RECESS

On motion of Senator Iverson, the Senate recessed at 11:44 a.m., until 2:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 7, 1999, 5:50 p.m.

Members Present: McLaren, Chair; Kramer, Vice Chair; Flynn, Ranking Member; Behn, Black, Bolkcom, Connolly, Deluhery, Dvorsky, Freeman, Hammond, Hedge, Horn, Jensen, Johnson, King, Lamberti, Maddox, McCoy, Redwine, Rehberg, Rife, Schuerer, Soukup, and Tinsman.

Members Absent: None.

Committee Business: Passed HF 745, as amended.

Adjourned: 6:05 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: April 8, 1999, 9:35 a.m.

Members Present: Bartz, Chair; Fink, Ranking Member; Black, Dearden, Drake, Gaskill, Kibbie, Miller, and Rife.

Members Absent: King, Vice Chair; Bolkcom, Deluhery, Freeman, Johnson, and Rehberg (all excused).

Committee Business: Recommended governor's appointee for confirmation.

Adjourned: 9:40 a.m.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Calendar with recommendations for confirmation on April 8, 1999:

JUDICIARY

Walter Reed, Jr. – Board of Corrections

Linda Steensland – State Judicial Nominating Commission

NATURAL RESOURCES AND ENVIRONMENT

Gary Priebe – Environmental Protection Commission

COMMITTEE REPORT

APPROPRIATIONS

Final Bill Action: HOUSE FILE 745, a bill for an act appropriating funds to the department of economic development, certain board of regents institutions, the department of workforce development, and the public employment relations board, making related statutory changes, and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3308.

Final Vote: Ayes, 25: McLaren, Kramer, Flynn, Behn, Black, Bolkcom, Connolly, Deluhery, Dvorsky, Freeman, Hammond, Hedge, Horn, Jensen, Johnson, King, Lamberti, Maddox, McCoy, Redwine, Rehberg, Rife, Schuerer, Soukup, and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3307	H.F. 737	Patricia M. Harper
S-3308	H.F. 745	Appropriations
S-3309	H.F. 476	Maggie Tinsman
S-3310	H.F. 734	Michael E. Gronstal
S-3311	H.F. 737	Johnie Hammond Patricia M. Harper Joe Bolkcom
S-3312	H.F. 688	Robert E. Dvorsky Bill Fink Sheldon Rittmer

AFTERNOON SESSION

The Senate reconvened at 2:11 p.m., President pro tempore Redfern presiding.

QUORUM CALL

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

The vote revealed 43 present, 7 absent, and a quorum present.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Hedge asked and received unanimous consent to take up for consideration House File 651.

House File 651

On motion of Senator Jensen, **House File 651**, a bill for an act relating to implements of husbandry and restrictions on the movement of such implements, and other vehicles, upon the highways of this state and making penalties applicable, with report of committee recommending passage, was taken up for consideration.

Senator Fraise offered amendment S-3126 filed by him on March 23, 1999, to page 7 of the bill and moved its adoption.

A non-record roll call was requested.

The ayes were 12, nays 28.

Amendment S-3126 lost.

Senator Fraise asked and received unanimous consent to withdraw amendment S-3125 filed by him on March 23, 1999, to page 7 of the bill.

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. 651), the vote was:

Ayes, 46:

Angelo	Behn	Black	Boettger
Bolkcom	Connolly	Dearden	Deluhery
Drake	Dvorsky	Fink	Flynn
Freeman	Gaskill	Gronstal	Hammond
Harper	Hedge	Horn	Iverson
Jensen	Johnson	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Sexton
Shearer	Soukup	Szymoniak	Tinsman
Veenstra	Zieman		

Nays, 1:

Fraise

Absent or not voting, 3:

Bartz	Hansen	Judge
-------	--------	-------

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 Fink until he returns, on request of Senator Black.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Hedge asked and received unanimous consent to take up for consideration House File 737.

House File 737

On motion of Senator Rife, **House File 737**, a bill for an act relating to and making appropriations to the department for the blind, the Iowa state civil rights commission, the department of elder affairs, the Iowa department of public health, the department of human rights, the governor's alliance on substance abuse, and the commission of veterans affairs, and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator McLaren offered amendment S-3266 filed by the committee on Appropriations on April 6, 1999, to pages 12 and 18 of the bill.

Senator Rife offered amendment S-3313 filed by Senators Rife and Hammond from the floor, to amendment S-3266.

President Kramer took the chair at 2:54 p.m.

Senator Flynn asked and received unanimous consent that action on amendment S-3313 be **deferred**.

Senator Bolkcom offered amendment S-3300 filed by him on April 7, 1999, to amendment S-3266 and moved its adoption.

Amendment S-3300 was adopted by a voice vote.

Senator Rife asked and received unanimous consent that action on amendment S-3266 be **deferred**.

Senator Bolkcom offered amendment S-3305 filed by Senators Bolkcom, et al., on April 7, 1999, to page 8 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3305 be adopted?" (H.F. 737), the vote was:

Ayes, 17:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Flynn	Fraise
Gronstal	Hammond	Harper	Horn
Kibbie	McCoy	Shearer	Soukup
Szymoniak			

Nays, 30:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Jensen	Johnson	King
Kramer	Lamberti	Lundby	Maddox
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Sexton	Tinsman
Veenstra	Zieman		

Absent or not voting, 3:

Fink	Hansen	Judge
------	--------	-------

Amendment S-3305 lost.

Senator Hammond offered amendment S-3311 filed by Senators Hammond, Harper and Bolkcom from the floor, to page 8 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3311 be adopted?" (H.F. 737), the vote was:

Ayes, 18:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Flynn	Fraise
Gronstal	Hammond	Harper	Horn
Kibbie	Lundby	McCoy	Shearer
Soukup	Szymoniak		

Nays, 29:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Jensen	Johnson	King
Kramer	Lamberti	Maddox	McKean
McKibben	McLaren	Miller	Redfern

Redwine
Schuerer
Zieman

Rehberg
Sexton

Rife
Tinsman

Rittmer
Veenstra

Absent or not voting, 3:

Fink

Hansen

Judge

Amendment S-3311 lost.

Senator Bolkom asked and received unanimous consent to withdraw amendment S-3304 filed by him on April 7, 1999, to page 14 of the bill.

Senator Bolkom offered amendment S-3317 filed by him from the floor, to page 14 of the bill and moved its adoption.

Amendment S-3317 was adopted by a voice vote.

Senator Bolkom offered amendment S-3306 filed by Senators Bolkom and Rife on April 7, 1999, to page 15 of the bill and moved its adoption.

Amendment S-3306 was adopted by a voice vote.

Senator Harper offered amendment S-3307 filed by her from the floor, to page 18 of the bill and moved its adoption.

Amendment S-3307 lost by a voice vote.

Senator Harper offered amendment S-3299 filed by her on April 7, 1999, to page 18 of the bill and moved its adoption.

A non-record roll call was requested.

The ayes were 18, nays 28.

Amendment S-3299 lost.

The Senate resumed consideration of amendment S-3266 by the committee on Appropriations to pages 12 and 18 of the bill, previously deferred.

The Senate resumed consideration of amendment S-3313 by Senators Rife and Hammond to amendment S-3266, previously deferred.

Senator Rife asked and received unanimous consent to withdraw amendment S-3313.

Senator Rife offered amendment S-3321 filed by Senators Rife and Flynn from the floor, to amendment S-3266 and moved its adoption.

Amendment S-3321 was adopted by a voice vote.

Senator Rife moved adoption of amendment S-3266, which motion prevailed by a voice vote.

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

On the question "Shall the bill pass?" (H.F. 737), the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Flynn
Fraise	Freeman	Gaskill	Gronstal
Hammond	Harper	Hedge	Horn
Iverson	Jensen	Johnson	Kibbie
King	Kramer	Lamberti	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Miller	Redfern	Redwine
Rehberg	Rife	Rittmer	Schuerer
Sexton	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 3:

Fink	Hansen	Judge
------	--------	-------

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

Senator Iverson asked and received unanimous consent that **House File 737** be **immediately messaged** to the House.

UNFINISHED BUSINESS

Senate File 351

On motion of Senator Angelo, **Senate File 351**, a bill for an act relating to the exercise of the power of eminent domain and to condemnation proceedings and providing for the Act's applicability, placed on the Unfinished Business Calendar on March 31, 1999, was taken up for consideration.

Senator Angelo offered amendment S-3205 filed by him on March 31, 1999, to pages 1, 2, 6, 7, 9, 11, 15, 16, 20, 21 and 23 of the bill and moved its adoption.

Amendment S-3205 was adopted by a voice vote.

Senator Angelo asked and received unanimous consent that **House File 476** be substituted for **Senate File 351** as amended.

House File 476

On motion of Senator Angelo, **House File 476**, a bill for an act relating to the exercise of the power of eminent domain and to condemnation proceedings and providing for the Act's applicability, was taken up for consideration.

The Senate stood at ease at 3:52 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 4:16 p.m., President pro tempore Redfern presiding.

Senator Black offered amendment S-3214 filed by him on April 1, 1999, to page 1 of the bill and moved its adoption.

Amendment S-3214 was adopted by a voice vote.

Senator Angelo offered amendment S-3206 filed by him on March 31, 1999, to pages 1, 2 and 16 of the bill and moved its adoption.

Amendment S-3206 was adopted by a voice vote.

The Senate stood at ease at 4:55 p.m. until the fall of the gavel.

The Senate resumed session at 5:50 p.m., President Kramer presiding.

BILLS PLACED ON UNFINISHED BUSINESS CALENDAR

Senator Iverson asked and received unanimous consent to that the following bills be placed on the Unfinished Business Calendar:

H.F. 100

H.F. 115

H.F. 165

H.F. 172

H.F. 210

H.F. 234

H.F. 242

H.F. 255

H.F. 281

H.F. 293

H.F. 296

H.F. 308

H.F. 310

H.F. 311

H.F. 312

H.F. 313

H.F. 331

H.F. 337

H.F. 339

H.F. 343

H.F. 379

H.F. 386

H.F. 395

H.F. 402

H.F. 412

H.F. 414
H.F. 417
H.F. 433
H.F. 442
H.F. 445
H.F. 448
H.F. 458
H.F. 461
H.F. 472
H.F. 474
H.F. 489
H.F. 498
H.F. 501
H.F. 521
H.F. 531
H.F. 532
H.F. 584
H.F. 624
H.F. 634
H.F. 636
H.F. 637
H.F. 647
H.F. 656
H.F. 660
H.F. 661
H.F. 662
H.F. 663
H.F. 664
H.F. 672
H.F. 675
H.F. 676
H.F. 688
H.F. 689
H.F. 696
H.F. 700
H.F. 703
H.F. 705
H.F. 707
H.F. 708
H.F. 711
H.F. 713

H.F. 714
H.F. 732
H.F. 734
H.F. 741
H.J.R. 13

QUORUM CALL

Senator Iverson 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 476

The Senate resumed consideration of **House File 476**, a bill for an act relating to the exercise of the power of eminent domain and to condemnation proceedings and providing for the Act's applicability, and amendment S-3213 by Senator Szymoniak to page 1 of the bill.

Senator Szymoniak moved adoption of amendment S-3213.

A non-record roll call was requested.

The ayes were 21, nays 27.

Amendment S-3213 lost.

Senator McCoy offered amendment S-3267 filed by him on April 6, 1999, to page 2 of the bill and moved its adoption.

Amendment S-3267 lost by a voice vote.

The Senate stood at ease at 6:08 p.m. until the fall of the gavel.

The Senate resumed session at 6:13 p.m., President Kramer presiding.

Senator Black offered amendment S-3215 filed by him on April 1, 1999, to pages 2 and 19 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S-3215 be adopted?" (H.F. 476), the vote was:

Ayes, 22:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Gronstal	Hammond	Harper	Horn
Kramer	Lamberti	Lundby	Maddox
McCoy	McKean	Miller	Redfern
Szymoniak	Tinsman		

Nays, 26:

Angelo	Bartz	Behn	Boettger
Drake	Fraise	Freeman	Gaskill
Hedge	Iverson	Jensen	Johnson
Kibbie	King	McKibben	McLaren
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Shearer	Soukup
Veenstra	Zieman		

Absent or not voting, 2:

Hansen Judge

Amendment S-3215 lost.

Senator Angelo offered amendment S-3314 filed by him from the floor, to page 2 of the bill and moved its adoption.

Amendment S-3314 was adopted by a voice vote.

Senator Lamberti offered amendment S-3276 filed by him on April 6, 1999, to pages 10 and 24 of the bill.

Senator Lamberti called for a division of amendment S-3276: lines 3-17 as division A; lines 18-42 as division B.

Senator Lamberti asked and received unanimous consent that action on amendment S-3276 division A be deferred.

The Senate stood at ease at 6:30 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 7:23 p.m., President Kramer presiding.

Senator Lamberti moved the adoption of amendment S-3276 division B.

A non-record roll call was requested.

The ayes were 30, nays 6.

Amendment S-3276 division B was adopted.

Senator Tinsman offered amendment S-3309 filed by her from the floor, to page 10 of the bill.

Senator Lamberti offered amendment S-3320 filed by him from the floor, to amendment S-3309 of the bill and moved its adoption.

Amendment S-3320 was adopted by a voice vote.

Senator Tinsman moved adoption of amendment S-3309 as amended.

A non-record roll call was requested.

The ayes were 28, nays 10.

Amendment S-3309 was adopted.

With the adoption of amendment S-3309, the Chair ruled amendment S-3276 division A filed by Senator Lamberti on April 6, 1999, previously deferred, out of order.

Senator Angelo offered amendment S-3207 filed by him on March 31, 1999, to pages 16, 22 and 23 of the bill and moved its adoption.

Amendment S-3207 was adopted by a voice vote.

Senator Angelo offered amendment S-3208 filed by him on March 31, 1999, to page 16 of the bill.

Senator Angelo asked and received unanimous consent that action on amendment S-3208 be **deferred**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Black until he returns, on request of Senator Gronstal.

Senator Jensen offered amendment S-3319 filed by him from the floor, to page 24 of the bill.

Senator Dvorsky raised the point of order that amendment S-3319 was not germane to the bill.

The Chair ruled the point well taken and amendment S-3319 out of order.

Senator McCoy offered amendment S-3325 filed by Senators McCoy, Gronstal and Maddox from the floor, to pages 2, 16, 17, 21 and 22 of the bill.

President pro tempore Redfern took the chair at 7:58 p.m.

Senator McCoy moved adoption of amendment S-3325.

A non-record roll call was requested

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

The ayes were 27, nays 20.

Amendment S-3325 was adopted.

Senator Kramer offered amendment S-3328 filed by her 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-3328 be adopted?" (H.F. 476), the vote was:

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

Ayes, 26:

Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Flynn
Gronstal	Harper	Horn	Jensen
Kibbie	Kramer	Lamberti	Lundby
Maddox	McCoy	McKibben	Redfern
Redwine	Rittmer	Shearer	Szymoniak
Tinsman	Veenstra		

Nays, 21:

Angelo	Bartz	Behn	Fink
Fraise	Freeman	Gaskill	Hammond
Hedge	Iverson	Johnson	King
McKean	McLaren	Miller	Rehberg
Rife	Schuerer	Sexton	Soukup
Zieman			

Absent or not voting, 3:

Black	Hansen	Judge
-------	--------	-------

Amendment S-3328 was adopted.

Senator Dvorsky offered amendment S-3324 filed by Senators Dvorsky and Maddox from the floor, to page 5 of the bill.

President Kramer took the chair at 8:21 p.m.

Senator Dvorsky moved adoption of amendment S-3324.

A non-record roll call was requested.

The ayes were 18, nays 28.

Amendment S-3324 lost.

Senator McCoy offered amendment S-3322 filed by Senators McCoy and Maddox from the floor, to pages 15 and 16 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S-3322 be adopted?" (H.F. 476), the vote was:

Ayes, 21:

Bolkcom	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Gronstal	Hammond	Harper	Horn
Kibbie	Lundby	Maddox	McCoy
Redfern	Redwine	Shearer	Szymoniak
Tinsman			

Nays, 26:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Jensen	Johnson	King
Kramer	Lamberti	McKean	McKibben
McLaren	Miller	Rehberg	Rife
Rittmer	Schuerer	Sexton	Soukup
Veenstra	Zieman		

Absent or not voting, 3:

Black	Hansen	Judge
-------	--------	-------

Amendment S-3322 lost.

Senator Fink offered amendment S-3326 filed by him from the floor, to pages 21, 24 and to the title page of the bill.

Senator Maddox raised the point order that amendment S-3326 was not germane to the bill.

The Chair ruled the point well taken and amendment S-3326 out of order.

Senator McCoy offered amendment S-3323 filed by Senators McCoy, Gronstal and Maddox from the floor, to page 24 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3323 be adopted?" (H.F. 476), the vote was:

Ayes, 20:

Bolkcom	Connolly	Dearden	Deluhery
Dvorsky	Flynn	Gronstal	Hammond
Harper	Horn	Kramer	Lamberti
Lundby	Maddox	McCoy	Redfern
Redwine	Shearer	Szymoniak	Tinsman

Nays, 27:

Angelo	Bartz	Behn	Boettger
Drake	Fink	Fraise	Freeman
Gaskill	Hedge	Iverson	Jensen
Johnson	Kibbie	King	McKean
McKibben	McLaren	Miller	Rehberg
Rife	Rittmer	Schuerer	Sexton
Soukup	Veenstra	Zieman	

Absent or not voting, 3:

Black	Hansen	Judge
-------	--------	-------

Amendment S-3323 lost.

With the adoption of amendment S-3325, the Chair ruled amendment S-3208 filed by Senator Angelo on March 31, 1999, out of order

Senator McCoy asked and received unanimous consent that action on **House File 476** be **deferred**.

COMMITTEE REPORT

RULES AND ADMINISTRATION

Final Bill Action: HOUSE CONCURRENT RESOLUTION 22, a concurrent resolution recognizing the Annie E. Casey Foundation for the Foundation's many contributions to this state's efforts to the well-being of Iowa's children and families through community-based reforms.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Iverson, Kramer, Gronstal, Dvorsky, Fink, Harper, Jensen, Lundby, Redfern, Rehberg, and Rittmer. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ADOPTION OF RESOLUTION

Senator Iverson asked and received unanimous consent to take up for consideration House Concurrent Resolution 22.

House Concurrent Resolution 22

On motion of Senator Szymoniak, **House Concurrent Resolution 22**, a concurrent resolution recognizing the Annie E. Casey Foundation for the Foundation's many contributions to this state's efforts to the well-being of Iowa's children and families through community-based reforms, with report of committee recommending passage, was taken up for consideration.

Senator Szymoniak moved the adoption of House Concurrent Resolution 22, which motion prevailed by a voice vote.

BUSINESS PENDING

House File 476

The Senate resumed consideration of **House File 476**, a bill for an act relating to the exercise of the power of eminent domain and to condemnation proceedings and providing for the Act's applicability, previously deferred.

Senator McCoy asked and received unanimous consent to withdraw amendment S-3330 filed by Senators McCoy and Johnson from the floor, to page 2 of the bill.

Senator McCoy asked and received unanimous consent to withdraw amendment S-3332 filed by Senators McCoy, Johnson and Redfern from the floor to page 2 of the bill.

With the withdrawal of amendment S-3332, the Chair ruled amendment S-3333, filed by Senator Bartz from the floor to amendment S-3332 of the bill, out of order.

Senator McCoy offered amendment S-3334 filed by Senators McCoy, Johnson and Redfern from the floor, to page 2 of the bill.

Senator Bartz offered amendment S-3335 filed by him from the floor, to amendment S-3334 and moved its adoption.

A non-record roll call was requested.

The ayes were 8, nays 30.

Amendment S-3335 lost.

Senator McCoy moved adoption of amendment S-3334.

A record roll call was requested.

On the question "Shall amendment S-3334 be adopted?" (H.F. 476), the vote was:

Ayes, 23:

Boettger	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Gronstal	Hammond	Harper	Horn
Johnson	Kramer	Lamberti	Lundby
Maddox	McCoy	Redfern	Redwine
Shearer	Szymoniak	Tinsman	

Nays, 24:

Angelo	Bartz	Behn	Drake
Fraise	Freeman	Gaskill	Hedge
Iverson	Jensen	Kibbie	King
McKean	McKibben	McLaren	Miller
Rehberg	Rife	Rittmer	Schuerer
Sexton	Soukup	Veenstra	Zieman

Absent or not voting, 3:

Black	Hansen	Judge
-------	--------	-------

Amendment S-3334 lost.

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

On the question "Shall the bill pass?" (H.F. 476), the vote was:

Ayes, 28:

Angelo	Bartz	Behn	Boettger
Drake	Fink	Fraise	Freeman
Gaskill	Hedge	Iverson	Jensen
Johnson	Kibbie	King	Lamberti
McKean	McLaren	Miller	Rehberg
Rife	Rittmer	Schuerer	Sexton
Shearer	Soukup	Veenstra	Zieman

Nays, 19:

Bolkcom	Connolly	Dearden	Deluhery
Dvorsky	Flynn	Gronstal	Hammond
Harper	Horn	Kramer	Lundby
Maddox	McCoy	McKibben	Redfern
Redwine	Szymoniak	Tinsman	

Absent or not voting, 3:

Black	Hansen	Judge
-------	--------	-------

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House Files 476, 651 and House Concurrent Resolution 22** be immediately messaged to the House.

HOUSE MESSAGES RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 8, 1999, adopted the following resolution in which the concurrence of the House was asked:

Senate Joint Resolution 2, a joint resolution relating to the designation of the Old State Historical Building as the Ola Babcock Miller State Office Building.

ALSO: That the House has on April 8, 1999, passed the following bill in which the concurrence of the House was asked:

Senate File 114, a bill for an act allowing certain utility employees to operate all-terrain vehicles and snowmobiles on railroad rights of way.

ALSO: That the House has on April 8, 1999, amended and passed the following bill in which the **concurrence** of the **Senate** is asked:

Senate File 249, a bill for an act relating to the operation and regulation of insurance companies, including the treatment of certain confidential information by the commissioner, the operation of certain types of insurance companies, and the rights and duties of insurance companies under certain policies issued in this state.
(S-3329)

APPENDIX

REPORT OF COMMITTEE MEETING

RULES AND ADMINISTRATION

Convened: April 8, 1999, 6:10 p.m.

Members Present: Iverson, Chair; Kramer, Vice Chair; Gronstal, Ranking Member; Dvorsky, Fink, Harper, Jensen, Lundby, Redfern, Rehberg, and Rittmer.

Members Absent: None.

Committee Business: Passed HCR 22, SCR 19, SR 12, and SR 13.

Adjourned: 6:12 p.m.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Dale W. Henricks, Superintendent Roland-Story Community School – For 38 years of dedicated and distinguished service to education in Iowa. Senator McKibben (04/07/99).

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 464, the following corrections were made:

1. Page 32, line 8, the word and number "Section 501" were changed to the word and number "Section 9".
2. Page 32, line 11, the word and number "Section 9" were changed to the word and number "Section 10".
3. Page 32, line 14, the word and number "Section 10" were changed to the word and number "Section 11".
4. Page 32, line 17, the word and number "Section 29" were changed to the word and number "Section 31".

MICHAEL E. MARSHALL
Secretary of the Senate

EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on April 8, 1999, when the vote was taken on House File 651. Had I been present, I would have voted "Aye."

MERLIN E. BARTZ

PETITIONS

The following petitions were presented and placed on file by:

Senator Fraise, from eleven residents of Des Moines County, Iowa, favoring legislation supporting a fuel quality standard for Iowa, supporting Ethanol.

Senator Rehberg, from nineteen residents of Fayette County, Iowa, favoring legislation in support of the use of Ethanol as a fuel quality standard for Iowa.

GOVERNOR'S APPOINTEES PLACED ON
INDIVIDUAL CONFIRMATION CALENDAR

The following appointees, assigned to standing committee for investigation, were placed on the Individual Confirmation Calendar with recommendations for confirmation on April 8, 1999:

COMMERCE

Gary D. Stewart – Consumer Advocate

Therese M. Vaughan – Commissioner of Insurance

COMMITTEE REPORTS

RULES AND ADMINISTRATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 19, a concurrent resolution designating December 15, 1999, as Bill of Rights Day.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Iverson, Kramer, Gronstal, Dvorsky, Fink, Harper, Jensen, Lundby, Redfern, Rehberg, and Rittmer. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE RESOLUTION 12, a resolution honoring University of Iowa Basketball Coach Tom Davis.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Iverson, Kramer, Gronstal, Dvorsky, Fink, Harper, Jensen, Lundby, Redfern, Rehberg, and Rittmer. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE RESOLUTION 13, a resolution congratulating the University of Iowa Hawkeyes Wrestling Team.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Iverson, Kramer, Gronstal, Dvorsky, Fink, Harper, Jensen, Lundby, Redfern, Rehberg, and Rittmer. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3313	H.F. 737	Jack Rife Johnie Hammond
S-3314	H.F. 476	Jeff Angelo
S-3315	H.F. 745	Betty A. Soukup
S-3316	H.F. 734	John Redwine Johnie Hammond Elaine Szymoniak Nancy Boettger Maggie Tinsman
S-3317	H.F. 737	Joe Bolkcom
S-3318	H.F. 664	Elaine Szymoniak
S-3319	H.F. 476	John W. Jensen
S-3320	H.F. 476	Jeff Lamberti
S-3321	H.F. 737	Jack Rife Tom Flynn
S-3322	H.F. 476	Matt McCoy Gene Maddox
S-3323	H.F. 476	Matt McCoy Michael E. Gronstal Gene Maddox
S-3324	H.F. 476	Robert E. Dvorsky Gene Maddox
S-3325	H.F. 476	Matt McCoy Michael E. Gronstal Gene Maddox
S-3326	H.F. 476	Bill Fink
S-3327	S.F. 136	Larry McKibben
S-3328	H.F. 476	Mary E. Kramer

S-3329	S.F. 249	House
S-3330	H.F. 476	Matt McCoy JoAnn Johnson
S-3331	S.F. 445	Jack Rife Derryl McLaren
S-3332	H.F. 476	Matt McCoy JoAnn Johnson Don Redfern
S-3333	H.F. 476	Merlin E. Bartz
S-3334	H.F. 476	Matt McCoy JoAnn Johnson Don Redfern
S-3335	H.F. 476	Merlin E. Bartz
S-3336	H.F. 711	Larry McKibben Andy McKean Gene Maddox Johnie Hammond Robert E. Dvorsky

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 10:40 p.m., until 1:00 p.m., Monday, April 12, 1999.

JOURNAL OF THE SENATE

NINETY-SECOND CALENDAR DAY
FIFTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 12, 1999

The Senate met in regular session at 1:07 p.m., President Kramer presiding.

Prayer was offered by Father Rassmussen of St. Cecilia Church, Ames, Iowa.

The Journal of Thursday, April 8, 1999, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Sexton for today and April 13, 1999, on request of Senator King; Senator Deluhery until he arrives, on request of Senator Gronstal.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Iverson called up the appointment of James Braun, as a member of the Environmental Protection Commission, placed on the Individual Confirmation Calendar on April 1, 1999, and found on page 906 of the Senate Journal.

Senator Bartz moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 47:

Angelo
Boettger

Bartz
Bolkcom

Behn
Connolly

Black
Dearden

Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 3:

Deluhery	McLaren	Sexton
----------	---------	--------

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Iverson called up the appointment of Cynthia P. Eisenhower, as Director of the Department of Management, placed on the Individual Confirmation Calendar on February 23, 1999, and found on page 371 of the Senate Journal.

Senator Dearden moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 3:

Deluhery

McLaren

Sexton

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Iverson called up the appointment of William Brand, as Administrator of the Division of Community Action Agencies, placed on the Individual Confirmation Calendar on April 6, 1999, and found on page 974 of the Senate Journal.

Senator Miller moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 44:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Iverson	Jensen	Johnson	Judge
Kibbie	King	Kramer	Lamberti
Maddox	McCoy	McKean	McKibben
Miller	Redfern	Redwine	Rehberg
Rittmer	Schuerer	Shearer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, none.

Absent or not voting, 6:

Deluhery
Rife

Horn
Sexton

Lundby

McLaren

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Iverson called up the appointment of R. Bruce Upchurch, as Drug Enforcement and Abuse Prevention Coordinator, placed on the Individual Confirmation Calendar on March 31, 1999, and found on page 893 of the Senate Journal.

Senator Miller moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 3:

Deluhery McLaren Sexton

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate

WITHDRAWN

Senator Angelo asked and received unanimous consent that **Senate File 351** be **withdrawn** from further consideration of the Senate.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McLaren until he arrives, on request of Senator Iverson.

UNFINISHED BUSINESS

House File 293

On motion of Senator Miller, **House File 293**, a bill for an act providing for the administration of assessments collected by the Iowa sheep and wool promotion board, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 8, 1999, 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. 293), the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 3:

Deluhery	McLaren	Sexton
----------	---------	--------

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 McCoy until he arrives, on request of Senator Gronstal.

UNFINISHED BUSINESS

(Deferred March 29, 1999)

House File 218

The Senate resumed consideration of **House File 218**, a bill for an act creating a loess hills preservation and development alliance, providing for its responsibilities, and providing for other properly related matters, deferred March 29, 1999.

Senator Hansen asked and received unanimous consent that action on amendment S-3212 filed by him on March 31, 1999, to page 2 of the bill, be deferred.

Senator Hansen asked and received unanimous consent that action on amendment S-3169 filed by him on March 25, 1999, to page 2 of the bill, be deferred.

Senator Hansen asked and received unanimous consent that action on amendment S-3170 filed by him on March 29, 1999, to pages 2-4 of the bill, be deferred.

Senator Hansen offered amendment S-3180 filed by him on March 29, 1999, to page 2 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3180 be adopted?" (H.F. 218), the vote was:

Ayes, 21:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gronstal	Hammond	Hansen
Harper	Horn	Judge	Kibbie
Lundby	McKean	Shearer	Soukup
Szymoniak			

Nays, 27:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Jensen	Johnson	King
Kramer	Lamberti	Maddox	McKibben

McLaren
Rehberg
Tinsman

Miller
Rife
Veenstra

Redfern
Rittmer
Zieman

Redwine
Schuerer

Absent or not voting, 2:

McCoy

Sexton

Amendment S-3180 lost.

Senator Hansen asked and received unanimous consent that action on **House File 218** be **deferred**.

UNFINISHED BUSINESS

House File 311

On motion of Senator Miller, **House File 311**, a bill for an act relating to reimbursement, payment, and coverage by the state for damages involving individuals providing foster home, guardian, or conservator services and providing an effective date, with report of committee recommending passage, place on the Unfinished Business Calendar on April 8, 1999, 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. 311), the vote was:

Ayes, 49:

Angelo
Boettger
Deluhery
Flynn
Gronstal
Hedge
Johnson
Kramer
McCoy
Miller
Rife
Soukup
Zieman

Bartz
Bolkcom
Drake
Fraise
Hammond
Horn
Judge
Lamberti
McKean
Redfern
Rittmer
Szymoniak

Behn
Connolly
Dvorsky
Freeman
Hansen
Iverson
Kibbie
Lundby
McKibben
Redwine
Schuerer
Tinsman

Black
Dearden
Fink
Gaskill
Harper
Jensen
King
Maddox
McLaren
Rehberg
Shearer
Veenstra

Nays, none.

Absent or not voting, 1:

Sexton

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

PRESENTATION OF VISITORS

The Chair welcomed thirty-six fifth and sixth grade students, West Hancock, Kanawaha, Iowa, accompanied by Mrs. Kalstorf and Mrs. Ziegler. Senator Gaskill.

UNFINISHED BUSINESS

House File 624

On motion of Senator King, **House File 624**, a bill for an act relating to electronic commerce security, and providing penalties, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 8, 1999, was taken up for consideration.

Senator King offered amendment S-3195 filed by the committee on Commerce on March 30, 1999, to page 2 of the bill.

Senator King asked and received unanimous consent that action on amendment S-3195 and **House File 624** be deferred.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House Files 293 and 311** be immediately messaged to the House.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration House File 745.

House File 745

On motion of Senator Schuerer, **House File 745**, a bill for an act appropriating funds to the department of economic development, certain board of regents institutions, the department of workforce development, and the public employment relations board, making related statutory changes, and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

The Senate stood at ease at 2:09 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:14 p.m., President Kramer presiding.

Senator Schuerer asked and received unanimous consent to withdraw amendment S-3308 filed by the committee on Appropriations on April 8, 1999, to pages 11 and 16 of the bill.

Senator Soukup offered amendment S-3315 filed by her on April 8, 1999, to page 11 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3315 be adopted?" (H.F. 745), the vote was:

Ayes, 20:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gronstal	Hammond	Hansen
Harper	Horn	Judge	Kibbie
McCoy	Shearer	Soukup	Szymoniak

Nays, 28:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Jensen	Johnson	King
Kramer	Lamberti	Maddox	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Tinsman	Veenstra	Zieman

Absent or not voting, 2:

Lundby

Sexton

Amendment S-3315 lost.

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

On the question "Shall the bill pass?" (H.F. 745), the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

Sexton

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

BUSINESS PENDING

House File 624

The Senate resumed consideration of **House File 624**, a bill for an act relating to electronic commerce security, and providing penalties, and amendment S-3195 by the committee on Commerce to page 2 of the bill, previously deferred.

Senator Jensen moved adoption of amendment S-3195, which motion prevailed by a voice vote.

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

On the question "Shall the bill pass?" (H.F. 624), the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rittmer
Schuerer	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, 2:

McKean Rife

Absent or not voting, 1:

Sexton

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that House Files 624 and 745 be **immediately messaged** to the House.

UNFINISHED BUSINESS
(Deferred March 31, 1999)

Senate File 458

The Senate resumed consideration of **Senate File 458**, a bill for an act relating to information required to be placed on property tax statements, deferred March 31, 1999.

Senator McKibben offered amendment S-3268 filed by Senators McKibben and Fraise on April 6, 1999, to page 1 of the bill and moved its adoption.

Amendment S-3268 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 458), the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rittmer	Schuerer	Shearer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, none.

Absent or not voting, 2:

Rife Sexton

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

UNFINISHED BUSINESS

House File 313

On motion of Senator Lamberti, **House File 313**, a bill for an act creating the new criminal offense of disarming a peace officer of a dangerous weapon, with report of committee recommending passage, placed on the Unfinished Business Calendar April 8, 1999, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 313), the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

Sexton

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

UNFINISHED BUSINESS

House File 458

On motion of Senator Jensen, **House File 458**, a bill for an act relating to the role of an auctioneer in conducting a public sale or auction involving real property, with report of committee recommending passage, placed on the Unfinished Business Calendar April 8, 1999, was taken up for consideration.

Senator McCoy offered amendment S-3260 filed by Senators Jensen and McCoy on April 6, 1999, to page 1 of the bill and moved its adoption.

Amendment S-3260 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (H.F. 458), the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

Sexton

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that Senate File 458 and House Files 313 and 458 be immediately messaged to the House.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS
(Individual Confirmation Calendar)

Senator Iverson called up the appointment of Mollie K. Anderson, as Director of the Department of Personnel, placed on the Individual Confirmation Calendar on April 1, 1999, and found on page 903 of the Senate Journal.

Senator Fink moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

Sexton

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Iverson called up the appointment of Stephen C. Gleason, as Director of Public Health, placed on the Individual Confirmation

Calendar on April 6, 1999, and found on page 974 of the Senate Journal.

Senator Redwine moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

Sexton

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Iverson called up the appointment of Diane L. Hamilton, as a member of the State Racing and Gaming Commission, placed on the Individual Confirmation Calendar on April 6, 1999, and found on page 974 of the Senate Journal.

Senator Kibbie moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Shearer
Szymoniak	Tinsman	Zieman	

Nays, none.

Absent or not voting, 3:

Sexton	Soukup	Veenstra
--------	--------	----------

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Iverson called up the appointment of James F. Hassenfritz, as a member of the State Racing and Gaming Commission, placed on the Individual Confirmation Calendar on April 6, 1999, and found on page 974 of the Senate Journal.

Senator Dearden moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Shearer

Soukup
Zieman

Szymoniak

Tinsman

Veenstra

Nays, none.

Absent or not voting, 1:

Sexton

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Iverson called up the appointment of Michael W. Mahaffey, as a member of the State Racing and Gaming Commission, placed on the Individual Confirmation Calendar on April 6, 1999, and found on page 974 of the Senate Journal.

Senator Lundby moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

Sexton

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Iverson called up the appointment of Rita Sealock, as a member of the State Racing and Gaming Commission, placed on the Individual Confirmation Calendar on April 6, 1999, and found on page 974 of the Senate Journal.

Senator McLaren moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

Sexton

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Iverson called up the appointment of Willard Hansen, as a member of the State Racing and Gaming Commission, placed on the Individual Confirmation Calendar on April 6, 1999, and found on page 974 of the Senate Journal.

Senator Maddox moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

Sexton

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

UNFINISHED BUSINESS

House File 498

On motion of Senator Tinsman, **House File 498**, a bill for an act defining as a fraudulent practice certain creation or use of retail sales receipts or universal price code labels, and applying penalties, with report of committee recommending amendment and passage, placed on the Unfinished Business Calendar on April 8, 1999, was taken up for consideration.

Senator Tinsman offered amendment S-3198 filed by the committee on Judiciary on March 30, 1999, to page 1 of the bill and moved its adoption.

Amendment S-3198 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (H.F. 498), the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

Sexton

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 216

Senator Angelo called up for consideration Senate File 216, a bill for an act relating to the commitment of sexually violent predators, by changing the deadline for filing a petition by the attorney general; providing for waiver or continuance of the probable cause hearing; granting greater enforcement power to the prosecuting attorney; extending the time to hold a trial; establishing supervised release for sexually violent persons who have been rehabilitated; providing for the preservation of certain child abuse reports; and providing the department of justice with access to such reports, amended by the House, and moved that the Senate concur in House amendment S-3225 filed April 6, 1999.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Angelo moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 216), the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

Sexton

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

UNFINISHED BUSINESS

House File 713

On motion of Senator Tinsman, **House File 713**, a bill for an act relating to protective orders for domestic abuse, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 8, 1999, 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. 713), the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

Sexton

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 392

Senator Jensen called up for consideration Senate File 392, a bill for an act relating to telecommunications systems or services which may be provided by a city utility, establishing certain requirements on such city, and including effective date and retroactive applicability provision, amended by the House, and moved that the Senate concur in House amendment S-3277 filed April 6, 1999.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Jensen moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 392), the vote was:

Ayes, 44:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Dearden	Deluhery
Drake	Fink	Flynn	Fraise
Freeman	Gaskill	Gronstal	Hammond
Hansen	Hedge	Horn	Iverson
Jensen	Johnson	Judge	Kibbie
King	Kramer	Lamberti	Lundby
Maddox	McCoy	McKibben	McLaren
Miller	Redwine	Rehberg	Rife
Rittmer	Schuerer	Shearer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, 5:

Connolly	Dvorsky	Harper	McKean
Redfern			

Absent or not voting, 1:

Sexton

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 216 and 392 and House Files 498 and 713** be **immediately messaged** to the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McCoy for the remainder of the day, on request of Senator Gronstal.

UNFINISHED BUSINESS

House File 489

On motion of Senator Rife, **House File 489**, a bill for an act eliminating certain requirements relating to the regulation of infectious waste, with report of committee recommending passage,

placed on the Unfinished Business Calendar on April 8, 1999, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 489), the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Shearer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, none.

Absent or not voting, 2:

McCoy Sexton

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

UNFINISHED BUSINESS

House File 531

On motion of Senator Veenstra, **House File 531**, a bill for an act providing for the certification of manure applicators by delaying dates required for certification, and providing an effective date, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 8, 1999, was taken up for consideration.

Senator Kibbie offered amendment S-3194 filed by him on March 30, 1999, to page 1 of the bill and moved its adoption.

Amendment S-3194 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (H.F. 531), the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Shearer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, none.

Absent or not voting, 2:

McCoy Sexton

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

UNFINISHED BUSINESS

Senate File 136

On motion of Senator McKibben, **Senate File 136**, a bill for an act relating to the administration of the tax and related laws by the department of revenue and finance, including administration of state individual income, corporate income, franchise, sales and use, motor fuel, cigarette and tobacco, local option, inheritance and estate, and property taxes, and the livestock production credit; providing penalties; and including effective and retroactive applicability date provisions, placed on the Unfinished Business Calendar on March 31, 1999, was taken up for consideration.

Senator McKibben offered amendment S-3291 filed by Senators McKibben, et al., on April 6, 1999, to pages 6, 13, 14 and 39 of the bill.

Senator Connolly asked and received unanimous consent that action on amendment S-3291 and **Senate File 136** be deferred.

UNFINISHED BUSINESS

House File 445

On motion of Senator Hansen, **House File 445**, a bill for an act relating to the rights of a dissenting shareholder of a state bank, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 8, 1999, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 445), the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 3:

Jensen	McCoy	Sexton
--------	-------	--------

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that House Files 445, 489 and 531 be immediately messaged to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 149

Senator McKibben called up for consideration Senate File 149, a bill for an act establishing a time limit for disallowance or reduction of motor vehicle warranty claims, relating to establishment of motor vehicle service or warranty facilities, and making a penalty applicable, amended by the House, and moved that the Senate concur in House amendment S-3226 filed April 6, 1999.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator McKibben moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 149), the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Shearer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, none.

Absent or not voting, 2:

McCoy

Sexton

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

UNFINISHED BUSINESS

(Deferred April 8, 1999)

House File 375

The Senate resumed consideration of **House File 375**, a bill for an act eliminating the requirement that information relating to open-end credit accounts and credit cards be filed with the treasurer of state, deferred April 8, 1999.

Senator Schuerer moved that the bill be read the last time now and placed upon its passage, 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, 36:

Angelo	Bartz	Behn	Boettger
Deluhery	Drake	Flynn	Freeman
Gaskill	Gronstal	Hansen	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rittmer	Schuerer
Szymoniak	Tinsman	Veenstra	Zieman

Nays, 11:

Black	Bolkcom	Connolly	Dearden
Dvorsky	Fink	Fraise	Hammond
Harper	Shearer	Soukup	

Absent or not voting, 3:

McCoy

Rife

Sexton

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate File 149** and **House File 375** be **immediately messaged** to the House.

UNFINISHED BUSINESS

House File 741

On motion of Senator Tinsman, **House File 741**, a bill for an act relating to the authorization requirements for psychiatric medical institutions for children and providing an effective date, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 8, 1999, 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. 741), the vote was:

Ayes, 46:

Angelo	Bartz	Black	Boettger
Bolkcom	Connolly	Dearden	Deluhery
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McKean
McKibben	Miller	Redfern	Redwine
Rehberg	Rife	Rittmer	Schuerer
Shearer	Soukup	Szymoniak	Tinsman
Veenstra	Zieman		

Nays, none.

Absent or not voting, 4:

Behn	McCoy	McLaren	Sexton
------	-------	---------	--------

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

Senator Iverson asked and received unanimous consent that **House File 741** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 8, 1999, passed the following bill in which the **concurrence** of the Senate is asked:

House File 760, a bill for an act relating to appropriations for the department of human services and including other provisions and appropriations involving human services and health care, and providing effective dates.

Read first time and referred to committee on **Appropriations**.

ALSO: That the House has on April 12, 1999, passed the following bills in which the **concurrence** of the House was asked:

Senate File 51, a bill for an act authorizing a county conservation board to cooperate with private, not-for-profit organizations to carry out conservation and recreation programs.

Senate File 277, a bill for an act relating to hospital clinical privileges of a physician assistant or advanced registered nurse practitioner.

Senate File 309, a bill for an act relating to the interception of communications and providing penalties.

Senate File 410, a bill for an act providing for the regulation of viatical settlement contracts when sold as investments.

HOUSE AMENDMENT CONSIDERED

Senate File 249

Senator Deluhery called up for consideration Senate File 249, a bill for an act relating to the operation and regulation of insurance companies, including the treatment of certain confidential information by the commissioner, the operation of certain types of insurance companies, and the rights and duties of insurance companies under certain policies issued in this state, amended by the House, and moved that the Senate concur in House amendment S-3329 filed April 8, 1999.

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. 249), the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Shearer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, none.

Absent or not voting, 2:

McCoy Sexton

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

UNFINISHED BUSINESS

House File 634

On motion of Senator Freeman, **House File 634**, a bill for an act relating to expenditure of moneys from the primary road fund for dust control on certain roads, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 8, 1999, was taken up for consideration.

Senator Freeman moved that the bill be read the last time now and placed upon its passage, 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, 47:

Angelo	Bartz	Black	Boettger
Bolkcom	Connolly	Dearden	Deluhery
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 3:

Behn	McCoy	Sexton
------	-------	--------

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

BUSINESS PENDING

Senate File 136

The Senate resumed consideration of **Senate File 136**, a bill for an act relating to the administration of the tax and related laws by

the department of revenue and finance, including administration of state individual income, corporate income, franchise, sales and use, motor fuel, cigarette and tobacco, local option, inheritance and estate, and property taxes, and the livestock production credit; providing penalties; and including effective and retroactive applicability date provisions and amendment S-3291 by Senator McKibben, et al., to pages 6, 13, 14 and 39 of the bill, previously deferred.

Senator Connolly asked and received unanimous consent to withdraw amendment S-3340 filed by him from the floor, to pages 13, 14 and 39 of the bill.

Senator McKibben moved the adoption of amendment S-3291, which motion prevailed by a voice vote.

Senator McKibben offered amendment S-3327 filed by him on April 8, 1999, to page 17 of the bill and moved its adoption.

Amendment S-3327 was adopted by a voice vote.

Senator McKibben offered amendment S-3270 filed by Senators McKibben and Johnson on April 6, 1999, to page 38 of the bill and moved its adoption.

Amendment S-3270 was adopted by a voice vote.

Senator Drake offered amendment S-3338 filed by Senators Drake and Johnson from the floor, to page 38 of the bill and moved its adoption.

Amendment S-3338 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 136), the vote was:

Ayes, 47:

Angelo
Boettger
Deluhery

Bartz
Bolkcom
Drake

Behn
Connolly
Dvorsky

Black
Dearden
Fink

Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 3:

Jensen McCoy Sexton

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 136 and 249 and House File 634** be **immediately messaged** to the House.

HOUSE MESSAGE RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 12, 1999, passed the following bill in which the **concurrence** of the **Senate** is asked:

House File 744, a bill for an act relating to reductions in the state individual income tax by increasing the deduction for pension income and increasing the personal and dependent credits, and including a retroactive applicability date provision.

Read first time and referred to committee on **Ways and Means**.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: April 8, 1999, 1:07 p.m.

Members Present: Jensen, Chair; Maddox, Vice Chair; Deluhery, Ranking Member; Bolkcom, Flynn, Gronstal, Johnson, King, Lamberti, Lundby, McCoy, Redfern, Redwine, and Schuerer.

Members Absent: Hansen (excused).

Committee Business: Recommended governor's appointees for confirmation.

Adjourned: 2:08 p.m.

JUDICIARY

Convened: April 8, 1999, 9:40 a.m.

Members Present: McKean, Chair; Lamberti, Vice Chair; Angelo, Boettger, Fraise, Hammond, Horn, McKibben, Miller, and Redfern.

Members Absent: Hansen, Ranking Member; Dvorsky, Maddox, McCoy, and Tinsman.

Committee Business: Subcommittee assignments. Recommended governor's appointees for confirmation.

Adjourned: 9:43 a.m.

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 12th day of April, 1999:

Senate Files 99, 224, 281, and 404.

MICHAEL E. MARSHALL
Secretary of the Senate

EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on April 12, 1999, when the vote was taken on the Individual Confirmation of Diane L. Hamilton. Had I been present, I would have voted "Aye."

BETTY SOUKUP

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Dan Otis, Cedar Rapids – For achieving the rank of Eagle Scout. Senator Dvorsky (04/12/99).

Scott Williams, New Providence – For achieving the rank of Eagle Scout. Senator Iverson (04/12/99).

PETITION

The following petition was presented and placed on file by:

Senator Rife, from one hundred and thirteen residents of Clinton, Scott, and Cedar Counties, Iowa, favoring legislation regarding Fuel Quality Standard (Ethanol).

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 20, by Gronstal, Black, Bolkom, Connolly, Dearden, Deluhery, Dvorsky, Fink, Flynn, Fraise, Hansen, Harper, Horn, Judge, Kibbie, Shearer, Soukup, Szymoniak, and Hammond, a concurrent resolution requesting that the President of the United States, the United States Secretary of Agriculture, and the United States Congress immediately take all actions necessary to reevaluate and amend the 1996 "Freedom to Farm Bill" in order to preserve family farms.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

Senate Resolution 14, by Redfern and Harper, a resolution honoring Nina Smith for being named girls' high school basketball National Player of the Year.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

STUDY BILL RECEIVED

SSB 1216 **Ways and Means**

Directing the department of revenue and finance to submit a proposal to simplify the Iowa individual income tax.

SUBCOMMITTEE ASSIGNMENTS

House File 686

STATE GOVERNMENT: Rittmer, Chair; Deluhery and Lundby

House File 746

APPROPRIATIONS: Behn, Chair; Black and Hedge

SSB 1216

WAYS AND MEANS: Johnson, Chair; Drake and Harper

AMENDMENTS FILED

S-3337	S.F. 436	Jeff Angelo
S-3338	S.F. 136	Richard F. Drake
		JoAnn Johnson
S-3339	S.F. 286	Tom Flynn
S-3340	S.F. 136	Michael W. Connolly

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 6:12 p.m., until 9:00 a.m., Tuesday, April 13, 1999.

JOURNAL OF THE SENATE

NINETY-THIRD CALENDAR DAY
FIFTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 13, 1999

The Senate met in regular session at 9:16 a.m., Senator Hedge presiding.

Prayer was offered by the Honorable Steve King, member of the Senate from Sac County, Kiron, Iowa.

The Journal of Monday, April 12, 1999, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Kramer until she arrives, on request of Senator Jensen; Senator Veenstra until he returns, on request of Senator Bartz.

UNFINISHED BUSINESS

Senate File 461

On motion of Senator Rife, **Senate File 461**, a bill for an act relating to educational assistance for members of the national guard, placed on the Unfinished Business Calendar on March 31, 1999, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 461), the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Shearer	Soukup
Szymoniak	Tinsman	Zieman	

Nays, none.

Absent or not voting, 3:

Kramer	Sexton	Veenstra
--------	--------	----------

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 106

Senator Kibbie called up for consideration Senate File 106, a bill for an act providing for accessibility requirements for elevators and providing an effective date, amended by the House, and moved that the Senate concur in House amendment S-3227 filed April 6, 1999.

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. 106), the vote was:

Ayes, 46:

Angelo	Bartz	Behn	Black
Boettger	Connolly	Dearden	Deluhery

Drake	Fink	Flynn	Fraise
Freeman	Gaskill	Gronstal	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Jensen	Johnson	Judge
Kibbie	King	Lamberti	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Miller	Redfern	Redwine
Rehberg	Rife	Rittmer	Schuerer
Shearer	Soukup	Szymoniak	Tinsman
Veenstra	Zieman		

Nays, 2:

Bolkcom Dvorsky

Absent or not voting, 2:

Kramer Sexton

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

UNFINISHED BUSINESS

(Deferred March 31, 1999)

Senate File 439

The Senate resumed consideration of Senate File 439, a bill for an act relating to the Iowa community empowerment Act and related provisions, and providing an effective date, deferred March 31, 1999.

Senator Boettger offered amendment S-3344 filed by Senators Boettger and Szymoniak from the floor, to pages 3, 4 and 8 of the bill and moved its adoption.

Amendment S-3344 was adopted by a voice vote.

President pro tempore Redfern took the chair at 10:02 a.m.

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

On the question "Shall the bill pass?" (S.F. 439), the vote was:

Ayes, 46:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Lamberti	Lundby	Maddox	McKean
McKibben	Miller	Redfern	Redwine
Rehberg	Rife	Rittmer	Schuerer
Shearer	Soukup	Szymoniak	Tinsman
Veenstra	Zieman		

Nays, none.

Absent or not voting, 4:

Kramer	McCoy	McLaren	Sexton
--------	-------	---------	--------

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 106, 439 and 461** be **immediately messaged** to the House.

ADOPTION OF RESOLUTION

Senator Iverson asked and received unanimous consent to take up for consideration Senate Resolution 7.

Senate Resolution 7

On motion of Senator Iverson, Senate Resolution 7, a resolution honoring Major General Warren G. Lawson for the Iowa Medal of Valor, and designating a Major General Warren G. Lawson Day, with report of committee recommending passage, was taken up for consideration.

Senator Iverson moved adoption of Senate Resolution 7, which motion prevailed by a voice vote.

SPECIAL GUESTS

Senator Iverson introduced the Honorable Governor Tom Vilsack who addressed the Senate with brief remarks regarding Major General Lawson.

Senator Iverson introduced Major General Warren G. Lawson who addressed the Senate. The Senate rose in tribute to Major General Lawson.

UNFINISHED BUSINESS

House File 165

On motion of Senator Lamberti, House File 165, a bill for an act including the preparation or compounding of a controlled substance for one's own use within the definition of manufacturing a controlled substance, and providing an effective date, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 8, 1999, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 165), the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black
Boettger	Connolly	Dearden	Deluhery
Drake	Fink	Flynn	Fraise
Freeman	Gaskill	Gronstal	Hansen
Harper	Hedge	Horn	Iverson
Jensen	Johnson	Judge	Kibbie
King	Kramer	Lamberti	Lundby
Maddox	McCoy	McKean	McKibben
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, 3:

Bolkcom

Dvorsky

Hammond

Absent or not voting, 2:

McLaren

Sexton

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

UNFINISHED BUSINESS

House File 100

On motion of Senator Maddox, House File 100, a bill for an act relating to the revocation or suspension of a law enforcement officer's certification, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 8, 1999, was taken up for consideration.

Senator Maddox asked and received unanimous consent that action on **House File 100** be **deferred**.

UNFINISHED BUSINESS

House File 501

On motion of Senator Lamberti, House File 501, a bill for an act relating to the definitions and penalties applicable to conviction of certain felonies, by making changes related to the offenses of assault and willful injury and making changes in the mandatory minimum penalties for certain felony offenses, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 8, 1999, was taken up for consideration.

Senator Lamberti offered amendment S-3220 filed by him on April 5, 1999, to pages 1-3 of the bill and moved its adoption.

Amendment S-3220 was adopted by a voice vote.

Senator Lamberti moved that the bill be read the last time now and placed upon its passage, 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, 43:

Angelo	Bartz	Behn	Black
Boettger	Connolly	Dearden	Deluhery
Drake	Fink	Flynn	Fraise
Freeman	Gaskill	Gronstal	Hansen
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKean	McKibben	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Shearer	Soukup
Tinsman	Veenstra	Zieman	

Nays, 5:

Bolkcom	Dvorsky	Hammond	Harper
Szymoniak			

Absent or not voting, 2:

McLaren	Sexton
---------	--------

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that House Files 165 and 501 be immediately messaged to the House.

PRESENTATION OF VISITORS

The Chair welcomed fifth and sixth grade students from Pocahontas Catholic School, Pocahontas, Iowa, accompanied by Beth Hatover. Senator Freeman.

UNFINISHED BUSINESS

House File 647

On motion of Senator Maddox, House File 647, a bill for an act relating to judges, concerning associate juvenile judges, associate probate judges, and retired judges, with report of committee recommending amendment and passage, placed on the Unfinished Business Calendar on April 8, 1999, was taken up for consideration.

Senator McKean offered amendment S-3210 filed by the committee on Judiciary on March 31, 1999, to the title page of the bill and moved its adoption.

Amendment S-3210 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (H.F. 647), the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

Sexton

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

PRESENTATION OF VISITORS

The Chair welcomed the college government class from Walnut High School, Walnut, Iowa, accompanied by Mrs. Bonnie Whitehall. Senator Boettger.

**CONSIDERATION OF BILL
(Ways and Means Calendar)**

Senator Iverson asked and received unanimous consent to take up for consideration Senate File 469.

Senate File 469

On motion of Senator Lamberti, Senate File 469, a bill for an act relating to the state sales and use taxes by providing for the effective date for any rate increase or decrease, filing of consolidated sales tax returns by affiliated corporations, changing the statute of limitations for assessing tax and applying for refunds and relating to local sales and services taxes by providing the effective dates for imposing, repealing, or changing rates, and including effective dates, was taken up for consideration.

Senator Connolly offered amendment S-3343 filed by Senators Connolly, Johnson and Boettger from the floor, to pages 2, 6, 7 and to the title page of the bill.

Senator Connolly offered amendment S-3349 filed by him from the floor, to amendment S-3343.

Senator Hansen asked and received unanimous consent that action on amendment S-3349, amendment S-3343 and **Senate File 469 be deferred.**

UNFINISHED BUSINESS

House File 711

On motion of Senator McKibben, House File 711, a bill for an act concerning the imposition of a drug abuse resistance education surcharge for criminal alcohol beverage control offenses, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 8, 1999, was taken up for consideration.

Senator McKibben offered amendment S-3336 filed by Senators McKibben, et al., on April 8, 1999, to page 1 and to the title page of the bill and moved its adoption.

Amendment S-3336 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (H.F. 711), the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

Sexton

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 469

The Senate resumed consideration of Senate File 469, a bill for an act relating to the state sales and use taxes by providing for the effective date for any rate increase or decrease, filing of consolidated sales tax returns by affiliated corporations, changing the statute of limitations for assessing tax and applying for refunds and relating to local sales and services taxes by providing the effective dates for imposing, repealing, or changing rates, and including effective dates, and amendment S-3349 by Senator Connolly to amendment S-3343, previously deferred.

Senator Iverson asked and received unanimous consent that action on amendment S-3349, amendment S-3343 and **Senate File 469** be deferred.

UNFINISHED BUSINESS

House File 521

On motion of Senator Freeman, House File 521, a bill for an act relating to the licensure and operation of employment agencies and providing a penalty, with report of committee recommending amendment and passage, placed on the Unfinished Business Calendar on April 8, 1999, was taken up for consideration.

Senator McKibben offered amendment S-3202 filed by the committee on Business and Labor Relations on March 31, 1999, to page 2 of the bill and moved its adoption.

Amendment S-3202 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (H.F. 521), the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, none.

Absent or not voting, 2:

Sexton

Shearer

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 Shearer until he returns, on request of Senator Gronstal.

UNFINISHED BUSINESS

House File 474

On motion of Senator Bartz, House File 474, a bill for an act relating to the powers and duties of county treasurers by amending Code sections pertaining to special assessments, certain motor vehicle ownership transfers, tax statement addresses, tax redemption, and tax clearance statements for mobile homes, and providing effective date and applicability date provisions, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 8, 1999, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 474), the vote was:

Ayes, 48:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, none.

Absent or not voting, 2:

Sexton

Shearer

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that House Files 474, 521, 647 and 711 be **immediately messaged** to the House.

UNFINISHED BUSINESS

House File 636

On motion of Senator Rehberg, House File 636, a bill for an act relating to review and oversight of actions of the United States environmental protection agency, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 8, 1999, was taken up for consideration.

Senator Hedge took the chair at 11:16 a.m.

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

On the question "Shall the bill pass?" (H.F. 636), the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Fink	Flynn
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Maddox	McCoy	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rittman	Schuerer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, 2:

Dvorsky

Lundby

Absent or not voting, 3:

Rife

Sexton

Shearer

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

UNFINISHED BUSINESS

House File 661

On motion of Senator Angelo, House File 661, a bill for an act relating to the offense of sexual abuse, providing related definitions, and applying penalties, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 8, 1999, was taken up for consideration.

Senator Miller offered amendment S-3346 filed by him from the floor, to page 3 of the bill and moved its adoption.

A non-record roll call was requested.

The ayes were 37, nays 11.

Amendment S-3346 was adopted.

Senator Angelo moved that the bill be read the last time now and placed upon its passage, 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, 49:

Angelo
Boettger
Deluhery
Flynn
Gronstal
Hedge

Bartz
Bolkcom
Drake
Fraise
Hammond
Horn

Behn
Connolly
Dvorsky
Freeman
Hansen
Iverson

Black
Dearden
Fink
Gaskill
Harper
Jensen

Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

Sexton

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that House Files 636 and 661 be immediately messaged to the House.

HOUSE MESSAGES RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 12, 1999, passed the following bills in which the concurrence of the House was asked:

Senate File 146, a bill for an act relating to worker and public safety and protection laws administered by the labor services division of Iowa workforce development.

Senate File 254, a bill for an act relating to the emergency management division of the department of public defense by authorizing fees for radiological detection equipment maintenance services, by authorizing financial assistance to local governments for emergency management purposes, by directing a report to the general assembly by the division director, and by providing an effective date.

Senate File 282, a bill for an act relating to practices and procedures of the department of general services, regulating state purchasing of recycled paper, modifying an appropriation to the department, and providing an effective date.

ALSO: That the House has on April 12, 1999, amended and passed the following bill in which the **concurrence** of the **Senate** is asked:

Senate File 413, a bill for an act providing for access to a safe deposit box on the death of the owner or lessee of such box, and exempting state banks and credit unions from liability associated with such access. (S-3341)

ALSO: That the House has on April 13, 1999, passed the following bill in which the **concurrence** of the **House** was asked:

Senate File 41, a bill for an act relating to the duties and meetings of the county agricultural extension councils.

ALSO: That the House has on April 13, 1999, amended and passed the following bills in which the **concurrence** of the **Senate** is asked:

Senate File 95, a bill for an act relating to mandatory motor vehicle proof of financial responsibility by requiring such proof when a motor vehicle subject to registration in this state is operated on a parking lot. (S-3348)

Senate File 194, a bill for an act relating to acceptable accreditation of psychiatric medical institutions for children for the purpose of licensing. (S-3347)

RECESS

On motion of Senator Iverson, the Senate recessed at 11:43 a.m., until 2:00 p.m.

APPENDIX**BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR**

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 13th day of April, 1999:

Senate Files 55, 68, 173, and 448.

MICHAEL E. MARSHALL
Secretary of the Senate

STUDY BILL RECEIVED**SSB 1217 Ways and Means**

Relating to a sales and use tax exemption for the providing of personal emergency response system services.

SUBCOMMITTEE ASSIGNMENTS**House File 744**

WAYS AND MEANS: Lamberti, Chair; Flynn and Johnson

House File 760

APPROPRIATIONS: Tinsman, Chair; Hammond and Redwine

SSB 1217

WAYS AND MEANS: Johnson, Chair; Bartz, Soukup

AMENDMENTS FILED

S-3341	S.F. 413	House
S-3342	H.F. 234	John P. Kibbie
S-3343	S.F. 469	Michael W. Connolly
		JoAnn Johnson
		Nancy Boettger
S-3344	S.F. 439	Nancy Boettger
		Elaine Szymoniak

S-3345	H.F. 696	Merlin E. Bartz Joe Bolkcom Bill Fink JoAnn Johnson David Miller
S-3346	H.F. 661	David Miller
S-3347	S.F. 194	House
S-3348	S.F. 95	House
S-3349	S.F. 469	Michael W. Connolly

AFTERNOON SESSION

The Senate reconvened at 2:13 p.m., President Kramer presiding.

QUORUM CALL

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

The vote revealed 30 present, 20 absent, and a quorum present.

PRESENTATION OF VISITORS

The Chair welcomed forty government students from New London High School, New London, Iowa. Senator Shearer.

UNFINISHED BUSINESS

House File 676

On motion of Senator Behn, House File 676, a bill for an act amending provisions in the "Iowa Agricultural Industry Finance Act", with report of committee recommending passage, placed on the Unfinished Business Calendar on April 8, 1999, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 676), the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg

Rife
Soukup
Zieman

Rittmer
Szymoniak

Schuerer
Tinsman

Shearer
Veenstra

Nays, none.

Absent or not voting, 1:

Sexton

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 Black until he returns, on request of Senator Gronstal.

UNFINISHED BUSINESS

Senate File 436

On motion of Senator Angelo, Senate File 436, a bill for an act relating to practices involving the marketing of livestock by packers, by prohibiting price discrimination, requiring reporting, and providing criminal penalties and civil remedies, placed on the Unfinished Business Calendar on March 31, 1999, was taken up for consideration.

Senator Angelo offered amendment S-3337 filed by him on April 12, 1999, to pages 1-3 and to the title page of the bill.

Senator Kibbie offered amendment S-3353 filed by Senators Kibbie, et al., from the floor, to pages 1-5 of amendment S-3337, moved its adoption and requested a record roll call.

On the question "Shall amendment S-3353 to amendment S-3337 be adopted?" (S.F. 436), the vote was:

Ayes, 28:

Bartz
Deluhery
Flynn

Bolkcom
Drake
Fraise

Connolly
Dvorsky
Freeman

Dearden
Fink
Gronstal

Hammond	Hansen	Harper	Horn
Judge	Kibbie	Lundby	McCoy
McKean	McKibben	Rehberg	Rife
Rittmer	Shearer	Soukup	Szymoniak

Nays, 20:

Angelo	Behn	Boettger	Gaskill
Hedge	Iverson	Jensen	Johnson
King	Kramer	Lamberti	Maddox
McLaren	Miller	Redfern	Redwine
Schuerer	Tinsman	Veenstra	Zieman

Absent or not voting, 2:

Black Sexton

Amendment S-3353 was adopted.

Senator Angelo asked and received unanimous consent that action on amendment S-3337 and **Senate File 436** be **deferred**.

BUSINESS PENDING

House File 100

The Senate resumed consideration of House File 100, a bill for an act relating to the revocation or suspension of a law enforcement officer's certification, previously deferred.

Senator Lamberti offered amendment S-3356 filed by him from the floor, to page 1 of the bill and moved its adoption.

Amendment S-3356 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (H.F. 100), the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink

Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

Sexton

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

UNFINISHED BUSINESS

House File 662

On motion of Senator Miller, House File 662, a bill for an act relating to estate issues by modifying the warranty by a trustee, jurisdiction of the probate court, fees payable on certain trusts, notice provisions relating to claims against estates, and disclaimers made by beneficiaries, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 8, 1999, 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. 662), the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King

Kramer	Lamberti	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

Sexton

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that House Files 100 and 662 be **immediately messaged** to the House.

UNFINISHED BUSINESS

House File 242

On motion of Senator Hansen, House File 242, 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 dates and for retroactive applicability, with report of committee recommending amendment and passage, placed on the Unfinished Business Calendar on April 8, 1999, was taken up for consideration.

Senator McKean offered amendment S-3147 filed by the committee on Judiciary on March 24, 1999, to pages 4, 7 and 10 of the bill and moved its adoption.

Amendment S-3147 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (H.F. 242), the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

Sexton

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

UNFINISHED BUSINESS

House File 386

On motion of Senator Maddox, House File 386, a bill for an act relating to increasing the penalties for an assault on a jailer, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 8, 1999, was taken up for consideration.

Senator Maddox offered amendment S-3146 filed by the committee on Judiciary on March 24, 1999, to pages 1, 2 and to the title page of the bill and moved its adoption.

Amendment S-3146 was adopted by a voice vote.

Senator Maddox moved that the bill be read the last time now and placed upon its passage, 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, 47:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, 1:

Hammond

Absent or not voting, 2:

McLaren

Sexton

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 Iverson asked and received unanimous consent that House Files 242, 386 and 676 be immediately messaged to the House.

The Senate stood at ease at 3:13 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 4:30 p.m., President Kramer presiding.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 59, Senator Iverson called up the following eligible appointees on the En Bloc Confirmation Calendar:

Walter Reed, Jr., Board of Corrections

Don Gettings, Credit Union Review Board

Gary Priebe, Environmental Protection Commission

Linda Steensland, State Judicial Nominating Commission

Nancy McKlveen, Mental Health and Developmental Disabilities Commission

Senator Iverson moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Maddox	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 3:

Lundby	McCoy	Sexton
--------	-------	--------

The appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

BUSINESS PENDING

Senate File 469

The Senate resumed consideration of Senate File 469, a bill for an act relating to the state sales and use taxes by providing for the

effective date for any rate increase or decrease, filing of consolidated sales tax returns by affiliated corporations, changing the statute of limitations for assessing tax and applying for refunds and relating to local sales and services taxes by providing the effective dates for imposing, repealing, or changing rates, and including effective dates and amendments S-3343 by Senator Connolly, Johnson and Boettger to pages 2, 6, 7 and to the title page of the bill and amendment S-3349 by Senator Connolly to page 5 of S-3343, previously deferred.

Senator Connolly asked and received unanimous consent to withdraw amendment S-3349 filed by him from the floor to page 5 of amendment S-3343, previously deferred.

Senator McLaren offered amendment S-3358 filed by him from the floor, to page 1 of amendment S-3343 and moved its adoption.

Amendment S-3358 was adopted by a voice vote.

Senator Iverson asked and received unanimous consent that action on amendment S-3343 and **Senate File 469** be deferred.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Iverson called up the appointment of David Neil, as a member of the State Board of Regents, placed on the Individual Confirmation Calendar on April 6, 1999, and found on page 974 of the Senate Journal.

Senator Redfern moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King

Kramer	Lamberti	Lundby	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rittmer
Schuerer	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 3:

Maddox	Rife	Sexton
--------	------	--------

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Iverson called up the appointment of Owen Newlin, as a member of the State Board of Regents, placed on the Individual Confirmation Calendar on April 6, 1999, and found on page 974 of the Senate Journal.

Senator Redfern moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rittmer
Schuerer	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 3:

Maddox	Rife	Sexton
--------	------	--------

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Iverson called up the appointment of Deborah Turner, as a member of the State Board of Regents, placed on the Individual Confirmation Calendar on April 6, 1999, and found on page 974 of the Senate Journal.

Senator Gaskill moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	King
Kramer	Lamberti	Lundby	Maddox
McCoy	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

Sexton

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

BUSINESS PENDING

Senate File 469

The Senate resumed consideration of Senate File 469, a bill for an act relating to the state sales and use taxes by providing for the effective date for any rate increase or decrease, filing of consolidated sales tax returns by affiliated corporations, changing the statute of limitations for assessing tax and applying for refunds and relating to local sales and services taxes by providing the effective dates for imposing, repealing, or changing rates, and including effective dates

and amendment S-3343 filed by Senators Connolly, Johnson and Boettger from the floor to pages 2, 6, 7 and to the title page of the bill, previously deferred.

Senator Connolly offered amendment S-3360 filed by him from the floor, to page 5 of amendment S-3343 and moved its adoption.

Amendment S-3360 was adopted by a voice vote.

Senator Connolly moved adoption of amendment S-3343, which motion prevailed by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 469), the vote was:

Ayes, 44:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Schuerer
Shearer	Soukup	Szymoniak	Veenstra

Nays, 5:

Hedge	Rife	Rittmer	Tinsman
Zieman			

Absent or not voting, 1:

Sexton

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

Senator Iverson asked and received unanimous consent that Senate File 469 be immediately messaged to the House.

HOUSE MESSAGE RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 13, 1999, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 424, a bill for an act relating to and making transportation and other infra-structure-related appropriations to the state department of transportation, including allocation and use of moneys from the general fund of the state, road use tax fund, and primary road fund, providing for the use of a former rest area, and providing for the nonreversion of certain moneys and an effective date. (S-3354)

INTRODUCTION OF RESOLUTION

Senate Resolution 15, by Horn, Dvorsky, McKean and Lundby, a resolution honoring the City of Cedar Rapids on its sesquicentennial year.

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

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 13, 1999, 1:10 p.m.

Members Present: McLaren, Chair; Kramer, Vice Chair; Flynn, Ranking Member; Behn, Black, Bolkcom, Freeman, Hedge, Jensen, Johnson, King, Lamberti, Redwine, Rehberg, Rife, Schuerer, Soukup and Tinsman.

Members Absent: Connolly, Deluhery, Dvorsky, Hammond, Horn, Maddox, and McCoy (all excused).

Committee Business: Passed HF 746, as amended.

Adjourned: 1:20 p.m.

HUMAN RESOURCES

Convened: April 13, 1999, 11:50 a.m.

Members Present: Boettger, Chair; Redwine, Vice Chair; Szymoniak, Ranking Member; Bartz, Behn, Dvorsky, Hammond, Harper, Miller, Schuerer, Shearer, Tinsman, and Veenstra.

Members Absent: None.

Committee Business: Recommended governor's appointee for confirmation.

Adjourned: 11:56 a.m.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Martha Fay, Iowa City – For celebrating your 91st Birthday on April 17, 1999.
Senator Bolkcom (04/13/99).

GOVERNOR'S APPOINTEE PLACED ON INDIVIDUAL CONFIRMATION CALENDAR

The following appointee, assigned to standing committee for investigation, was placed on the Individual Confirmation Calendar with recommendation for confirmation on April 13, 1999:

HUMAN RESOURCES

Jessie K. Rasmussen – Director of the Department of Human Services

PETITION

The following petition was presented and placed on file by:

Senator Schuerer, from thirty-five residents of Benton and Tama Counties, Iowa, favoring legislation to establish a Fuel Quality Standard.

COMMITTEE REPORT

APPROPRIATIONS

Final Bill Action: HOUSE FILE 746, a bill for an act relating to and making appropriations for agriculture and natural resources and providing effective dates.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3357.

Final Vote: Ayes, 18: McLaren, Kramer, Flynn, Behn, Black, Bolkcom, Freeman, Hedge, Jensen, Johnson, King, Lamberti, Redwine, Rehberg, Rife, Schuerer, Soukup, and Tinsman. Nays, none. Absent or not voting, 7: Connolly, Deluhery, Dvorsky, Hammond, Horn, Maddox, and McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which amendment S-3353 to amendment S-3337 to Senate File 436 was adopted by the Senate on April 13, 1999.

SHELDON RITTMER

AMENDMENTS FILED

S-3350	S.F. 436	John P. Kibbie Betty Soukup John Judge Eugene Fraise Mark Shearer Dennis H. Black
S-3351	S.F. 436	John P. Kibbie Betty Soukup Eugene Fraise Mark Shearer Dennis H. Black

S-3352	S.F. 436	John P. Kibbie Betty Soukup Eugene Fraise Mark Shearer Dennis H. Black
S-3353	S.F. 436	John P. Kibbie Eugene Fraise Dennis H. Black Mark Shearer
S-3354	S.F. 424	House
S-3355	S.F. 436	Merlin E. Bartz
S-3356	H.F. 100	Jeff Lamberti
S-3357	H.F. 746	Appropriations
S-3358	S.F. 469	Derryl McLaren
S-3359	H.F. 312	David Miller
S-3360	S.F. 469	Michael W. Connolly
S-3361	H.F. 664	Elaine Szymoniak

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 5:00 p.m., until 9:00 a.m., Wednesday, April 14, 1999.

JOURNAL OF THE SENATE

NINETY-FOURTH CALENDAR DAY
FIFTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 14, 1999

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

Prayer was offered by the Honorable Larry McKibben, member of the Senate from Marshall County, Marshalltown, Iowa.

The Journal of Tuesday, April 13, 1999, was approved

HOUSE MESSAGE RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 13, 1999, passed the following bill in which the concurrence of the Senate is asked:

House File 762, a bill for an act relating to state government technology and operations, by making and relating to appropriations to the Iowa communications network for the support of certain Part III users, making appropriations to various entities for other technology-related purposes, providing for the procurement of information technology, providing for the use of the network, providing for electronic access to public information by creating an Iowa Access network, authorizing fees, and providing an effective date.

Read first time and referred to committee on **Appropriations**.

ADOPTION OF RESOLUTION

Senator Iverson asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 12.

Senate Concurrent Resolution 12

On motion of Senator Boettger, Senate Concurrent Resolution 12, a concurrent resolution urging that Iowa State University of Science and Technology retain the name of its College of Agriculture, with report of committee recommending passage, was taken up for consideration.

Senator Boettger moved the adoption of Senate Concurrent Resolution 12, which motion prevailed by a voice vote.

Senator Bartz took the chair at 9:55 a.m.

UNFINISHED BUSINESS

(Deferred April 13, 1999)

Senate File 436

The Senate resumed consideration of Senate File 436, a bill for an act relating to practices involving the marketing of livestock by packers, by prohibiting price discrimination, requiring reporting, and providing criminal penalties and civil remedies, and amendment S-3337 filed by Senator Angelo on April 12, 1999, to pages 1-3 of the bill, deferred on April 13, 1999.

President Kramer took the chair at 10:23 a.m.

Senator Rittmer called up the motion to reconsider the vote by which amendment S-3353 to amendment S-3337 to Senate File 436 was adopted by the Senate on April 13, 1999, filed by him on April 13, 1999, found on page 1107 of the Senate Journal and moved its adoption.

A record roll call was requested.

On the question "Shall the motion to reconsider be adopted?" (S.F. 436) the vote was:

Ayes, 30:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Jensen	Johnson	King
Kramer	Lamberti	Lundby	Maddox
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Sexton	Tinsman
Veenstra	Zieman		

Nays, 20:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gronstal	Hammond	Hansen
Harper	Horn	Judge	Kibbie
McCoy	Shearer	Soukup	Szymoniak

Absent or not voting, none.

The motion prevailed and amendment S-3353 by Senator Kibbie, et al., to pages 1-5 of amendment S-3337, was taken up for reconsideration.

President pro tempore Redfern took the chair at 11:15 a.m.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Freeman until she returns, on request on Senator Boettger.

BUSINESS PENDING

Senate File 436

The Senate resumed consideration of Senate File 436.

Senator Kibbie moved adoption of amendment S-3353.

On the question "Shall amendment S-3353 to amendment S-3337 be adopted?" (S.F. 436) the vote was:

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

Ayes, 21:

Bartz	Black	Bolkcom	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gronstal	Hammond
Hansen	Harper	Horn	Kibbie
Lundby	McKean	Shearer	Soukup
Szymoniak			

Nays, 28:

Angelo	Behn	Boettger	Drake
Gaskill	Hedge	Iverson	Jensen
Johnson	Judge	King	Kramer
Lamberti	Maddox	McCoy	McKibben
McLaren	Miller	Redfern	Redwine
Rehberg	Rife	Rittmer	Schuerer
Sexton	Tinsman	Veenstra	Zieman

Absent or not voting, 1:

Freeman

Amendment S-3353 lost.

Senator Kibbie offered amendment S-3351 filed by Senators Kibbie, et al., on April 13, 1999, to pages 1 and 2 of amendment S-3337 moved its adoption and requested a record roll call.

On the question "Shall amendment S-3351 to amendment S-3337 be adopted?" (S.F. 436) the vote was:

Ayes, 21:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gronstal	Hammond	Hansen
Harper	Hedge	Horn	Judge
Kibbie	McCoy	Shearer	Soukup
Szymoniak			

Nays, 25:

Angelo	Bartz	Behn	Boettger
Drake	Gaskill	Iverson	Jensen
Johnson	Kramer	Lamberti	Lundby

Maddox	McKean	McKibben	Miller
Redfern	Redwine	Rehberg	Rittmer
Schuerer	Sexton	Tinsman	Veenstra
Zieman			

Absent or not voting, 4:

Freeman	King	McLaren	Rife
---------	------	---------	------

Amendment S-3351 lost.

Senator Bartz offered amendment S-3355 filed by him on April 13, 1999, to page 5 of amendment S-3337.

Senator Bartz asked and received unanimous consent that action on amendment S-3355 to amendment S-3337 be deferred.

President Kramer took the chair at 12:06 p.m.

Senator Kibbie offered amendment S-3350 filed by Senators Kibbie, et al., on April 13, 1999, to page 5 of amendment S-3337 moved its adoption and requested a record roll call.

On the question "Shall amendment S-3350 to amendment S-3337 be adopted?" (S.F. 436) the vote was:

Ayes, 20:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gronstal	Hammond	Hansen
Harper	Horn	Judge	Kibbie
McCoy	Shearer	Soukup	Szymoniak

Nays, 29:

Angelo	Bartz	Behn	Boettger
Drake	Gaskill	Hedge	Iverson
Jensen	Johnson	King	Kramer
Lamberti	Lundby	Maddox	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Tinsman	Veenstra
Zieman			

Absent or not voting, 1:

Freeman

Amendment S-3350 lost.

Senator Bartz moved adoption of amendment S-3355 filed by him on April 13, 1999, to page 5 of amendment S-3337, previously deferred, which motion prevailed by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McCoy until he returns, on request of Senator Gronstal.

BUSINESS PENDING

Senate File 436

The Senate resumed consideration of Senate File 436.

Senator Angelo moved adoption of amendment S-3337 filed by him on April 13, 1999, to pages 1-3 and to the title page of the bill.

A record roll call was requested.

On the question "Shall amendment S-3337 be adopted?" (S.F. 436), the vote was:

Ayes, 31:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Jensen	Johnson	Judge
King	Kramer	Lamberti	Lundby
Maddox	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Sexton
Tinsman	Veenstra	Zieman	

Nays, 18:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gronstal	Hammond	Hansen
Harper	Horn	Kibbie	Shearer
Soukup	Szymoniak		

Absent or not voting, 1:

McCoy

Amendment S-3337 was adopted.

Senator Kibbie offered amendment S-3352 filed by Senators Kibbie, et al., on April 13, 1999, to pages 1 and 3 of the bill and moved its adoption.

Amendment S-3352 lost.

Senator Angelo moved that the bill be read the last time now and placed upon its passage, 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, 39:

Angelo	Bartz	Behn	Black
Boettger	Dearden	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gaskill	Gronstal	Hedge	Horn
Iverson	Jensen	Johnson	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McKean	McKibben
McLaren	Miller	Redfern	Redwine
Rehberg	Rittmer	Schuerer	Sexton
Szymoniak	Veenstra	Zieman	

Nays, 10:

Bolkcom	Connolly	Deluhery	Hammond
Hansen	Harper	Rife	Shearer
Soukup	Tinsman		

Absent or not voting, 1:

McCoy

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 Iverson asked and received unanimous consent that **Senate File 436** and **Senate Concurrent Resolution 12** be **immediately messaged** to the House.

PRESENTATION OF VISITORS

The Chair welcomed sixth grade students from Manson-Northwest Webster Middle School, Barnum, Iowa, who were present in the Senate gallery. Senator Sexton.

HOUSE MESSAGE RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 14, 1999, passed the following bill in which the concurrence of the House was asked:

Senate File 276, a bill for an act relating to health care service and treatment coverage by providing for continuity of care, discussion and advocacy of treatment options, coverage of emergency room services, utilization review requirements, and an external review process, and providing an effective date.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 21, by Lundby and Drake, a concurrent resolution relating to the funding of the United Nations.

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

RECESS

On motion of Senator Iverson, the Senate recessed at 1:42 p.m., until the fall of the gavel.

APPENDIX

REPORT OF COMMITTEE MEETING

STATE GOVERNMENT

Convened: April 8, 1999, 10:00 a.m.

Members Present: Rittmer, Chair; Lamberti, Vice Chair; Kibbie, Ranking Member; Connolly, Dearden, Deluhery, Drake, Fink, King, Lundby, Maddox, McLaren, Schuerer, and Szymoniak.

Members Absent: Sexton (excused).

Recessed: 10:50 a.m.

Reconvened: April 13, 1999, 5:00 p.m.

Members Present: Rittmer, Chair; Lamberti, Vice Chair; Kibbie, Ranking Member; Connolly, Dearden, Deluhery, Drake, Fink, King, Lundby, Maddox, McLaren, Schuerer, and Szymoniak.

Members Absent: Sexton (excused).

Recessed: 6:15 p.m.

Reconvened: April 14, 1999, 1:50 p.m.

Members Present: Rittmer, Chair; Lamberti, Vice Chair; Kibbie, Ranking Member; Connolly, Dearden, Deluhery, Drake, Fink, King, Lundby, Maddox, McLaren, Schuerer, Sexton, and Szymoniak.

Members Absent: None.

Committee Business: Recommended governor's appointees for confirmation. Passed SF 470, as amended.

Adjourned: 5:00 p.m.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 14, 1999, the Governor approved and transmitted to the Secretary of State the following bills:

S.F. 281 - Concerning the workforce development department, by providing for the establishment of a workforce development corporation, expenses for members of the regional advisory board to the workforce development board, authority to charge fees for certain services of the department, and Iowa conservation corps employee rights.

S.F. 224 – Relating to proceedings before the utilities board and the provision of competitive utility services by allocating costs incurred by the utilities board and the office of consumer advocate to certain persons in certain proceedings related to providing competitive utility services, and by providing for the certification of competitive natural gas providers and aggregators, and providing an effective date.

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 14th day of April, 1999:

Senate Files 190, 233, and 303.

MICHAEL E. MARSHALL
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 469, the following corrections were made:

1. Page 13, line 19, the words and numbers "Sections 1 through 4, 10, and 11" were changed to the words and numbers "Sections 1 through 4, 17, and 18".
2. Page 13, line 21, the words and numbers "Sections 5 through 9" were changed to the words and numbers "Sections 9 through 13".
3. Page 13, line 23, the words and numbers "Sections 102 and 103 of this Act are" were changed to the words and numbers "Section 15 of this Act is".
4. Page 13, line 25, the words and numbers "Sections 80, 81, 82, and 83" were changed to the words and numbers "Sections 5, 6, 7, and 16".

MICHAEL E. MARSHALL
Secretary of the Senate

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Calendar with recommendations for confirmation on April 14, 1999:

STATE GOVERNMENT

Traevana L. Potter-Hall – Administrator of the Division on the Status of African-Americans

Gordon Mills – Architectural Examining Board

Katherine Schwennsen – Architectural Examining Board

Lois Leytem – Board of Examiners for Massage Therapy

Marcus Vigen – Board of Mortuary Science Examiners

Mark Smith – Board of Social Work Examiners

Mary Ellen White – Commission of Veterans Affairs

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Eric A. Patterson, Ankeny – For achieving the rank of Eagle Scout. Senator Lamberti (04/14/99).

Marjorie Shimp, Waterloo – For celebrating your 100th Birthday on April 11, 1999. Senator Rehberg (04/14/99).

PETITIONS

The following petitions were presented and placed on file by:

Senator Gaskill, from eighteen residents of Kossuth County, Iowa, favoring legislation creating a Fuel Quality Standard in Iowa.

Senator Miller, from forty-six residents of Jefferson County, Iowa, favoring legislation on Fuel Quality Standard (Ethanol).

STUDY BILL RECEIVED

SSB 1218 Ways and Means

Relating to the state sales and use tax exemption of sales and rentals of property used for or in aquacultural production, and including an effective date and retroactive applicability provision.

SUBCOMMITTEE ASSIGNMENT

SSB 1218

WAYS AND MEANS: Hedge, Chair; McKibben and Soukup

COMMITTEE REPORTS

STATE GOVERNMENT

Final Bill Action: SENATE FILE 470, a bill for an act relating to campaign finance disclosure by regulating express advocacy of candidates and ballot issues, requiring annual authorization for political representation financed from deductions from wages, dues, and fees, providing and applying penalties, providing an effective date and for applicability, and providing for severability.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3382.

Final Vote: Ayes, 8: Rittmer, Lamberti, Drake, King, Maddox, McLaren, Schuerer, and Sexton. Nays, 7: Kibbie, Connolly, Dearden, Deluhery, Fink, Lundby, and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: HOUSE FILE 418, a bill for an act exempting the sale of argon and similar gases used in the manufacturing process from the sales and use taxes, providing limited refunds, and including effective and retroactive applicability date provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Johnson, McKibben, Harper, Bartz, Bolkcom, Connolly, Deluhery, Drake, Flynn, Hedge, Lamberti, Maddox, Redwine, and Soukup. Nays, none. Absent or not voting, 1: McLaren.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 758, a bill for an act relating to the authority of counties and cities to require storm shelters in mobile home parks, providing a property tax exemption, and providing an applicability date.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Johnson, McKibben, Harper, Bartz, Bolkcom, Connolly, Deluhery, Drake, Flynn, Hedge, Lamberti, Maddox, Redwine, and Soukup. Nays, none. Absent or not voting, 1: McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3362	H.F. 199	Michael W. Connolly
S-3363	S.F. 445	Steven D. Hansen
S-3364	H.F. 660	Larry McKibben
S-3365	H.F. 734	John Redwine Elaine Szymoniak
S-3366	H.F. 734	John Redwine Elaine Szymoniak
S-3367	H.F. 746	Jerry Behn Dennis H. Black
S-3368	H.F. 472	Andy McKean Mark Shearer
S-3369	H.F. 737	House
S-3370	S.F. 466	Merlin E. Bartz
S-3371	S.F. 437	House
S-3372	S.F. 429	House
S-3373	S.F. 406	House
S-3374	S.F. 470	Matt McCoy
S-3375	S.F. 470	Dick L. Dearden
S-3376	S.F. 470	John P. Kibbie
S-3377	S.F. 470	John P. Kibbie
S-3378	S.F. 393	House
S-3379	S.F. 8	House
S-3380	S.F. 186	House
S-3381	S.F. 470	John P. Kibbie
S-3382	S.F. 470	State Government
S-3383	S.F. 189	House

RECONVENED

The Senate reconvened at 7:32 p.m., President Kramer presiding.

QUORUM CALL

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

The vote revealed 36 present, 14 absent, and a quorum present.

HOUSE MESSAGES RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 14, 1999, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 8, a bill for an act relating to coverage under a policy or contract providing for third-party payment or prepayment of health or medical expenses by providing coverage for costs associated with equipment, supplies, and education for the treatment of diabetes. (S-3379)

Senate File 186, a bill for an act providing that a county enterprise includes housing for persons who are elderly or persons with physical disabilities. (S-3380)

Senate File 189, a bill for an act to change the penalty for and to reclassify certain misdemeanors. (S-3383)

Senate File 393, a bill for an act providing for the joint construction or acquisition, furnishing, operation, and maintenance of public buildings by counties, cities, fire districts, and school districts. (S-3378)

Senate File 406, a bill for an act relating to entities and subject matter under the regulatory authority of the insurance division, including securities, business opportunities, cemetery merchandise

and residential service contracts, providing for fees, and establishing penalties. (S-3373)

Senate File 429, a bill for an act relating to notification of forfeited and cancelled mechanic's liens, challenging a mechanic's lien, and providing a remedy. (S-3372)

Senate File 437, a bill for an act relating to notification regarding mechanics' liens. (S-3371)

ALSO: That the House has on April 14, 1999, 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 737, a bill for an act relating to and making appropriations to the department for the blind, the Iowa state civil rights commission, the department of elder affairs, the Iowa department of public health, the department of human rights, the governor's alliance on substance abuse, and the commission of veterans affairs, and providing an effective date. (S-3369)

ALSO: That the House has on April 14, 1999, passed the following bills in which the concurrence of the House was asked:

Senate File 92, a bill for an act relating to the notice provisions for transfer of assets which create a medical assistance debt.

Senate File 280, a bill for an act providing for investments by banks in Iowa agricultural industry finance corporations.

ALSO: That the House has on April 14, 1999, passed the following bill in which the concurrence of the Senate is asked:

House File 761, a bill for an act relating to child care provisions administered by the department of human services and to the terminology used to describe child care, and including effective dates and applicability provisions.

Read first time and referred to committee on **Appropriations**.

ALSO: That the House has on April 14, 1999, adopted the following resolution in which the concurrence of the Senate is asked:

House Joint Resolution 15, a joint resolution to nullify an administrative rule of the secretary of state concerning preparation of descriptions of constitutional amendments and statewide public measures and providing an effective date.

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

INTRODUCTION OF BILLS

Senate File 471, by committee on Ways and Means, a bill for an act directing the department of revenue and finance to submit a proposal to simplify the Iowa individual income tax.

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

Senate File 472, by committee on Ways and Means, a bill for an act relating to a sales and use tax exemption for the providing of personal emergency response system services.

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

The Senate stood at ease at 7:36 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 8:23 p.m., President Kramer presiding.

QUORUM CALL

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

The vote revealed 38 present, 12 absent, and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Fraise for the remainder of the day, on request of Senator Gronstal.

CONFIRMATION OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Iverson called up the appointment of Paul W. Johnson, as Director of the Department of Natural Resources, placed on the Individual Confirmation Calendar on February 23, 1999, and found on page 371 of the Senate Journal.

Senator King moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	Miller	Redfern
Redwine	Rehberg	Rittmer	Schuerer
Sexton	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 3:

Fraise	McLaren	Rife
--------	---------	------

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Rife and McLaren until they return, on request of Senator Bartz.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Iverson called up the appointment of Janet Adams, as a member of the Investment Board of the IPERS, placed on the Individual Confirmation Calendar on April 6, 1999, and found on page 974 of the Senate Journal.

Senator Kibbie moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	Miller	Redfern
Redwine	Rehberg	Rittmer	Schuerer
Sexton	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 3:

Fraise	McLaren	Rife
--------	---------	------

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Iverson called up the appointment of Sheila Riggs, as a member of the Investment Board of the IPERS, placed on the Individual Confirmation Calendar on April 6, 1999, and found on page 974 of the Senate Journal.

Senator Kibbie moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	Miller	Redfern
Redwine	Rehberg	Rittmer	Schuerer
Sexton	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 3:

Fraise	McLaren	Rife
--------	---------	------

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Iverson called up the appointment of Therese M. Vaughan, as Commissioner of Insurance, placed on the Individual Confirmation Calendar on April 8, 1999, and found on page 1034 of the Senate Journal.

Senator Jensen moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 46:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Maddox	McCoy	McKean
McKibben	Miller	Redfern	Redwine
Rehberg	Rittmer	Schuerer	Sexton

Shearer
Veenstra

Soukup
Zieman

Szymoniak

Tinsman

Nays, 1:

Lundby

Absent or not voting, 3:

Fraise

McLaren

Rife

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Iverson called up the appointment of Susan Frye, as a member of the Utilities Board, placed on the Individual Confirmation Calendar on April 7, 1999, and found on page 987 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, 46:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McCoy	McKean
McKibben	Miller	Redfern	Redwine
Rehberg	Rittmer	Schuerer	Sexton
Shearer	Soukup	Szymoniak	Tinsman
Veenstra	Zieman		

Nays, none.

Absent or not voting, 4:

Fraise

Johnson

McLaren

Rife

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Iverson called up the appointment of Gary D. Stewart, as Consumer Advocate, placed on the Individual Confirmation Calendar on April 8, 1999, and found on page 1034 of the Senate Journal.

Senator Gronstal moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	Miller	Redfern
Redwine	Rehberg	Rittmer	Schuerer
Sexton	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 3:

Fraise	McLaren	Rife
--------	---------	------

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Iverson called up the appointment of Jessie K. Rasmussen, as Director of the Department of Human Services, placed on the Individual Confirmation Calendar on April 13, 1999, and found on page 1106 of the Senate Journal.

Senator Boettger moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 39:

Angelo	Bartz	Black	Boettger
Bolkcom	Connolly	Dearden	Deluhery
Drake	Dvorsky	Fink	Flynn
Freeman	Gaskill	Gronstal	Hammond
Hansen	Harper	Hedge	Horn
Iverson	Judge	Kibbie	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	Miller	Redfern
Redwine	Rittmer	Sexton	Shearer
Soukup	Szymoniak	Tinsman	

Nays, 7:

Behn	Jensen	King	Rehberg
Schuerer	Veenstra	Zieman	

Absent or not voting, 4:

Fraise	Johnson	McLaren	Rife
--------	---------	---------	------

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Iverson called up the appointment of Brian B. Bales, as Executive Director of the Commission of Veterans Affairs, placed on the Individual Confirmation Calendar on March 31, 1999, and found on page 879 of the Senate Journal.

Senator Kibbie moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 47:

Angeló	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Maddox	McCoy	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer

Sexton
Tinsman
Nays, 2:

Shearer
Veenstra

Soukup
Zieman

Szymoniak

Lundby

Schuerer

Absent or not voting, 1:

Fraise

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Iverson called up the appointment of Michael Coverdale, as a member of the Commission on Community Action Agencies, placed on the Individual Confirmation Calendar on April 6, 1999, and found on page 974 of the Senate Journal.

Senator Shearer moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 46:

Angelo
Boettger
Deluhery
Flynn
Hammond
Horn
Judge
Lamberti
McLaren
Rehberg
Shearer
Veenstra

Bartz
Bolkcom
Drake
Freeman
Hansen
Iverson
Kibbie
Maddox
Miller
Rife
Soukup
Zieman

Behn
Connolly
Dvorsky
Gaskill
Harper
Jensen
King
McCoy
Redfern
Rittmer
Szymoniak

Black
Dearden
Fink
Gronstal
Hedge
Johnson
Kramer
McKibben
Redwine
Sexton
Tinsman

Nays, 3:

Lundby

McKean

Schuerer

Absent or not voting, 1:

Fraise

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Iverson called up the appointment of Byron K. Orton, as Labor Commissioner, placed on the Individual Confirmation Calendar on March 31, 1999, and found on page 879 of the Senate Journal.

Senator Schuerer moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 37:

Bartz	Black	Bolkcom	Connolly
Dearden	Deluhery	Drake	Dvorsky
Fink	Flynn	Gaskill	Gronstal
Hammond	Hansen	Harper	Horn
Iverson	Jensen	Johnson	Judge
Kibbie	Kramer	Lamberti	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Redfern	Rife	Rittmer
Schuerer	Shearer	Soukup	Szymoniak
Tinsman			

Nays, 12:

Angelo	Behn	Boettger	Freeman
Hedge	King	Miller	Redwine
Rehberg	Sexton	Veenstra	Zieman

Absent or not voting, 1:

Fraise

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

UNFINISHED BUSINESS

House File 664

On motion of Senator Szymoniak, House File 664, a bill for an act creating an adult mental health, mental retardation, and developmental disabilities services funding decategorization pilot project, with report of committee recommending amendment and passage, placed on the Unfinished Business Calendar on April 8, 1999, was taken up for consideration.

Senator Szymoniak offered amendment S-3217 filed by the committee on Human Resources on April 1, 1999, to page 1 and to the title page of the bill.

Senator Szymoniak offered amendment S-3361 filed by her on April 13, 1999, to amendment S-3217 and moved its adoption.

Amendment S-3361 was adopted by a voice vote.

Senator Szymoniak offered amendment S-3318 filed by her on April 8, 1999, to amendment S-3217 and moved its adoption.

Amendment S-3318 was adopted by a voice vote.

Senator Szymoniak moved adoption of amendment S-3217 as amended.

The motion prevailed and amendment S-3217 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. 664), the vote was:

Ayes, 49:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Sexton	Shearer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 1:

Fraise

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

HOUSE AMENDMENT CONSIDERED

Senate File 115

Senator King called up for consideration Senate File 115, a bill for an act relating to alcohol testing of private sector employees and prospective employees and providing an effective date, amended by the House in House amendment S-3298 filed April 7, 1999.

Senator King offered amendment S-3387 filed by him from the floor, to amendment S-3298 and moved its adoption.

A non-record roll call was requested.

The ayes were 17, nays 31.

Amendment S-3387 lost.

Senator King offered amendment S-3390 filed by him from the floor, to amendment S-3298, moved its adoption and requested a record roll call.

On the question "Shall amendment S-3390 to amendment S-3298 be adopted?" (S.F. 115) the vote was:

Ayes, 20:

Angelo	Behn	Boettger	Freeman
Hedge	Iverson	Jensen	Johnson
King	Kramer	Lamberti	Maddox
McKean	Miller	Redwine	Rehberg
Schuerer	Tinsman	Veenstra	Zieman

Nays, 28:

Bartz	Black	Bolkcom	Connolly
Dearden	Deluhery	Drake	Dvorsky
Fink	Flynn	Gaskill	Gronstal

Hammond	Hansen	Harper	Horn
Judge	Kibbie	Lundby	McCoy
McKibben	McLaren	Redfern	Rittmer
Sexton	Shearer	Soukup	Szymoniak

Absent or not voting, 2:

Fraise	Rife
--------	------

Amendment S-3390 lost.

Senator King offered amendment S-3388 filed by him from the floor, to amendment S-3298, moved its adoption and requested a record roll call.

On the question "Shall amendment S-3388 to amendment S-3298 be adopted?" (S.F. 115) the vote was:

Ayes, 18:

Angelo	Behn	Boettger	Freeman
Hedge	Iverson	Jensen	Johnson
King	Lamberti	Maddox	McKean
Miller	Redwine	Rehberg	Schuerer
Veenstra	Zieman		

Nays, 30:

Bartz	Black.	Bolkcom	Connolly
Dearden	Deluhery	Drake	Dvorsky
Fink	Flynn	Gaskill	Gronstal
Hammond	Hansen	Harper	Horn
Judge	Kibbie	Kramer	Lundby
McCoy	McKibben	McLaren	Redfern
Rittmer	Sexton	Shearer	Soukup
Szymoniak	Tinsman		

Absent or not voting, 2:

Fraise	Rife
--------	------

Amendment S-3388 lost.

Senator King offered amendment S-3389 filed by him from the floor, to amendment S-3298, moved its adoption and requested a record roll call.

On the question "Shall amendment S-3389 to amendment S-3298 be adopted?" (S.F. 115) the vote was:

Ayes, 19:

Angelo	Bartz	Behn	Boettger
Freeman	Gaskill	Hedge	Iverson
Jensen	Johnson	King	Lamberti
McKean	Miller	Redwine	Rehberg
Schuerer	Veenstra	Zieman	

Nays, 30:

Black	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Gronstal	Hammond	Hansen
Harper	Horn	Judge	Kibbie
Kramer	Lundby	Maddox	McCoy
McKibben	McLaren	Redfern	Rife
Rittmer	Sexton	Shearer	Soukup
Szymoniak	Tinsman		

Absent or not voting, 1:

Fraise

Amendment S-3389 lost.

Senator King 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. 115) the vote was:

Ayes, 38:

Bartz	Black	Boettger	Bolkcom
Connolly	Dearden	Deluhery	Drake
Dvorsky	Fink	Flynn	Freeman
Gaskill	Gronstal	Hammond	Hansen
Harper	Horn	Iverson	Jensen
Johnson	Judge	Kibbie	Kramer
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Redfern	Rife
Rittmer	Sexton	Shearer	Soukup
Szymoniak	Tinsman		

Nays, 11:

Angelo	Behn	Hedge	King
Lamberti	Miller	Redwine	Rehberg
Schuerer	Veenstra	Zieman	

Absent or not voting, 1:

Fraise

The motion prevailed and the Senate concurred in the House amendment.

Senator King moved that the bill as amended by the House and concurred in by Senate, be read the last time now and placed upon its passage, 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:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Judge	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Sexton	Shearer
Soukup	Szymoniak	Tinsman	Veenstra

Nays, 1:

Zieman

Absent or not voting, 1:

Fraise

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate File 115** and **House File 664** be immediately messaged to the House.

HOUSE MESSAGE RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 14, 1999, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 460, a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities; providing for regulatory authority, other properly related matters, and providing effective dates. (S-3392)

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 22, by Gronstal, a concurrent resolution designating a week in September 1999 as Iowa Education Week.

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

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 14, 1999, 6:00 p.m.

Members Present: McLaren, Chair; Kramer, Vice Chair; Flynn; Ranking Member; Behn, Black, Bolkcom, Connolly, Deluhery, Dvorsky, Freeman, Hammond, Hedge, Horn, Jensen, Johnson, King, Lamberti, Maddox, McCoy, Redwine, Rehberg, Rife, Schuerer, Soukup, and Tinsman.

Members Absent: None.

Committee Business: Passed HF 760, as amended.

Adjourned: 7:25 p.m.

WAYS AND MEANS

Convened: April 14, 1999, 4:15 p.m.

Members Present: Johnson, Chair; McKibben, Vice Chair; Harper, Ranking Member; Bartz, Bolkcom, Connolly, Deluhery, Drake, Flynn, Hedge, Lamberti, Maddox, McLaren, Redwine, and Soukup.

Members Absent: None.

Committee Business: Approved SSBs 1044, 1215, 1216, and 1217. Passed HF's 418 and 758.

Adjourned: 5:18 p.m.

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: HOUSE FILE 760, a bill for an act relating to appropriations for the department of human services and including other provisions and appropriations involving human services and health care, and providing effective dates.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3391.

Final Vote: Ayes, 25: McLaren, Kramer, Flynn, Behn, Black, Bolkcom, Connolly, Deluhery, Dvorsky, Freeman, Hammond, Hedge, Horn, Jensen, Johnson, King, Lamberti, Maddox, McCoy, Redwine, Rehberg, Rife, Schuerer, Soukup, and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 471 (SSB 1216), a bill for an act directing the department of revenue and finance to submit a proposal to simplify the Iowa individual income tax.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Johnson, McKibben, Harper, Bartz, Connolly, Flynn, Hedge, Lamberti, Redwine, and Soukup. Nays, none. Absent or not voting, 5: Bolkcom, Deluhery, Drake, Maddox, and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 472 (SSB 1217), a bill for an act relating to a sales and use tax exemption for the providing of personal emergency response system services.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Johnson, McKibben, Harper, Bartz, Bolkcom, Connolly, Flynn, Hedge, Lamberti, Redwine, and Soukup. Nays, none. Absent or not voting, 4: Deluhery, Drake, Maddox, and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3384	S.F. 470	Michael W. Connolly
S-3385	S.F. 470	Michael W. Connolly
S-3386	S.F. 470	Michael W. Connolly
S-3387	S.F. 115	Steve King
S-3388	S.F. 115	Steve King
S-3389	S.F. 115	Steve King
S-3390	S.F. 115	Steve King
S-3391	H.F. 760	Appropriations
S-3392	S.F. 460	House

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 10:31 p.m., until 9:00 a.m., Thursday, April 15, 1999.

JOURNAL OF THE SENATE

NINETY-FIFTH CALENDAR DAY
FIFTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 15, 1999

The Senate met in regular session at 9:08 a.m., President Kramer presiding.

Prayer was offered by Pastor T. M. Marks of St. Paul Lutheran Church, Postville, Iowa.

The Journal of Wednesday, April 14, 1999, was approved.

HOUSE MESSAGE RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 14, 1999, passed the following bill in which the concurrence of the House was asked:

Senate File 405, a bill for an act limiting the liability of certain persons for certain actions arising out of the failure of information technology as the result of a year 2000 problem.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Shearer and Horn for the day, on request of Senator Gronstal; Senator Johnson for the day, on request of Senator Iverson; Senator Zieman until he returns, on request of Senator Behn; Senator McCoy until he arrives, on request of Senator Fraise; Senator Deluhery until he arrives, on request of Senator Connolly; Senator McKibben until he arrives, on request of Senator Miller.

PRESENTATION OF VISITORS

The Chair welcomed fifth grade students from BCLUW Middle School, accompanied by Mr. Ehn and Mr. Simpson. Senator Jensen.

UNFINISHED BUSINESS

House File 395

On motion of Senator McKean, House File 395, a bill for an act providing that defendants convicted of class "C" vehicular manslaughter are not bailable on appeal, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 8, 1999, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 395), the vote was:

Ayes, 39:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Dvorsky	Fink	Flynn	Fraise
Freeman	Gaskill	Gronstal	Hansen
Hedge	Iverson	Jensen	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McKean	McKibben
McLaren	Miller	Redfern	Redwine
Rehberg	Rife	Schuerer	Sexton
Soukup	Tinsman	Veenstra	

Nays, 3:

Hammond	Harper	Szymoniak
---------	--------	-----------

Absent or not voting, 8:

Deluhery	Drake	Horn	Johnson
McCoy	Rittmer	Shearer	Zieman

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

UNFINISHED BUSINESS

House File 414

On motion of Senator Angelo, House File 414, a bill for an act relating to carrying a gun in or on a vehicle on a public highway, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 8, 1999, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 414), the vote was:

Ayes, 41:

Angelo	Bartz	Behn	Black
Boettger	Connolly	Dearden	Deluhery
Drake	Flynn	Fraise	Freeman
Gaskill	Gronstal	Hansen	Hedge
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lamberti	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Miller	Redfern	Redwine
Rehberg	Rife	Rittmer	Schuerer
Sexton	Soukup	Tinsman	Veenstra
Zieman			

Nays, 6:

Bolkcom	Dvorsky	Fink	Hammond
Harper	Szymoniak		

Absent or not voting, 3:

Horn	Johnson	Shearer
------	---------	---------

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

UNFINISHED BUSINESS

House File 584

On motion of Senator Redfern, House File 584, a bill for an act relating to the uniform principal and income Act and providing for its applicability, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 8, 1999, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 584), the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Iverson	Jensen	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 3:

Horn	Johnson	Shearer
------	---------	---------

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

UNFINISHED BUSINESS

House File 412

On motion of Senator Behn, House File 412, a bill for an act providing for the membership of the advisory board to the Leopold center for sustainable agriculture, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 8, 1999, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 412), the vote was:

Ayes, 46:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Iverson	Jensen	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rittmer	Schuerer
Sexton	Soukup	Szymoniak	Tinsman
Veenstra	Zieman		

Nays, none.

Absent or not voting, 4:

Horn	Johnson	Rife	Shearer
------	---------	------	---------

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

UNFINISHED BUSINESS

House File 472

On motion of Senator McKean, House File 472, a bill for an act relating to burial sites on private property, with report of committee recommending amendment and passage, placed on the Unfinished Business Calendar on April 8, 1999, was taken up for consideration.

Senator McKean offered amendment S-3219 filed by the committee on Local Government on April 1, 1999, to page 1 of the bill and moved its adoption

Amendment S-3219 was adopted by a voice vote.

Senator McKean offered amendment S-3368 filed by Senators McKean and Shearer from yesterday, to page 1 of the bill.

Senator McKean asked and received unanimous consent that action on amendment S-3368 and House File 472 be deferred.

UNFINISHED BUSINESS

House File 663

On motion of Senator Redfern, House File 663, a bill for an act relating to the establishment of an Iowa trust code, and providing an effective date, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 8, 1999, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 663), the vote was:

Ayes, 47:

Angelo
Boettger
Deluhery
Flynn

Bartz
Bolkcom
Drake
Fraise

Behn
Connolly
Dvorsky
Freeman

Black
Dearden
Fink
Gaskill

Gronstal	Hammond	Hansen	Harper
Hedge	Iverson	Jensen	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 3:

Horn Johnson Shearer

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House Files 395, 412, 414, 584 and 663** be **immediately messaged** to the House.

UNFINISHED BUSINESS

House File 660

On motion of Senator McKibben, House File 660, a bill for an act relating to certain property of a debtor which is exempt from execution, and providing an effective date and for the Act's applicability, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 8, 1999, was taken up for consideration.

Senator McKibben offered amendment S-3364 filed by him on April 14, 1999, to page 1 of the bill and moved its adoption.

Amendment S-3364 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (H.F. 660), the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Iverson	Jensen	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 3:

Horn	Johnson	Shearer
------	---------	---------

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

PRESENTATION OF VISITORS

The Chair welcomed sixteen French students from Johnston High School, Johnston, Iowa. Senator Maddox.

BUSINESS PENDING

House File 472

The Senate resumed consideration of House File 472, a bill for an act relating to burial sites on private property, and amendment S-3368 filed by Senators McKean and Shearer to page 1 of the bill, previously deferred.

Senator McKean filed the following motion to reconsider from the floor and moved its adoption:

MADAM PRESIDENT: I move to reconsider the vote by which amendment S-3219 to House File 472 was adopted by the Senate on April 15, 1999.

ANDY McKEAN

A record roll call was requested.

On the question "Shall the motion to reconsider amendment S-3219 be adopted?" (H.F. 472) the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Iverson	Judge	Kibbie
King	Kramer	Lamberti	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Miller	Redfern	Redwine
Rehberg	Rittmer	Schuerer	Sexton
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 5:

Horn	Jensen	Johnson	Rife
Shearer			

The motion prevailed and amendment S-3219, by the committee on Local Government to page 1 of the bill, was taken up for reconsideration.

Senator McKean asked and received unanimous consent to withdraw amendment S-3219.

Senator McKean moved adoption of amendment S-3368 to page 1 of the bill.

The motion prevailed by a voice vote.

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

On the question "Shall the bill pass?" (H.F. 472), the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Iverson	Jensen	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 3:

Horn	Johnson	Shearer
------	---------	---------

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that House Files 472 and 660 be **immediately messaged** to the House.

RECESS

On motion of Senator Iverson, the Senate recessed at 11:03 a.m., until 1:00 p.m.

APPENDIX

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

The Des Moines Christian Jazz Band and Director Cecil Stanley – For winning the State Jazz Band Championship in Class 1A. Senator Maddox (04/14/99).

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on April 14, 1999, the Governor approved and transmitted to the Secretary of State the following bills:

S.F. 404 – Relating to a relationship involving real estate licensees and real estate clients, and establishing restrictions on the payment of commissions or other consideration.

AMENDMENTS FILED

S-3393	S.F. 470	Michael E. Gronstal
S-3394	S.F. 470	Michael E. Gronstal
S-3395	H.F. 746	Tom Flynn
S-3396	H.F. 696	Dick L. Dearden

AFTERNOON SESSION

The Senate reconvened at 1:18 p.m., President Kramer presiding.

QUORUM CALL

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

The vote revealed 39 present, 11 absent, and a quorum present.

PRESENTATION OF VISITORS

The Chair welcomed fifty-five English as a Second Language students from Davenport West High School, Davenport, Iowa. Senators Deluhery and Tinsman.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McKibben until he returns, on request of Senator Miller.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 59, Senator Iverson called up the following eligible appointees on the En Bloc Confirmation Calendar:

Traevana L. Potter-Hall, Administrator of the Division on the Status of African-Americans

Gordon Mills, Architectural Examining Board

Katherine Schwennsen, Architectural Examining Board

Lois Leytem, Board of Examiners for Massage Therapy

Marcus Vigen, Board of Mortuary Science Examiners

Mark Smith, Board of Social Work Examiners

Mary Ellen White, Commission of Veterans Affairs

Senator Iverson moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Iverson	Jensen	Judge
Kibbie	King	Kramer	Lamberti
Lundby	McCoy	McKean	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Sexton
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 5:

Horn	Johnson	Maddox	McKibben
Shearer			

The appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

UNFINISHED BUSINESS

House File 696

On motion of Senator Bartz, House File 696, a bill for an act relating to the sale of timber by a county conservation board, with report of committee recommending amendment and passage, placed on the Unfinished Business Calendar on April 8, 1999, was taken up for consideration.

Senator Bartz offered amendment S-3204 filed by the committee on Natural Resources and Environment on March 31, 1999, to page 1 and to the title page of the bill.

Senator Bartz offered amendment S-3216 filed by Senators Bartz, et al., on April 1, 1999, to amendment S-3204.

Senator Bartz called for a division of amendment S-3216: lines 4-10 and lines 33-34 as division S-3216A; lines 11-32 and lines 35-47 as division S-3216B.

Senator Bartz moved adoption of division S-3216A, which motion prevailed by a voice vote.

Senator Bartz asked and received unanimous consent to withdraw division S-3216B.

Senator Bartz offered amendment S-3345 filed by Senators Bartz, et al., on April 13, 1999, to amendment S-3204 and moved its adoption.

Amendment S-3345 was adopted by a voice vote.

Senator Dearden offered amendment S-3396 filed by him from the floor, to amendment S-3204 and moved its adoption.

Amendment S-3396 was adopted by a voice vote.

Senator Bartz moved adoption of amendment S-3204, which motion prevailed by a voice vote.

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

On the question "Shall the bill pass?" (H.F. 696), the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Iverson	Jensen	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 3:

Horn

Johnson

Shearer

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

UNFINISHED BUSINESS

House File 339

On motion of Senator Sexton, House File 339, a bill for an act extending the deadline for closing agricultural drainage wells and making penalties applicable, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 8, 1999, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 339), the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Iverson	Jensen	Judge
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McCoy	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 3:

Horn

Johnson

Shearer

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 Sexton until he returns, on request of Senator Bartz.

UNFINISHED BUSINESS

House File 402

On motion of Senator Szymoniak, House File 402, a bill for an act providing for the establishment of a scope of practice review committee regarding the proposed licensure of certified professional midwives, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 8, 1999, 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. 402), the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Flynn
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lamberti	Lundby
Maddox	McCoy	McKean	McKibben
McLaren	Miller	Redfern	Redwine
Rehberg	Rife	Rittmer	Schuerer
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, 1:

Fink

Absent or not voting, 4:

Horn

Johnson

Sexton

Shearer

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that House Files 339, 402 and 696 be immediately messaged to the House.

PRESENTATION OF VISITORS

The Chair welcomed fifteen members of the Crestwood High School FFA, Cresco, Iowa, accompanied by Mr. Fullses. Senator Soukup.

UNFINISHED BUSINESS

House File 700

On motion of Senator Redfern, House File 700, a bill for an act relating to the liability for unpaid rates or charges of a city utility or enterprise service for water, sewage, and solid waste services, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 8, 1999, was taken up for consideration.

Senator Szymoniak offered amendment S-3249 filed by her on April 6, 1999, to pages 1 and 2 of the bill, and called for a division: lines 3-11 as division S-3249A; and lines 12-15 as division S-3249B.

Senator Szymoniak moved adoption of amendment S-3249 division A, which motion prevailed by a voice vote.

Senator Szymoniak asked and received unanimous consent to withdraw amendment S-3249 division B.

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

On the question "Shall the bill pass?" (H.F. 700), the vote was:

Ayes, 43:

Angelo	Bartz	Behn	Black
Boettger	Connolly	Dearden	Deluhery
Drake	Fink	Flynn	Fraise
Freeman	Gaskill	Gronstal	Hammond
Hansen	Harper	Hedge	Iverson
Jensen	Judge	Kibbie	King
Kramer	Lamberti	Maddox	McCoy
McKean	McKibben	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, 2:

Bolkcom	Dvorsky
---------	---------

Absent or not voting, 5:

Horn	Johnson	Lundby	McLaren
Shearer			

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

UNFINISHED BUSINESS

House File 442

On motion of Senator Dearden, House File 442, a bill for an act relating to payments from the remedial account of the Iowa comprehensive petroleum underground storage tank fund to governmental subdivisions for costs of corrective actions taken due to certain releases from underground storage tanks and allowing the Iowa comprehensive petroleum underground storage tank fund board to seek reimbursement from responsible parties for expenses incurred by governmental subdivisions for costs of corrective actions taken due to certain releases from underground storage tanks, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 8, 1999, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 442), the vote was:

Ayes, 46:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Iverson	Jensen	Judge
Kibbie	King	Kramer	Lamberti
Lundhy	Maddox	McCoy	McKean
McKibben	Miller	Redfern	Redwine
Rehberg	Rife	Rittmer	Schuerer
Sexton	Soukup	Szymoniak	Tinsman
Veenstra	Zieman		

Nays, none.

Absent or not voting, 4:

Horn	Johnson	McLaren	Shearer
------	---------	---------	---------

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 McKibben for the remainder of the day, on request of Senator Miller.

UNFINISHED BUSINESS

House File 705

On motion of Senator Lamberti, House File 705, a bill for an act to change the penalties for the criminal offense of accommodation involving marijuana, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 8, 1999, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 705), the vote was:

Ayes, 34:

Angelo	Bartz	Behn	Boettger
Connolly	Deluhery	Drake	Flynn
Freeman	Gaskill	Gronstal	Hansen
Hedge	Iverson	Jensen	Judge
King	Kramer	Lamberti	Lundby
Maddox	McKean	McLaren	Miller
Redfern	Redwine	Rehberg	Rittmer
Schuerer	Sexton	Soukup	Tinsman
Veenstra	Zieman		

Nays, 11:

Black	Bolkcom	Dearden	Dvorsky
Fink	Fraise	Hammond	Harper
Kibbie	McCoy	Szymoniak	

Absent or not voting, 5:

Horn	Johnson	McKibben	Rife
Shearer			

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 Lundby for the remainder of the day, on request of Senator Iverson.

HOUSE AMENDMENT CONSIDERED

Senate File 424

Senator Freeman called up for consideration Senate File 424, a bill for an act relating to and making transportation and other infrastructure-related appropriations to the state department of transportation, including allocation and use of moneys from the

general fund of the state, road use tax fund, and primary road fund, providing for the use of a former rest area, and providing for the nonreversion of certain moneys and an effective date, amended by the House in House amendment S-3354 filed April 13, 1999.

Senator Connolly asked and received unanimous consent to withdraw amendment S-3402 filed by him from the floor to amendment S-3354.

Senator Connolly asked and received unanimous consent to withdraw amendment S-3407 filed by him from the floor to amendment S-3354.

Senator Connolly asked and received unanimous consent to withdraw amendment S-3403 filed by him from the floor to amendment S-3354.

Senator Hedge took the chair at 3:24 p.m.

Senator Connolly offered amendment S-3406 filed by him from the floor, to amendment S-3354, moved its adoption and requested a record roll call.

On the question "Shall amendment S-3406 to amendment S-3354 be adopted?" (S.F. 424) the vote was:

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

Ayes, 18:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gronstal	Hammond	Hansen
Harper	Judge	Kibbie	McCoy
Soukup	Szymoniak		

Nays, 27:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Jensen	King	Kramer
Lamberti	Maddox	McKean	McLaren
Miller	Redfern	Redwine	Rehberg

Rife
Tinsman

Rittmer
Veenstra

Schuerer
Zieman

Sexton

Absent or not voting, 5:

Horn
Shearer

Johnson

Lundby

McKibben

Amendment S-3406 lost.

Senator Connolly asked and received unanimous consent to withdraw amendment S-3410 filed by him from the floor to amendment S-3354.

Senator McCoy asked and received unanimous consent that action on amendment S-3354 and **Senate File 424** be **deferred**.

UNFINISHED BUSINESS

House File 417

On motion of Senator Sexton, House File 417, a bill for an act relating to release of certain information on claimants of the property tax rent reimbursement to the department of inspections and appeals, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 8, 1999, was taken up for consideration.

Senator Sexton moved that the bill be read the last time now and placed upon its passage, 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, 44:

Angelo
Boettger
Deluhery
Flynn
Gronstal
Hedge
Kibbie
Maddox
Miller

Bartz
Bolkcom
Drake
Fraise
Hammond
Iverson
King
McCoy
Redfern

Behn
Connolly
Dvorsky
Freeman
Hansen
Jensen
Kramer
McKean
Redwine

Black
Dearden
Fink
Gaskill
Harper
Judge
Lamberti
McLaren
Rehberg

Rittmer
Szymoniak

Schuerer
Tinsman

Sexton
Veenstra

Soukup
Zieman

Nays, none.

Absent or not voting, 6:

Horn
Rife

Johnson
Shearer

Lundby

McKibben

HOUSE AMENDMENT CONSIDERED

Senate File 102

Senator Hansen called up for consideration Senate File 102, a bill for an act relating to nonsubstantive Code correction, amended by the House, and moved that the Senate concur in House amendment S-3263 filed April 6, 1999.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Hansen 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. 102), the vote was:

Ayes, 45:

Angelo
Boettger
Deluhery
Flynn
Gronstal
Hedge
Kibbie
Maddox
Miller
Rife
Soukup
Zieman

Bartz
Bolkcom
Drake
Fraise
Hammond
Iverson
King
McCoy
Redfern
Rittmer
Szymoniak

Behn
Connolly
Dvorsky
Freeman
Hansen
Jensen
Kramer
McKean
Redwine
Schuerer
Tinsman

Black
Dearden
Fink
Gaskill
Harper
Judge
Lamberti
McLaren
Rehberg
Sexton
Veenstra

Nays, none.

Absent or not voting, 5:

Horn
Shearer

Johnson

Lundby

McKibben

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 95

Senator Sexton called up for consideration Senate File 95, a bill for an act relating to mandatory motor vehicle proof of financial responsibility by requiring such proof when a motor vehicle subject to registration in this state is operated on a parking lot, amended by the House, and moved that the Senate concur in House amendment S-3348 filed April 13, 1999.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Sexton 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. 95), the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Iverson	Jensen	Judge
Kibbie	King	Kramer	Lamberti
Maddox	McCoy	McKean	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Sexton
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 5:

Horn
Shearer

Johnson

Lundby

McKibben

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

UNFINISHED BUSINESS

House File 281

On motion of Senator Lamberti, House File 281, a bill for an act related to activities of bail enforcement agents that are exempt from state licensing requirements, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 8, 1999, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 281), the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Iverson	Jensen	Judge
Kibbie	King	Kramer	Lamberti
Maddox	McCoy	McKean	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Sexton
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 5:

Horn
Shearer

Johnson

Lundby

McKibben

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that House Files 281, 417, 442, 700, 705 and Senate Files 95 and 102 be immediately messaged to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 194

Senator Miller called up for consideration Senate File 194, a bill for an act relating to acceptable accreditation of psychiatric medical institutions for children for the purpose of licensing, amended by the House and moved that the Senate concur in House amendment S-3347 filed April 13, 1999.

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. 194), the vote was:

Ayes, 45:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery.	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Iverson	Jensen	Judge
Kibbie	King	Kramer	Lamberti
Maddox	McCoy	McKean	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Sexton
Soukup	Szymoniak	Tinsman	Veenstra
Zieman			

Nays, none.

Absent or not voting, 5:

Horn
Shearer

Johnson

Lundby

McKibben

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

BUSINESS PENDING

Senate File 424

The Senate resumed consideration of Senate File 424, a bill for an act relating to and making transportation and other infra-structure-related appropriations to the state department of transportation, including allocation and use of moneys from the general fund of the state, road use tax fund, and primary road fund, providing for the use of a former rest area, and providing for the nonreversion of certain moneys and an effective date and House amendment S-3354, previously deferred.

Senator McCoy offered amendment S-3412 filed by Senators McCoy and Szymoniak from the floor, to amendment S-3354.

Senator Freeman raised the point of order that amendment S-3412 was not germane to the bill.

The Chair ruled the point well taken and amendment S-3412 out of order.

Senator Freeman 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 Freeman moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 424), the vote was:

Ayes, 44:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Fink	Flynn
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Iverson	Jensen	Judge	Kibbie
King	Kramer	Lamberti	Maddox
McCoy	McKean	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Sexton	Soukup
Szymoniak	Tinsman	Veenstra	Zieman

Nays, none.

Absent or not voting, 6:

Dvorsky	Horn	Johnson	Lundby
McKibben	Shearer		

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 194 and 424** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 15, 1999, passed the following bills in which the **concurrence** of the House was asked:

Senate File 9, a bill for an act relating to the exemption of the sales and use tax on building materials, supplies, or equipment of certain rural water districts, and providing retroactive applicability and effective dates.

Senate File 192, a bill for an act relating to open containers in motor vehicles and providing a penalty.

Senate File 211, a bill for an act relating to eligibility of certain persons with disabilities under the optional services coverage category of medical assistance.

Senate File 352, a bill for an act relating to reflective devices on slow-moving vehicles.

ALSO: That the House has on April 15, 1999, concurred in the Senate amendment and passed the following bills in which the **concurrence** of the **House** was asked:

House File 386, a bill for an act relating to increasing the penalties for an assault on a jailer.

House File 458, a bill for an act relating to the role of an auctioneer in conducting a public sale or auction involving real property.

House File 498, a bill for an act defining as a fraudulent practice certain creation or use of retail sales receipts or universal price code labels, and applying penalties.

House File 501, a bill for an act relating to the definitions and penalties applicable to conviction of certain felonies, by making changes related to the offenses of assault and willful injury and making changes in the mandatory minimum penalties for certain felony offenses.

House File 531, a bill for an act providing for the certification of manure applicators by delaying dates required for certification, and providing an effective date.

House File 624, a bill for an act relating to electronic commerce security, and providing penalties.

House File 661, a bill for an act relating to the offense of sexual abuse, providing related definitions, and applying penalties.

ALSO: That the House has on April 15, 1999, passed the following bills in which the **concurrence** of the **Senate** is asked:

House File 749, a bill for an act relating to a sales tax exemption for the inputs purchased for use in a vehicle wash and wax facility.

Read first time and referred to committee on **Ways and Means**.

House File 763, a bill for an act relating to the reimbursement rate for federally qualified health centers and rural health clinics under the medical assistance program.

Read first time and referred to committee on **Appropriations**.

ALSO: That the House has on April 15, 1999, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 287, a bill for an act relating to child welfare provisions involving foster home damages, voluntary foster care placements of children with mental retardation or other developmental disability, release of child abuse information, and annual group foster care and decategorization plans, and providing a contingent effective date. (S-3404)

Senate File 294, a bill for an act relating to lifetime registration for certain sex offenders, the performance of sex offender risk assessments, and the procedures for dissemination of registry information to agencies and the public. (S-3413)

Senate File 395, a bill for an act relating to the department of corrections by providing for purchases from Iowa prison industries, the study of inmate worker safety issues, the establishment of a criminal offense for attempts to escape, the crediting of time served by inmates, inmate work program agreements, the revolving farm fund, and deductions from inmate work program earnings, standards for the employment of probation and parole officers, and making penalties applicable. (S-3405)

Senate File 407, a bill for an act relating to registration of all-terrain vehicles and snowmobiles and providing for and applying penalties. (S-3399)

ALSO: That the House has on April 15, 1999, 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 497, a bill for an act relating to certain programs and public health issues under the purview of the Iowa department of public health. (S-3408)

APPENDIX

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 15, 1999, the Governor approved and transmitted to the Secretary of State the following bills:

S.F. 55 – Legalizing the transfer of certain property by the joint county system of Black Hawk and Buchanan counties to the Independence community school district, and providing an effective date.

S.F. 68 – Relating to counties included in the mid-America port commission.

S.F. 173 – Relating to the description of disabilities of individuals receiving vocational rehabilitation services.

S.F. 448 – Relating to the purchase of certain parcels with delinquent taxes by a city or county, and providing effective and applicability dates.

H.F. 518 – Relating to the fire safety provisions applicable to a bed and breakfast inn.

INTRODUCTION OF BILLS

Senate File 473, by committee on Ways and Means, a bill for an act relating to the administration of the state individual income tax, corporate income tax, sales and use taxes, franchise tax, replacement taxes on electric and natural gas providers, motor fuel taxes, inheritance and estate taxes, property taxes, collection of taxes and debts owed to or collected by the state, and including effective and retroactive applicability date provisions.

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

Senate File 474, by committee on Ways and Means, a bill for an act relating to the treatment of manufactured housing under the state sales and use taxes and the requirements for the issuance of a certificate of title.

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

STUDY BILLS RECEIVED**SSB 1219 Commerce**

Providing comparable access to certain wireline or cable facilities to internet service providers.

SSB 1220 Commerce

Relating to the collection, use, and disclosure of certain information associated with insurance transactions, providing for civil and criminal penalties, and providing an effective date.

SUBCOMMITTEE ASSIGNMENTS**House File 761**

APPROPRIATIONS: Tinsman, Chair; Flynn and Redwine

House File 762

APPROPRIATIONS: King, Chair; Deluhery, Flynn, McLaren, and Rife

House File 763

APPROPRIATIONS: Tinsman, Chair; Hammond and Rehberg

COMMITTEE REPORTS**WAYS AND MEANS**

Final Bill Action: *SENATE FILE 473 (SSB 1044), a bill for an act relating to the administration of the state individual income tax, corporate income tax, sales and use taxes, franchise tax, replacement taxes on electric and natural gas providers, motor fuel taxes, inheritance and estate taxes, property taxes, collection of taxes and debts owed to or collected by the state, and including effective and retroactive applicability date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes 14: Johnson, McKibben, Harper, Bartz, Bolkcom, Connolly, Deluhery, Drake, Flynn, Hedge, Lamberti, Maddox, Redwine, and Soukup. 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 Ways and Means Committee on Senate File 473, and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 474 (SSB 1215), a bill for an act relating to the treatment of manufactured housing under the state sales and use taxes and the requirements for the issuance of a certificate of title.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes 14: Johnson, McKibben, Harper, Bartz, Bolkcom, Connolly, Deluhery, Drake, Flynn, Hedge, Lamberti, Maddox, Redwine, and Soukup. 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 Ways and Means Committee on Senate File 474, and they were attached to the committee report.

AMENDMENTS FILED

S-3397	H.F. 532	Maggie Tinsman
S-3398	H.F. 322	Merlin E. Bartz
S-3399	S.F. 407	House
S-3400	H.F. 746	Dennis H. Black
S-3401	H.F. 172	Nancy Boettger
S-3402	S.F. 424	Michael W. Connolly
S-3403	S.F. 424	Michael W. Connolly
S-3404	S.F. 287	House
S-3405	S.F. 395	House
S-3406	S.F. 424	Michael W. Connolly
S-3407	S.F. 424	Michael W. Connolly
S-3408	H.F. 497	House
S-3409	S.F. 470	Andy McKean
S-3410	S.F. 424	Michael W. Connolly
S-3411	H.F. 675	Mike Sexton Michael W. Connolly
S-3412	S.F. 424	Matt McCoy Elaine Szymoniak
S-3413	S.F. 294	House

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 4:41 p.m., until 3:00 p.m., Monday, April 19, 1999.

JOURNAL OF THE SENATE

NINETY-NINTH CALENDAR DAY
FIFTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 19, 1999

The Senate met in regular session at 3:16 p.m., President Kramer presiding.

Prayer was offered by Pastor David Renfro of St. Paul Lutheran Church, Aurelia, Iowa.

The Journal of Thursday, April 15, 1999, was approved.

PRESENTATION OF VISITORS

The Chair welcomed nineteen high school students participating in the Capitol Project co-hosted by Secretary of State Chet Culver and First Lady Christie Vilsack.

ADOPTION OF RESOLUTION

Senator Hedge asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 17.

Senate Concurrent Resolution 17

On motion of Senator Kibbie, Senate Concurrent Resolution 17, a concurrent resolution to urge that the United States Congress enact and the United States Department of Agriculture implement measures necessary in order to allow the interstate sale of meat and poultry products by state-inspected establishments, with report of committee recommending passage, was taken up for consideration.

Senator Kibbie moved adoption of Senate Concurrent Resolution 17, which motion prevailed by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Judge until he arrives, on request of Senator Hansen.

UNFINISHED BUSINESS

House File 296

On motion of Senator Tinsman, House File 296, a bill for an act to restrict the posting of bond for the offense of felony stalking, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 8, 1999, 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. 296), the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gaskill
Gronstal	Hammond	Hansen	Harper
Hedge	Horn	Iverson	Jensen
Johnson	Kibbie	King	Kramer
Lamberti	Lundby	Maddox	McCoy
McKibben	McLaren	Miller	Redwine
Rehberg	Rife	Rittmer	Schuerer
Sexton	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, none.

Absent or not voting, 3:

Judge	McKean	Redfern
-------	--------	---------

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

UNFINISHED BUSINESS

House File 532

On motion of Senator Tinsman, House File 532, a bill for an act relating to practitioner preparation programs and providing for a pilot study to assess the performance of teacher education graduates, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 8, 1999, was taken up for consideration.

Senator Tinsman offered amendment S-3397 filed by her on April 15, 1999, to pages 1 and 2 of the bill and moved its adoption.

Amendment S-3397 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (H.F. 532), the vote was:

Ayes, 47:

Angelo	Bartz	Behn	Black
Boettger	Bolkcom	Connolly	Dearden
Deluhery	Drake	Dvorsky	Flynn
Fraise	Freeman	Gaskill	Gronstal
Hammond	Hansen	Harper	Hedge
Horn	Iverson	Jensen	Johnson
Kibbie	King	Kramer	Lamberti
Lundby	Maddox	McCoy	McKibben
McLaren	Miller	Redfern	Redwine
Rehberg	Rife	Rittmer	Schuerer
Sexton	Shearer	Soukup	Szymoniak
Tinsman	Veenstra	Zieman	

Nays, 1:

Fink

Absent or not voting, 2:

Judge

McKean

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Concurrent Resolution 17** and **House Files 296** and **532** be **immediately messaged** to the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McKean until he arrives, on request of Senator Tinsman.

ADOPTION OF RESOLUTION

Senator Iverson asked and received unanimous consent to take up for consideration **Senate Concurrent Resolution 18**.

Senate Concurrent Resolution 18

On motion of Senator Fink, **Senate Concurrent Resolution 18**, a concurrent resolution requesting the Department of Education to cooperate with the Iowa Arts Council in administering a contest for students to submit design proposals for Iowa's participation in the United States Mint's 50 state quarters program, was taken up for consideration.

Senator Fink moved adoption of **Senate Concurrent Resolution 18**, which motion prevailed by a voice vote.

WITHDRAWN

Senator Drake asked and received unanimous consent that **Senate Concurrent Resolution 13** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS
(Deferred March 30, 1999)

Senate File 445

The Senate resumed consideration of Senate File 445, a bill for an act relating to gambling, by imposing a moratorium on the issuance or transfer of certain gambling licenses and on increasing the number of games and machines, authorizing the use of video slot machines, providing for the transfer of collective bargaining agreements, limiting the location of excursion gambling boats and pari-mutuel racetracks, prohibiting the dispensing of cash or credit on certain gambling premises, imposing a scheduled fine for gambling by persons under twenty-one years of age, limiting civil penalties related to violations of legal age for gambling, providing for the disposition of charitable contributions, nullifying certain administrative rules relating to gambling, rescinding the nine-year period of operation for certain licenses, providing for properly related matters, and providing effective dates, deferred March 30, 1999.

Senator Rife asked and received unanimous consent to withdraw amendment S-3331 filed by Senators Rife and McLaren on April 8, 1999, to pages 1, 4 and to the title page of the bill.

With the withdrawal of amendment S-3331, the Chair ruled amendment S-3363, filed by Senator Hansen on April 14, 1999, to amendment S-3331, out of order.

Senator Redwine asked and received unanimous consent to withdraw amendment S-3197 filed by him on March 30, 1999, to pages 2-3 of the bill.

Senator McKean offered amendment S-3196 filed by him on March 30, 1999, to page 4 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3196 be adopted?" (S.F. 445), the vote was:

Ayes, 21:

Angelo	Bartz	Behn	Boettger
Bolkcom	Drake	Dvorsky	Freeman
Hammond	Hedge	Iverson	Jensen
Johnson	King	McKean	McKibben
Miller	Redfern	Redwine	Schuerer
Veenstra			

Nays, 28:

Black	Connolly	Dearden	Deluhery
Fink	Flynn	Fraise	Gaskill
Gronstal	Hansen	Harper	Horn
Judge	Kibbie	Kramer	Lamberti
Lundby	Maddox	McCoy	McLaren
Rife	Rittmer	Sexton	Shearer
Soukup	Szymoniak	Tinsman	Zieman

Absent or not voting, 1:

Rehberg

Amendment S-3196 lost.

Senator Lundby moved that the bill be read the last time now and placed upon its passage, 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:

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

Ayes, 30:

Black	Connolly	Dearden	Deluhery
Fink	Flynn	Fraise	Freeman
Gaskill	Gronstal	Hansen	Harper
Iverson	Johnson	Judge	Kibbie
Kramer	Lamberti	Lundby	Maddox
McCoy	McLaren	Rife	Rittmer
Sexton	Shearer	Soukup	Szymoniak
Tinsman	Zieman		

Nays, 20:

Angelo	Bartz	Behn	Boettger
Bolkcom	Drake	Dvorsky	Hammond

Hedge
McKean
Redwine

Horn
McKibben
Rehberg

Jensen
Miller
Schuerer

King
Redfern
Veenstra

Absent or not voting, 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 Iverson asked and received unanimous consent that Senate Concurrent Resolution 18 and Senate File 445 be immediately messaged to the House.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration House File 760.

House File 760

On motion of Senator Tinsman, House File 760, a bill for an act relating to appropriations for the department of human services and including other provisions and appropriations involving human services and health care, and providing effective dates, with report of committee recommending amendment and passage, was taken up for consideration.

President pro tempore Redfern took the chair at 4:32 p.m.

The Senate stood at ease at 4:34 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 6:08 p.m., President Kramer presiding.

QUORUM CALL

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

The vote revealed 33 present, 17 absent, and a quorum present.

Senator Tinsman offered amendment S-3391 filed by the committee on Appropriations on April 14, 1999, to pages 6, 12, 14, 18, 20, 21, 23, 24, 31, 39, 40, 42, 44, 45, 49-51, 55, 58, 60, 61, 66 and 70 of the bill.

Senator Hammond offered amendment S-3417 filed by her from the floor, to amendment S-3391 and moved its adoption.

Amendment S-3417 lost by a voice vote.

Senator Redwine asked and received unanimous consent to withdraw amendment S-3415 filed by him from the floor to amendment S-3391.

Senator Freeman offered amendment S-3430 filed by her from the floor, to amendment S-3391 and moved its adoption.

A non-record roll call was requested.

The ayes were 20, nays 25.

Amendment S-3430 lost.

Senator Tinsman moved adoption of amendment S-3391 by the committee on Appropriations to pages 6, 12, 14, 18, 20, 21, 23, 24, 31, 39, 40, 42, 44, 45, 49-51, 55, 58, 60, 61, 66 and 70 of the bill.

Amendment S-3391 was adopted by a voice vote.

Senator Hammond offered amendment S-3420 filed by Senators Hammond, Szymoniak and Flynn from the floor, to page 16 of the bill and moved its adoption.

Amendment S-3420 lost by a voice vote.

Senator Hammond offered amendment S-3426 filed by Senators Hammond, et al., from the floor, to page 22 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3426 be adopted?" (H.F. 760), the vote was:

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

Ayes, 22:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Freeman	Gronstal	Hammond
Hansen	Harper	Horn	Judge
Kibbie	McCoy	McKean	Shearer
Soukup	Szymoniak		

Nays, 27:

Angelo	Bartz	Behn	Boettger
Drake	Gaskill	Hedge	Iverson
Jensen	Johnson	King	Kramer
Lamberti	Lundby	Maddox	McKibben
McLaren	Miller	Redfern	Redwine
Rehberg	Rife	Schuerer	Sexton
Tinsman	Veenstra	Zieman	

Absent or not voting, 1:

Rittmer

Amendment S-3426 lost.

Senator Hammond offered amendment S-3425 filed by Senators Hammond et al., from the floor, to pages 23 and 69 of the bill and called for a division: lines 2-4 as division S-3425A; lines 5-26 as division S-3425B.

Senator Hammond asked and received unanimous consent to withdraw division S-3425A.

President pro tempore Redfern took the chair at 7:11 p.m.

President Kramer took the chair at 7:21 p.m.

Senator Hammond moved adoption of division S-3425B and requested a record roll call.

On the question "Shall amendment S-3425 division B be adopted?" (H.F. 760), the vote was:

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

Ayes, 23:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Freeman	Gronstal	Hammond
Hansen	Harper	Horn	Jensen
Judge	Kibbie	Lundby	McCoy
Shearer	Soukup	Szymoniak	

Nays, 27:

Angelo	Bartz	Behn	Boettger
Drake	Gaskill	Hedge	Iverson
Johnson	King	Kramer	Lamberti
Maddox	McKean	McKibben	McLaren
Miller	Redfern	Redwine	Rehberg
Rife	Rittmer	Schuerer	Sexton
Tinsman	Veenstra	Zieman	

Absent or not voting, none.

Amendment S-3425 division B lost.

Senator Gronstal offered amendment S-3424 filed by Senators Gronstal, et al., from the floor, to page 23 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S-3424 be adopted?" (H.F. 760), the vote was:

Ayes, 20:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gronstal	Hammond	Hansen
Harper	Horn	Judge	Kibbie
McCoy	Shearer	Soukup	Szymoniak

Nays, 30:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Jensen	Johnson	King
Kramer	Lamberti	Lundby	Maddox
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Sexton	Tinsman
Veenstra	Zieman		

Absent or not voting, none.

Amendment S-3424 lost.

Senator Hammond offered amendment S-3423 filed by Senators Hammond, et al., from the floor, to pages 32 and 39 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3423 be adopted?" (H.F. 760), the vote was:

Ayes, 20:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gronstal	Hammond	Hansen
Harper	Horn	Judge	Kibbie
McCoy	Shearer	Soukup	Szymoniak

Nays, 29:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Jensen	Johnson	King
Kramer	Lamberti	Lundby	Maddox
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rittmer
Schuerer	Sexton	Tinsman	Veenstra
Zieman			

Absent or not voting, 1:

Rife

Amendment S-3423 lost.

Senator Dvorsky offered amendment S-3427 filed by Senators Dvorsky and Tinsman from the floor, to page 41 of the bill and moved its adoption.

Amendment S-3427 was adopted by a voice vote.

President pro tempore Redfern took the chair at 7:55 p.m.

Senator Dvorsky offered amendment S-3414 filed by Senators Dvorsky and Hammond from the floor, to page 41 of the bill and moved its adoption.

A non-record roll call was requested.

The ayes were 19, nays 31.

Amendment S-3414 lost.

Senator Hammond offered amendment S-3421 filed by Senators Hammond, et al., from the floor, to page 50 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3421 be adopted?" (H.F. 760), the vote was:

Ayes, 20:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gronstal	Hammond	Hansen
Harper	Horn	Judge	Kibbie
McCoy	Shearer	Soukup	Szymoniak

Nays, 30:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Jensen	Johnson	King
Kramer	Lamberti	Lundby	Maddox
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Sexton	Tinsman
Veenstra	Zieman		

Absent or not voting, none.

Amendment S-3421 lost.

Senator Dvorsky offered amendment S-3422 filed by Senators Dvorsky, et al., from the floor, to page 56 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3422 be adopted?" (H.F. 760), the vote was:

Ayes, 20:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gronstal	Hammond	Hansen
Harper	Horn	Judge	Kibbie
McCoy	Shearer	Soukup	Szymoniak

Nays, 30:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Jensen	Johnson	King
Kramer	Lamberti	Lundby	Maddox
McKean	McKibben	McLaren	Miller
Redfern	Redwine	Rehberg	Rife
Rittmer	Schuerer	Sexton	Tinsman
Veenstra	Zieman		

Absent or not voting, none.

Amendment S-3422 lost.

Senator Hammond offered amendment S-3416 filed by her from the floor, to pages 67-68 of the bill and moved its adoption.

Amendment S-3416 lost by a voice vote.

Senator Hammond offered amendment S-3418 filed by her from the floor, to page 68 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3418 be adopted?" (H.F. 760), the vote was:

Ayes, 21:

Bartz	Black	Bolkcom	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gronstal	Hammond
Hansen	Harper	Horn	Judge
Kibbie	McCoy	Shearer	Soukup
Szymoniak			

Nays, 29:

Angelo	Behn	Boettger	Drake
Freeman	Gaskill	Hedge	Iverson
Jensen	Johnson	King	Kramer
Lamberti	Lundby	Maddox	McKean
McKibben	McLaren	Miller	Redfern
Redwine	Rehberg	Rife	Rittmer
Schuerer	Sexton	Tinsman	Veenstra
Zieman			

Absent or not voting, none.

Amendment S-3418 lost.

Senator Hammond asked and received unanimous consent to withdraw amendment S-3419 filed by Senators Hammond and Szymoniak from the floor, to page 23 of the bill.

Senator Harper offered amendment S-3428 filed by Senators Harper, et al., from the floor, to page 68 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3428 be adopted?" (H.F. 760), the vote was:

Ayes, 22:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gronstal	Hammond	Hansen
Harper	Horn	Judge	Kibbie
Lundby	Maddox	McCoy	Shearer
Soukup	Szymoniak		

Nays, 28:

Angelo	Bartz	Behn	Boettger
Drake	Freeman	Gaskill	Hedge
Iverson	Jensen	Johnson	King
Kramer	Lamberti	McKean	McKibben
McLaren	Miller	Redfern	Redwine
Rehberg	Rife	Rittmer	Schuerer
Sexton	Tinsman	Veenstra	Zieman

Absent or not voting, none.

Amendment S-3428 lost.

Senator Tinsman filed the following motion to reconsider from the floor and moved its adoption:

MADAM PRESIDENT: I move to reconsider the vote by which amendment S-3391 to House File 760 was adopted by the Senate on April 19, 1999.

The motion prevailed by a voice vote and amendment S-3391 by the committee on Appropriations to pages 6, 12, 14, 18, 20, 21, 23, 24, 31, 39, 40, 42, 44, 45, 49-51, 55, 58, 60, 61, 66 and 70 was taken up for reconsideration.

Senator Tinsman called for a division of amendment S-3391: page 1, lines 3-37, 43-50 and pages 2 and 3 as division S-3391A; page 1, lines 38-42 as division S-3391B.

Senator Tinsman moved adoption of division S-3391A, which motion prevailed by a voice vote.

Senator Tinsman asked and received unanimous consent to withdraw division S-3391B.

Senator Tinsman offered amendment S-3429 filed by her from the floor, to pages 21-24, 26, 29, 34, 57-60, 62, 67, 69 and 70 of the bill and moved its adoption.

Amendment S-3429 was adopted by a voice vote.

With the adoption of amendment S-3429, the Chair ruled amendment S-3431, filed by Senators Tinsman and Kramer from the floor, to pages 22 and 69 of the bill, out of order.

Senator Tinsman offered amendment S-3437 filed by Senators Tinsman and Kramer from the floor, to pages 22 and 69 of the bill and moved its adoption.

Amendment S-3437 was adopted by a voice vote.

Senator McLaren offered amendment S-3438 filed by him from the floor, to pages 56 and 70 of the bill and moved its adoption.

Amendment S-3438 was adopted by a voice vote.

Senator Hammond asked and received unanimous consent to withdraw amendment S-3432 filed by Senators Hammond and Bolkcom from the floor to pages 66 and 67 of the bill.

President Kramer took the chair at 9:01 p.m.

Senator Hammond offered amendment S-3433 filed by Senators Hammond and Bolkcom from the floor, to pages 66 and 67 of the bill.

Senator Hammond offered amendment S-3436 filed by her from the floor, to amendment S-3433 and moved its adoption.

A non-record roll call was requested.

The ayes were 22, nays 26.

Amendment S-3436 lost.

Senator Hammond moved adoption of amendment S-3433.

A record roll call was requested.

On the question "Shall amendment S-3433 be adopted?" (H.F. 760), the vote was:

Ayes, 25:

Black	Bolkcom	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Freeman	Gronstal	Hammond
Hansen	Harper	Horn	Jensen
Judge	Kibbie	Lundby	Maddox

McCoy
Tinsman

Shearer

Soukup

Szymoniak

Nays, 25:

Angelo
Drake
Johnson
McKean
Redfern
Rittmer
Zieman

Bartz
Gaskill
King
McKibben
Redwine
Schuerer

Behn
Hedge
Kramer
McLaren
Rehberg
Sexton

Boettger
Iverson
Lamberti
Miller
Rife
Veenstra

Absent or not voting, none.

Amendment S-3433 lost.

Senator McCoy offered amendment S-3434 filed by him from the floor, to page 67 of the bill and moved its adoption.

A non-record roll call was requested.

The ayes were 19, nays 28.

Amendment S-3434 lost.

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. 760), the vote was:

Ayes, 28:

Angelo
Drake
Jensen
Lamberti
McKibben
Redwine
Sexton

Bartz
Gaskill
Johnson
Lundby
McLaren
Rehberg
Tinsman

Behn
Hedge
King
Maddox
Miller
Rittmer
Veenstra

Boettger
Iverson
Kramer
McKean
Redfern
Schuerer
Zieman

Nays, 22:

Black
Deluhery
Fraise
Hansen

Bolkcom
Dvorsky
Freeman
Harper

Connolly
Fink
Gronstal
Horn

Dearden
Flynn
Hammond
Judge

Kibbie
Soukup

McCoy
Szymoniak

Rife

Shearer

Absent or not voting, none.

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

Senator Iverson asked and received unanimous consent that House File 760 be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 15, 1999, passed the following bill in which the **concurrence** of the Senate is asked:

House File 748, a bill for an act exempting internet from the state sales, services, and use taxes.

Read first time and referred to committee on **Ways and Means**.

ALSO: That the House has on April 15, 1999, concurred in the Senate amendment and passed the following bill in which the **concurrence** of the House was asked:

House File 664, a bill for an act relating to mental health, mental retardation, and other developmental disabilities and including effective date and applicability provisions.

ALSO: That the House has on April 19, 1999, passed the following bill in which the **concurrence** of the Senate is asked:

House File 767, a bill for an act relating to certified capital companies and providing for a certified capital company insurance premium tax credit.

Read first time and referred to committee on **Ways and Means**.

ALSO: That the House has on April 19, 1999, **refused to concur** in the Senate amendment to the following bill in which the **concurrence** of the House was asked:

House File 711, a bill for an act concerning the imposition of a drug abuse resistance education surcharge for criminal alcohol beverage control offenses.

ALSO: That the House has on April 19, 1999, passed the following bill in which the concurrence of the House was asked:

Senate File 231, a bill for an act providing a sales and use tax exemption for hospices.

ALSO: That the House has on April 19, 1999, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 100, a bill for an act relating to the revocation or suspension of a law enforcement officer's certification.

House File 242, 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 dates and for retroactive applicability.

House File 647, a bill for an act relating to judges, concerning associate juvenile judges, associate probate judges, and retired judges.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Sally Mann, Cedar Rapids – For completing all the requirements for the highest award in Girl Scouting, "The Gold Award." Senator Drake (04/19/99).

Valley High School Music Department, West Des Moines – For being selected as the National GRAMMY Signature School. Senator Kramer (04/19/99).

Melissa Wright, Toddville – For completing all the requirements for the highest award in Girl Scouting, "The Gold Award." Senator Drake (04/19/99).

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 16, 1999, the Governor approved and transmitted to the Secretary of State the following bills:

S.F. 190 – Relating to the requirements for establishing and operating a city cable communication utility.

S.F. 233 – Relating to the preservation of records held by financial institutions.

S.F. 303 – Requiring that the clerk of the district court confirm that notice has been given to required parties prior to the filing of a nonstatutory lien.

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 19th day of April, 1999:

Senate Files 265, 276, 277, and 366.

MICHAEL E. MARSHALL
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 445, the following corrections were made:

1. Page 8, line 8, the word and number "section 17" were changed to the word and number "section 19".
2. Page 8, line 10, the word and number "Section 17" were changed to the word and number "Section 19".

MICHAEL E. MARSHALL
Secretary of the Senate

PETITION

The following petition was presented and placed on file by:

Senator Rittmer, from twenty residents of Clinton County, Iowa,
favoring legislation for a fuel quality standard for Iowa.

AMENDMENTS FILED

S-3414	H.F. 760	Robert E. Dvorsky Johnie Hammond
S-3415	H.F. 760	John Redwine
S-3416	H.F. 760	Johnie Hammond
S-3417	H.F. 760	Johnie Hammond
S-3418	H.F. 760	Johnie Hammond
S-3419	H.F. 760	Johnie Hammond Elaine Szymoniak
S-3420	H.F. 760	Johnie Hammond Elaine Szymoniak Tom Flynn
S-3421	H.F. 760	Johnie Hammond Dennis H. Black Joe Bolkcom Michael W. Connolly Dick L. Dearden Patrick J. Deluhery Robert E. Dvorsky Bill Fink Tom Flynn Eugene S. Fraise Michael E. Gronstal Steven D. Hansen Patricia M. Harper Wally E. Horn John Judge

		John P. Kibbie
		Matt McCoy
		Mark Shearer
		Betty A. Soukup
		Elaine Szymoniak
S-3422	H.F. 760	Robert E. Dvorsky
		Dennis H. Black
		Joe Bolkcom
		Michael W. Connolly
		Dick L. Dearden
		Patrick J. Deluhery
		Bill Fink
		Tom Flynn
		Eugene S. Fraise
		Michael E. Gronstal
		Johnie Hammond
		Steven D. Hansen
		Patricia M. Harper
		Wally E. Horn
		John Judge
		John P. Kibbie
		Matt McCoy
		Mark Shearer
		Betty A. Soukup
		Elaine Szymoniak
S-3423	H.F. 760	Johnie Hammond
		Dennis H. Black
		Joe Bolkcom
		Michael W. Connolly
		Dick L. Dearden
		Patrick J. Deluhery
		Robert E. Dvorsky
		Bill Fink
		Tom Flynn
		Eugene S. Fraise
		Michael E. Gronstal
		Steven D. Hansen
		Patricia M. Harper
		Wally E. Horn
		John Judge
		John P. Kibbie

		Matt McCoy
		Mark Shearer
		Betty A. Soukup
		Elaine Szymoniak
S-3424	H.F. 760	Michael E. Gronstal
		Johnie Hammond
		Elaine Szymoniak
		Dennis H. Black
		Joe Bolkcom
		Michael W. Connolly
		Dick L. Dearden
		Patrick J. Deluhery
		Robert E. Dvorsky
		Bill Fink
		Tom Flynn
		Eugene S. Fraise
		Steven D. Hansen
		Patricia M. Harper
		Wally E. Horn
		John Judge
		John P. Kibbie
		Matt McCoy
		Mark Shearer
		Betty A. Soukup
S-3425	H.F. 760	Johnie Hammond
		Dennis H. Black
		Joe Bolkcom
		Michael W. Connolly
		Dick L. Dearden
		Patrick J. Deluhery
		Robert E. Dvorsky
		Bill Fink
		Tom Flynn
		Eugene S. Fraise
		Michael E. Gronstal
		Steven D. Hansen
		Patricia M. Harper
		Wally E. Horn
		John Judge
		John P. Kibbie
		Matt McCoy

		Mark Shearer
		Betty A. Soukup
		Elaine Szymoniak
S-3426	H.F. 760	Johnnie Hammond
		Dennis H. Black
		Joe Bolkcom
		Michael W. Connolly
		Dick L. Dearden
		Patrick J. Deluhery
		Robert E. Dvorsky
		Bill Fink
		Tom Flynn
		Eugene S. Fraise
		Michael E. Gronstal
		Steven D. Hansen
		Patricia M. Harper
		Wally E. Horn
		John Judge
		John P. Kibbie
		Matt McCoy
		Mark Shearer
		Betty A. Soukup
		Elaine Szymoniak
S-3427	H.F. 760	Robert E. Dvorsky
		Maggie Tinsman
S-3428	H.F. 760	Patricia M. Harper
		Dennis H. Black
		Joe Bolkcom
		Michael W. Connolly
		Dick L. Dearden
		Patrick J. Deluhery
		Robert E. Dvorsky
		Bill Fink
		Tom Flynn
		Eugene S. Fraise
		Michael E. Gronstal
		Johnnie Hammond
		Steven D. Hansen
		Wally E. Horn
		John Judge
		John P. Kibbie

Matt McCoy
Mark Shearer
Betty E. Soukup
Elaine Szymoniak

S-3429	H.F. 760	Maggie Tinsman
S-3430	H.F. 760	Mary Lou Freeman
S-3431	H.F. 760	Maggie Tinsman
		Mary E. Kramer
S-3432	H.F. 760	Johnie Hammond
		Joe Bolkcom
S-3433	H.F. 760	Johnie Hammond
		Joe Bolkcom
S-3434	H.F. 760	Matt McCoy
S-3435	H.F. 218	Steve King
		Nancy Boettger
		Steven D. Hansen
		Michael E. Gronstal
		Derryl McLaren
S-3436	H.F. 760	Johnie Hammond
S-3437	H.F. 760	Maggie Tinsman
		Mary E. Kramer
S-3438	H.F. 760	Derryl McLaren
S-3439	H.F. 448	Joe Bolkcom
		John W. Jensen

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 9:58 p.m., until 9:00 a.m., Tuesday, April 20, 1999.